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How Multinational Organizations Can Ascend The Maturity Curve On LGBT+ Rights

Abstract

Multinational corporations in anti-LGBT+ jurisdictions tend to choose among three models of engagement: (1) When in Rome, where they adhere to the norms of the jurisdiction by creating exceptions to their pro-LGBT+ policies; (2) Embassy, where they apply pro-LGBT+ policies and practices to their own employees without seeking to influence the society outside the company; and (3) Advocate, where they strive to make change externally, such as by lobbying the government or supporting local activists. This paper explains why multinational organizations cannot operate consistently in the Advocate model across the globe. It then provides guidance on how such organizations can determine their readiness to move along the maturity curve from one model to another, and, if unready, how they can build capacity for a future move. The paper explores how companies can use an "LGBT+ growth cycle" to assess the risks in a jurisdiction's legal, social, and company environments; build capacity by cultivating internal champions in support of LGBT+ rights at grassroots and leadership levels; and continue building capacity by taking actions aimed at advancing their organizations along the maturity curve. The goal of the paper is to prompt discussion within the corporate sector on how best to achieve LGBT+ inclusion globally.

Report developed in collaboration with EY, Microsoft and Dow.

EY
Building a better working world

Microsoft

Dow

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Introduction

Multinational organizations that support LGBT+ rights face difficult choices when they operate across the globe.[1] As of the date of this report, some 70 countries treat consensual homosexual activity as illegal, including 13 that can punish such activity with the death penalty.[2] Barely a quarter of the world's 193 nations have legal protections against discrimination based on sexual orientation;[3] fewer than 30 recognize marriage equality.[4] Legal recognition of transgender individuals is patchy, and laws often prescribe intrusive medical requirements.[5] Social and cultural attitudes impose additional burdens of stigma and exclusion on LGBT+ people.

Against this backdrop, multinational corporations in anti-LGBT+ jurisdictions tend to choose among three models of engagement, first outlined in a 2016 report, *Out in the World: Securing LGBT+ Rights in the Global Marketplace*.[6] In the first, the "When in Rome" model, companies adhere to the norms of the jurisdiction by creating exceptions to their pro-LGBT+ policies. In the second, the "Embassy" model, companies apply pro-LGBT+ policies and practices to their own employees without seeking to change the laws or culture outside the company. In the third, the "Advocate" model, corporations strive to change the climate in the country, such as by lobbying the government or supporting local activists. Companies can and routinely do operate in all three models across different office locations.

The United Nations Office of the High Commissioner for Human Rights adopted the tripartite framework of When in Rome, Embassy, and Advocate in its 2017 Standards of Conduct for Business, which outlines how companies can respect and support LGBT+ human rights globally.[7] However, neither the *Out in the World* report nor the UN Standards offered guidance on how to choose among the three models, when to move from one model to another, or how to build capacity to enable a future move.

This paper addresses that gap. Part I explains why companies should resist the pressure to describe themselves as consistent global Advocates on LGBT+ rights. Part II offers an LGBT+ growth cycle to help companies progress through the three models. Part III applies the cycle to the shift from When in Rome to Embassy. Part IV applies the cycle to the shift from Embassy to Advocate. Part V briefly discusses the ongoing growth cycle that must occur even when a company attains the goal of becoming an Advocate.

This paper is based on interviews with 30 individuals evenly distributed across three organizations in different industries: Dow (manufacturing), EY (professional services), and Microsoft (technology). The interviewees were diverse across age, gender, race and ethnicity, LGBT+ status, and role within the organization. They had experience in 17 countries across the Americas, Europe, the Middle East and Asia-Pacific — such as Australia, Brazil, China, Great Britain, India, Japan, Mexico, Saudi Arabia, Singapore, and Turkey. These jurisdictions reflect a mix of relatively LGBT+-friendly jurisdictions, mid-range jurisdictions, and relatively hostile jurisdictions.[8]

The interviews were by no means a random sample. The participating organizations are at the forefront of LGBT+ inclusion within the Fortune 500 and were selected for their longstanding commitment to, and experience in, advancing LGBT+ rights around the world. Those organizations, in turn, identified the interviewees. Nonetheless, the interviews provided substantial qualitative data on how three major multinational organizations are navigating the challenge of achieving global LGBT+ inclusion.

1 This report uses the term "LGBT+." Where an interviewee used a different term, the paper retains the interviewee's usage in any direct quotations.

2 Lucas Ramón Mendos, *State-Sponsored Homophobia,* 13th ed. (Geneva: International Lesbian, Gay, Bisexual, Trans, and Intersex Association, 2019), 15-16. This figure would be 12 but for the recent laws that would have made homosexuality punishable by death in Brunei. However, the Sultan of Brunei has said that the country will not enforce such laws. "Brunei says it won't enforce death penalty for gay sex," BBC News, May 6, 2019, https://www.bbc.com/news/world-asia-48171165.

3 Mendos, State-Sponsored Homophobia, 235.

4 Ibid., 277.

5 Zhan Chiam, Sandra Duffy, and Matilda González Gil, Trans Legal Mapping Report: Recognition before the law, 2nd ed. (Geneva: International Lesbian, Gay, Bisexual, Trans, and Intersex Association, 2017).

6 Sylvia Ann Hewlett and Kenji Yoshino, Out in the World: Securing LGBT Rights in the Global Marketplace (New York: Center for Talent Innovation, 2016).

7 Office of the United Nations High Commissioner for Human Rights, "Tackling Discrimination Against Lesbian, Gay, Bi, Trans and Intersex People: Standards of Conduct for Business," September 2017, https://www.unfe.org/wp-content/uploads/2017/09/UN-Standards-of-Conduct.pdf.

8 The countries were ranked on a social acceptance scale, out of 128, 14th (UK), 17th (Australia), 23rd (USA), 27th (Brazil), 32nd (Mexico), 34th (Japan), 46th (Colombia), 48th (Hong Kong), 49th (Singapore), 73rd (Thailand), 76th (China), 79th (Ukraine), 82nd (India), 87th (Russia), 95th (Turkey), 121st (Indonesia), and 126th (Saudi Arabia). Andrew R. Flores and Andrew Park, *Polarized Progress: Social Acceptance of LGBT People in 141 Countries, 1981 to 2014* (Los Angeles: The Williams Institute, 2018).

PART I:

Companies Cannot Be Consistent Global Advocates

To discuss evolution along a three-stage maturity curve, a company must first acknowledge that it has not adopted the Advocate model across the globe. Some companies, however, purport to have achieved that feat. Beth Brooke, EY's Global Vice Chair of Public Policy, recalled serving on a panel about global LGBT+ inclusion with another senior leader from a well-known company: "In answer to a question … about the models, the leader said, 'Yes we have one model all around the world,' implying they were advocates everywhere." Brooke was taken aback by the statement because it "reflected such a lack of understanding of the realities of how a company must operate in different countries." As Brooke indicates, it is impossible to be in the Advocate model consistently across the world, because companies must adjust their policies and initiatives to local laws and cultural norms.

The gap between rhetoric and reality flows from moral and market pressures to "spin up" with regard to efforts in this area. First, companies may sense that they need to articulate a universal Advocate position because the human rights implicated are universal. While admirable, this sentiment does not negate the reality that enacting human rights principles must occur in dialogue with real conditions on the ground. The UN Standards themselves acknowledge, in discussing the three-stage model, that a "company can utilize all three models at once, depending on the prevailing local conditions in the jurisdictions where it operates, bearing in mind that in any given context, legal and social attitudes are not uniformly the same towards lesbian, gay, bi, trans, and intersex people."[9]

Second, companies experience market pressure to project an inclusive global brand to recruit, retain, and advance LGBT+ talent globally, as well as to appeal to LGBT+ consumers and their allies. Yet, given that their careers and safety are at stake, prospective and actual employees will prefer that employers be utterly transparent about what policies apply in a particular jurisdiction. Consumers also benefit from an accurate picture of a company's LGBT+ activities. Exaggerating the extent of a company's advocacy risks negative publicity for "pinkwashing" — opportunistically supporting the LGBT+ community for commercial gain without backing up that posture with real action.[10]

Instead of describing themselves as Advocates across the board, multinational companies should undertake a dispassionate analysis of their global LGBT+ inclusion opportunities and accept that some jurisdictions require them to operate under the When in Rome or Embassy models. As Fleur Bothwick, EY's Director of Diversity and Inclusion for the EMEIA region, stated: "If we had a silver bullet, we would have used it by now."

9 Office of the United Nations High Commissioner for Human Rights, "Tackling Discrimination Against Lesbian, Gay, Bi, Trans and Intersex People: Standards of Conduct for Business," 22.

10 Drew Keller et al., *Channels of Influence* (Open for Business, 2019), 9.

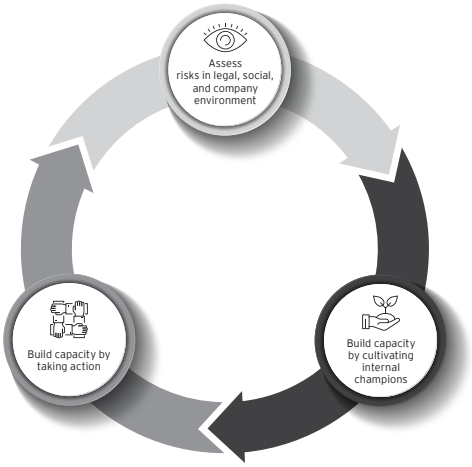
PART II:

The LGBT+ Growth Cycle

While acknowledging that When in Rome and Embassy are necessary way stations, companies should not remain there longer than necessary. Too often, companies slot an office into a particular model and then succumb to inertia.

As EY partner Maggi Hughes put it: "People tend to give up on countries like Singapore and assume it's either too hard or that it's not possible to push for inclusion. That's really wrong. Change is possible and happening, and we need to be part of that change." Instead of giving up, companies should engage in capacity building to lay the foundation for a possible future move.

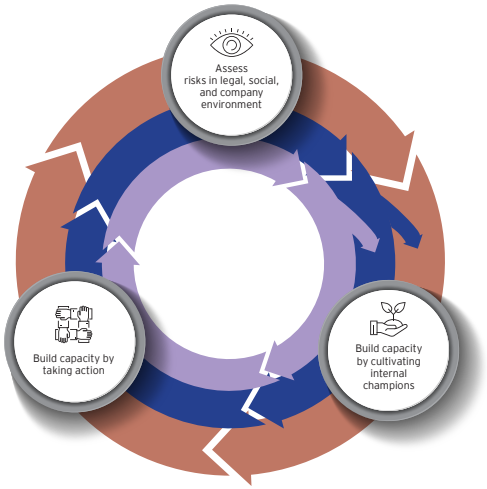
Companies can progress through the three-stage model using an LGBT+ growth cycle, in which global leaders and local leaders assess risks and build capacity in a given location:



The first stage of the cycle considers the risks of advancing LGBT+ inclusion. Those risks may exist in the legal environment (such as government crackdowns), the social environment (such as safety risks created by private actors), or the company environment (such as resistance from local leaders or customers).[11] If the risk assessment indicates that the When in Rome or Embassy model is appropriate, the company needs to build capacity. Accordingly, the second stage of the LGBT+ growth cycle is to cultivate champions supportive of LGBT+ rights at the grassroots and leadership levels of the organization. The third stage of the cycle is to continue building capacity by working with the organization's champions to take concrete action. The actions here are not the panoply of possible pro-LGBT+ activities, but rather actions aimed at advancing the organization along the maturity curve. The distinction between the second and third phases — both of which relate to capacity-building — might be understood as "getting the right people in place," and then "mobilizing those people to act."

11 This distinction between legal, social, and company environments is taken from the report, "Making it real — globally," EY, 2017, https://www.ey.com/Publication/vwLUAssets/EY-making-it-real-globally/$FILE/EY-making-it-real-globally.pdf.

Once the company has completed one cycle, it loops back to the risk assessment stage. Now, however, the risk assessment occurs with the benefit of the capacity-building efforts that it undertook in the first cycle. Accordingly, the company is more likely to be ready to advance to the next model: from When in Rome to Embassy, or from Embassy to Advocate. This process is represented visually as follows:



The innermost When-in-Rome cycle is colored purple. Once the company completes that loop and conducts a second risk assessment, it takes one of two paths. If unready to advance to Embassy, it loops around the When-in-Rome cycle again to build capacity for the next assessment. If ready to advance, the company takes the on-ramp to the blue Embassy cycle. Once the company completes that loop and conducts another risk assessment, it again has two choices. If unready to progress, it continues looping around the Embassy cycle, now building capacity for the move to the Advocate model. If ready to progress, it takes the on-ramp to the brown Advocate cycle. The Advocate cycle involves a continuous process of risk assessment and capacity building to optimize the company's efforts as an Advocate.

This assessment and capacity-building framework is cast as a cycle because the process of advancing LGBT+ rights globally is a journey with a beginning but no foreseeable end. Companies must continually engage in risk assessments, deepen the bench of internal champions, and take action, even after they reach the Advocate model.

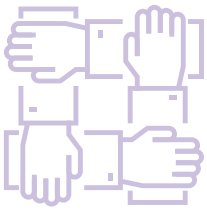
The remainder of this paper elaborates on each of the three colored loops. It begins with the When-in-Rome cycle, proceeds to the Embassy cycle, and concludes with the Advocate cycle.

70 countries treat consensual homosexual activity as illegal

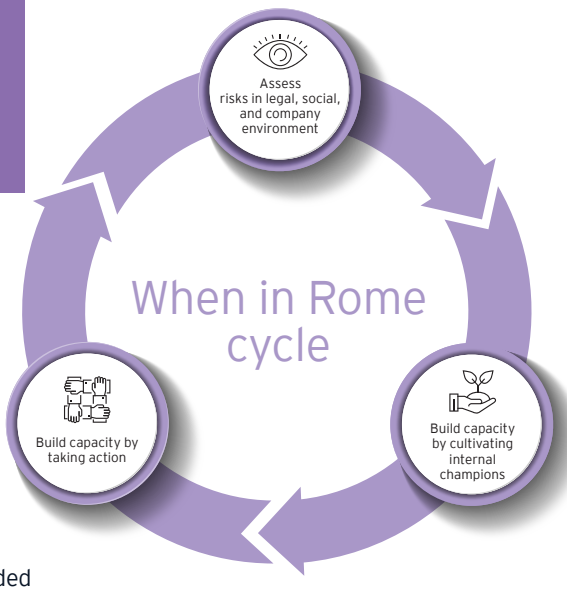
PART III:

The When-In-Rome Cycle

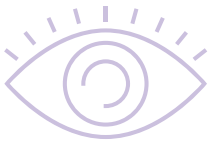
In the "When in Rome" model, companies adhere to the norms of the jurisdiction by creating exceptions to their pro-LGBT+ policies.



- **Start** with gender
- **Focus** on allies
- **Raise** awareness
- **Use** technology
- **Allocate** budget to where it is most needed



- **Cultivate** champions at the grassroots, local leadership, and global leadership levels
- **Understand** the relationship among the layers of champions



- **Consider** legal risks (e.g., prohibitions on homosexual sexual activity)
- **Consider** social risks (e.g., norms relating to disclosure of personal matters at work)
- **Consider** company risks (e.g., internal divisions)

When in Rome is the earliest stage of development because it requires acts of commission or omission inconsistent with LGBT+ inclusion. Companies are understandably eager to move beyond this stage. To do so, they need to make their way through the LGBT+ growth cycle.

A. Assess risks

The first step is to assess the risks in the legal, social, and company environments in a particular location that might preclude a move from When in Rome to Embassy.

Assessing the risks means more than just listing them – companies must consider the gravity of each risk and the probability of that risk occurring. A grave risk, such as an LGBT+ employee facing incarceration or the death penalty, would require only a low probability to be determinative. A relatively minor risk, such as pushback from a customer, would need to meet a high probability threshold to impede forward movement.

The assessment is perforce subjective. Nevertheless, this approach is more analytic than what Michael Karimian, Senior Manager of Human Rights at Microsoft, described as the "finger-in the-air approach" that many companies adopt to make the assessment on intuition alone. By separating the risks into three distinct environments and weighing their gravity and probability, companies can infuse the existing process with more rigor.

1. Risks in the legal environment

External legal conditions can significantly impede a company's ability to advance along the LGBT+ maturity curve. In the most extreme cases, such as Saudi Arabia, same-sex sexual activity is punishable by death. In such a context, companies cannot adopt LGBT+ inclusion initiatives without compromising employee safety. As Clark Sterner from Dow put it: "Until the punishment is no longer death, it's going to be challenging to do something inside the company walls that doesn't get retribution outside the company walls."

The legal environment should be considered holistically. The focus is often on laws that directly regulate same-sex intimacy, such as sodomy statutes. Yet companies should also consider the broader regulatory environment, such as "anti-propaganda" statutes on the one hand or the existence of freedoms of speech or association on the other. Moreover, companies should consider the likelihood that such laws will be enforced. Some countries have sodomy statutes that are largely symbolic. Others impose penalties in the absence of specific prohibitions. One interviewee in Beijing noted that although LGBT+ people are not "criminals" in China, "the Chinese government has a really vague attitude" to the topic, which makes it hard for companies to know where to draw the line.

As an instance of such a holistic assessment, consider Section 377 of the Indian Penal Code, which prohibited "carnal intercourse against the order of nature."[12] In July 2009, the Delhi High Court ruled that the law's application to consensual gay sex was unconstitutional.[13] The Supreme Court of India overturned that decision in 2013.[14] Five years later, the Supreme Court revisited its earlier decision and struck down Section 377's application to consensual same-sex sexual activity.[15]

Prior to the Supreme Court's 2018 ruling, Section 377 stymied many corporate LGBT+ inclusion initiatives in India. Jaya Virwani, Ethics and Diversity and Inclusiveness Leader at EY Global Delivery Services in Bangalore, noted that the firm was poised to launch same-sex partner insurance in 2012. When the Supreme Court reinstated Section 377 in 2013, however, the firm had to rethink its internal strategies.

Several interviewees believed that Section 377 prompted an unnecessary degree of caution. For example, Bibaswan Dash, a Microsoft HR Manager, noted: "The law never said you can't be inclusive as an organization. It criminalized the sexual act." The fear of Section 377 was, according to Dash, based in part on a "misinterpretation and misrepresentation in the public" that anyone identifying as homosexual was "at serious risk of being put behind bars." However, the legislation was seldom enforced in cases of consensual adult sexual activity. Moreover, India has freedoms of speech and association that could support Dash's distinction between the sexual act and expressive acts.[16]

2. Risks in the social environment

A positive legal environment does not necessarily translate into a welcoming social environment. South Africa, for example, has progressive laws, including a Constitution that bars state discrimination on the basis of sexual orientation.[17] Nevertheless, one index ranks it at 52nd in the world on social acceptance of LGBT+ people — below Singapore and only two spots higher than Poland.[18] Key risk factors in countries' social environments include the influence of conservative religions and traditional family values.

In assessing the social environment, at least four issues appear salient. The first is determining the appropriate unit of analysis. Social and cultural norms differ from region to region, from country to country, and from locality to locality. Fleur Bothwick observed that this landscape is "very, very complex." She observed that companies should consider not only "the difference between Saudi Arabia and Dubai" but also "in India, the difference between Delhi and a less commercial or less cosmopolitan location."

Second, companies should ensure that perspectives from the jurisdiction are representative. For instance, the experiences of senior LGBT+ leaders may not match the experience of the median LGBT+ employee because seniority affords an additional layer of protection. One high-ranking interviewee observed: "My life as the only gay man in the United Arab Emirates office wasn't held back — I didn't feel in danger." At the same time, he acknowledged that his sense of well-being in that location was "very situational," and may have been a result of "the position I'm in."

Third, companies should evaluate how the social environment treats subgroups within the LGBT+ community. Cultures

12 Penal Code 1860, § 377 (India).

13 Naz Found. v. Gov't of NCT of Delhi, (2009) 160 DLT 277 (Del. HC) (India).

14 Koushal v. Naz Found., (2014) 1 SCC 1 (India).

15 Johar v. Union of India, AIR 2018 SC 4321 (India).

16 India Const. art. XIX.

17 S. Afr. Const. of 1996, ch. 2 § 9. ("The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.").

18 Flores and Park, *Polarized Progress,* 28.

are not monolithic in their attitude to lesbian, gay, bisexual and transgender individuals. In the view of Carol Holly at Dow: "The official Chinese line is that being gay doesn't exist, but being trans kind of does, as long as people are cis-normative at the end of it. There's a Chinese celebrity who transitioned and continued as a very attractive woman. As long as she was a woman in all senses of the word, that was cool." In such jurisdictions, gender identity may be more easily discussed than sexual orientation, even though in many Western jurisdictions the reverse is true.

Finally, companies should consider norms relating to disclosure of personal matters at work, which vary significantly across jurisdictions in ways not obviously correlated to the degree of LGBT+ acceptance. Yun Zhang, an account manager at Dow Shanghai, stated that many colleagues are not willing to talk about LGBT+ issues: "They ask 'What's this for? How can this benefit my work?'" Fleur Bothwick noted that several European jurisdictions share this view, despite having relatively high levels of LGBT+ social acceptance. Before grassroots efforts led to the launch of the French chapter of EY's LGBT+ affinity group, Unity, some of her French colleagues said that they "could not be involved in the 'LGBT agenda' because it was not a workplace issue; it was a personal, private issue." Bothwick added that the attitude in Italy has also historically been, "'This isn't a workplace issue.'"[19]

Consideration of these four factors can lead to more nuanced analysis of social climate. Louis Vega, Managing Director of Dow Australia and New Zealand, noted that because Dow is in the manufacturing industry, it is often located in "fairly small and therefore more conservative cities or towns and villages around the world." This context, however, gave Dow an opportunity to create a safe haven precisely because of work/home distinctions. Because of the company's visible leadership on LGBT+ issues, "many of our employees feel safer at the company than they do in their lives outside of work," Vega stated.

3. Risks in the company environment

Even relatively friendly legal and social environments will not support LGBT+ inclusion initiatives if the company environment is inhospitable. Before attempting the move from When in Rome to Embassy, companies should audit their own organizational environment. This includes a consideration of office dynamics that might pose risks to achieving internal support, such as differences across company divisions or across generations.

Holly McGhee, EY Diversity and Inclusion Manager for Financial Services, Asia-Pacific, observed: "As a generalization, expats have come from environments where LGBT issues are talked about and visible, so their level of understanding and support is at a higher baseline. For local staff, people are still asking me, 'What does LGBT mean? What does it stand for?' The level of comfort and familiarity isn't there." Peter Picton-Phillipps, an EY partner, reinforced this point. He observed that the uptake of LGBT+ inclusion in EY Hong Kong was initially "stronger within the financial services side of the firm than within the core practice." He attributed the difference to the more "international" leadership of financial services, which the office then leveraged to surmount a "don't ask, don't tell" culture within the "more traditional" core practice. This distinction, Picton-Phillipps reported, has gradually softened over time as the whole firm has become more aligned with the aims of Unity.

Organizations may also break along generational lines. Maggi Hughes noted that in Singapore, "The millennials that I interact with are saying, 'Come on, aren't we done with this issue?'" Clark Sterner attributed his relative circumspection to his generation's experience: "I remember that when we started an LGBT executive committee at Dow, one of the guys on our team needed armed guards at his house, because he had threats. That was in Michigan in 2001. The younger generation is perhaps more willing to charge ahead."

B. Build capacity by cultivating internal champions

A comprehensive analysis of a location's legal, social, and company environments may suggest that a company is not yet ready to move from When in Rome to Embassy. Such a company should nonetheless lay the groundwork for an eventual move. The first step in capacity building is to cultivate a coalition of company champions at the grassroots, local leadership, and global leadership levels, and to understand the relationship among those levels.[20]

1. Grassroots champions

Grassroots champions are employees who lack the power to implement formal policy changes across the organization, but who step up to advocate for change, often as part of an employee resource group (ERG). They have the power to generate norms of LGBT+ inclusion and to ensure the proper implementation of existing norms.

19 Cultures may, of course, legitimately differ on the degree of personal disclosure encouraged at work. The question is whether that culture of privacy is applied in the same way to employees of all sexual orientations and gender identities. If LGBT+ employees are the only ones expected to keep their personal lives private, then something more than a culture of privacy is in play.

20 Unlike the risk assessment measures, the capacity-building measures do not divide into categories of "legal," "social," and "company" environments, because all of the capacity-building strategies occur within the company.

Such champions generate norms of LGBT+ inclusion by putting the issue on an organization's radar. Saber Zou, a designer at Microsoft, observed that "if nobody is coming out to voice their needs and concerns, there won't be any change." Carol Holly made a similar point, emphasizing the value of openly LGBT+ champions on the ground who work within the ERG: "This isn't something you could give to a manager. To change culture, you need a hero to say: 'I am LGBT. I am out. I am who I am, unapologetically myself.' Hate for any group relies on dehumanizing them."

> "If no one is coming out to voice their concerns, there won't be any change."
>
> **— Saber Zou, Microsoft**

Grassroots champions also ensure that local offices implement global norms of LGBT+ inclusion. Without such champions, a global LGBT+ inclusion agenda can, according to Holly, "evoke eyerolls from people on the ground." To enact high-level diversity and inclusion goals, Holly noted that the LGBT+ ERG, known at Dow as GLAD, "steps in and puts out training, gets the middle management involved, tells them 'this is what we need,' but it's on a persuasion basis, rather than a top-down dictatorial approach."

Implementing norms of LGBT+ inclusion takes work: crafting policies, establishing trainings or other diversity and inclusion initiatives, funding and promoting an affinity group, and hosting LGBT+-related events. On these matters "there is a degree of local or regional autonomy, as there needs to be," noted Jarrod Trusler, a regional marketing manager at Dow in Bangkok. The danger of that autonomy is that local leaders will do the bare minimum unless grassroots champions push them to do more. Trusler observed: "When it comes to LGBT awareness, that's definitely coming from our ERG."

2. Leadership champions

Many interviewees noted that leaders played a critical role in advancing LGBT+ inclusion. Like grassroots champions, leadership champions generate norms of LGBT+ inclusion and implement such norms.

Leaders establish norms of LGBT+ inclusion by setting a tone, whether through their personal stories or the issues they put on the company's agenda. Carol Holly noted that Dow's progressive reputation on LGBT+ issues owed much to its CEO, Jim Fitterling, who is openly gay, as well as the entire senior management team: "It was tangible people, not faceless policy, that drove culture change." Harsha Ravikumar, a software developer for Microsoft, said that he started seeing positive changes at Microsoft in India after the company's new President joined a couple of years earlier: "He spoke about his friend being gay and how addressing that was very important in India."

Leaders also implement norms of LGBT+ inclusion by removing roadblocks and driving change more swiftly than can be achieved at the grassroots. Peter Picton-Phillipps described the launch of EY's Unity chapter in Hong Kong as follows: "There was resistance from some of our senior leadership, who held traditional views. They were happy for it to be 'don't ask, don't tell.'" Then, "the Chairman and Head of Talent basically said, 'No, we definitely need to do this; it's the right thing to do.'" Similarly, Jose Alberto Pino Andrade, a manager in Brazil, observed that Dow's LGBT+ network launched in Latin America in part because the regional president was "super LGBT friendly — an amazing ally" and "had the vision to launch an LGBT chapter in the region."

As these examples suggest, leadership champions can exist at either the local level (as leaders of a particular country or office location) or at the global level (within the company's headquarters or senior management team).

3. Relationship among the layers of champions

The relationship between grassroots champions and local leadership is symbiotic. Jose Alberto Pino Andrade noted that even if leadership is committed to LGBT+ inclusion, "they won't have the time to put together an ERG event in the cafeteria, so you need to have the person on the ground." He added: "You also need the leadership to come to open the event, because then people will say, 'I have to be committed to this because it's important to the company.' One thing doesn't survive without the other."

The relationship between local and global leadership is also "often a dance," according to Beth Brooke. Global leaders engage in what Brooke called "quiet diplomacy" to encourage local leaders to move their location out of the When in Rome model. Sometimes grassroots champions "set the dance in motion" by reaching out around the local leadership to draw in global support. Brooke observed that this art of quiet diplomacy has been successful in multiple jurisdictions at EY, such as Japan, Singapore, and Taiwan.

Lindsay-Rae McIntyre, Microsoft's Chief Diversity Officer, added that at its best, the pressure of application between the local and global leaders runs both ways: "There

is an opportunity for a constructive push on all sides: local to push with headquarters, headquarters to push locally. This is where more voices are potentially better — to apply learnings from other countries, examples, and circumstances."

C. Build capacity by taking action

The next stage in the LGBT+ growth cycle is to build capacity by taking concrete action. The interviewees offered five such actions.

1. Start with gender

In the most hostile jurisdictions, companies may need to eschew direct LGBT+ inclusion efforts and start with gender. As Clark Sterner put it: "You have to crawl before you can walk before you can run." Paul Lo, a Microsoft Services Solutions Strategy Manager in London, called this "progressive evolution," noting that in many countries, LGBT+ equality may be more achievable once gender equality is on firmer ground.

Whatever the sequence, it makes conceptual sense to tie efforts on sexual orientation to a broader program of gender equality. Many scholars have argued that sexual orientation is a form of sex discrimination,[21] and homophobic attitudes correlate with misogynistic ones.[22]

One interviewee's strategy in a hostile jurisdiction was not to push for the creation of an LGBT+ affinity group, but to advocate for the women's network to be used as "the conduit for" an LGBT+ network. This conduit approach did not mean formal LGBT+ programming or using the women's network as a Trojan horse. Rather, it meant creating a more inclusive culture for women in the workplace, which would lay the foundation for possible future activity on LGBT+ issues.

2. Focus on allies

A focus on allyship has many benefits for LGBT+ inclusion efforts, because it allows organizations to leverage the non-LGBT+ majority to build awareness and support. It also helps LGBT+ employees in hostile locations, who often wish to remain closeted. By framing LGBT+ initiatives as "LGBT+ ally initiatives," companies permit closeted individuals to be involved as "allies" and then come out if and when they feel comfortable. According to Bibaswan Dash, when Microsoft launched the India chapter of its global LGBT+ affinity group, GLEAM, "we focused on building allyship first." Such a focus can be powerful: Jaya Virwani observed that in the first month that EY Global Delivery Services (GDS) launched its LGBT+ ally network, it saw 4,000 people sign up as allies out of 21,000 employees total in GDS in India.

At the same time, Asako Kawamura, a senior consultant at EY, cautioned against overreliance on this strategy. Based on her experience in Japan, she said: "There are so many LGBT+ people who only want to disclose their sexual orientations to other LGBT+ people. … A few people didn't want to come to any events or gatherings that straight allies attended, too."

Given these complexities, the best practice may be to use allyship as the framework to start initial conversation. After the ally group is well-established, the company can set up an explicit LGBT+ group. The two groups could continue operating in tandem but with some social activities specially designated LGBT+.

3. Raise awareness

Many respondents emphasized the importance of raising awareness of various kinds. Yun Zhang observed of China: "We started with explanations of every word: 'How do you define bisexual?'; 'How do you define queer?'" Jose Alberto Pino Andrade noted: "It's not that colleagues hated gay people — it's that they hadn't met a gay person. If you're not exposed to that, you don't know what to do. So when we started on education, it was focused a lot on basic concepts: we called it 'Diversity 101.'" Similarly, Jaya Virwani ensured that all diversity and inclusion communications "very clearly spelled out 'lesbian, gay, bisexual, and transgender'" rather than LGBT+, "to make people comfortable reading it and talking about it."

Building awareness also means persuading people of the value of LGBT+ inclusion. In some cases, invoking the social norms of younger employees can be helpful. Jaya Virwani noted: "When I started speaking to our leaders, I made sure they were aware that this is something with the millennial group we would have to start talking about and be comfortable about."

Finally, leaders also need to enhance their awareness of the levers of social change in an office or jurisdiction. Jarrod Trusler recounted that his colleague in Singapore got "minimal turnout" for a "lunch and learn sharing session" on LGBT+ rights — a program that "works well in other geographies." They debriefed and concluded that such an event "wasn't going to work culturally in Singapore" and that they would "need to make sure we're taking a customized approach to the events that we're hosting to make sure that we're speaking the language of the local culture." Trusler added: "That's why we look to have a leader in each location for our ERG." Similarly, Holly McGhee, who works in Hong

21 Andrew Koppelman, "Why Discrimination Against Lesbians and Gay Men Is Sex Discrimination," *NYU Law Review 69* (1994): 197; Sylvia A. Law, "Homosexuality and the Social Meaning of Gender," *Wisconsin Law Review* 1988 (1988): 187.

22 Dominic J. Parrott, Henry E. Adams, and Amos Zeichner, "Homophobia: Personality and Attitudinal Correlates," *Personality and Individual Difference 32*, no. 7 (2002), 1275.

Kong, encouraged companies to "bring your local team on the journey. Don't let this be an expat thing. Run sessions in the local language."

4. Use technology

Many interviewees recommended the use of electronic communication, including social media. Social media has given "sudden access to the rest of the world," said Holly McGhee. "I see it all over — Vietnam, China, Singapore. They're seeing what the rest of the world is doing and wondering why it's not happening in their own country."

One tangible strategy is to include global sites into communications about activities in other countries, such as the launch of an affinity group, or an event hosted by an office friendly to LGBT+ rights. If the company already sends electronic newsletters or posts articles on its intranet, it can ensure that some of those communications relate to LGBT+ inclusion.

Companies cannot always use this strategy. Fleur Bothwick stated: "We have a daily news alert that goes out to every employee in the morning with three or four articles. If we included a note to say that Beth Brooke just spoke at the White House on LGBT rights, the Middle East would not send it out." Bothwick added, however, that social media can provide a workaround: "If we had to rely on the global daily news alert landing on someone's desk, that wouldn't happen. But because there's WhatsApp and Yammer and Twitter now — we can reach people. Even if they're just looking and reading and not actively engaged, they know we're out there." Chris Crespo, EY's Inclusiveness Director for the Americas Talent Team, also spoke of the power of social media after EY launched a rainbow version of its logo. "To watch all my colleagues commenting, posting, and sharing the rainbow EY has probably given us more visibility in many of those tough countries that we never thought we would have visibility in," she said.

A company can use technology for its first LGBT+ inclusion events to build comfort levels before moving to in-person meetings. When Microsoft launched its India chapter of GLEAM in April 2018, employees attended an initial awareness-building session primarily via an anonymous Skype call. Soon after, Microsoft held another fireside chat, which Bibaswan Dash proudly noted had "more people in person in the room than on Skype, willing to ask questions fearlessly."

The capacity of the internet to expose less-friendly jurisdictions to more-friendly ones also provides a powerful argument for a globally integrated LGBT+ ERG with regular meetings and virtual information-sharing. Abril Rodriguez Esparza, a tax partner at EY Mexico, noted that the Mexico chapter of Unity had been able to build capacity in part because the U.S. Unity chapter had been "very open and very helpful in sharing best practices: what to do and what not to do."

5. Allocate budget to where it is most needed

Typically, as Maggi Hughes noted, LGBT+ activities in the most challenging jurisdictions come down to a "small group of committed members" of the ERG, all of whom pursue LGBT+ inclusion on a volunteer basis alongside busy jobs. Jose Alberto Pino Andrade offered a sentiment voiced in a number of interviews: "I always joke that I have my day job and I have my gay job. I invest a lot of free time, including Saturdays and Sundays, on LGBT+ activities, and I have to over-perform in my day job to maintain my gay job."

For this reason, one interviewee argued that diversity and inclusion resources should not be shunted only to the jurisdictions most friendly to LGBT+ rights. She observed that in many places within her organization, LGBT+ inclusion work is "supported by a D&I team who help with the logistics and legwork for various events and initiatives," whereas in her location, committed volunteers "have to do everything from beginning to end." The interviewee noted that globally the bulk of the company's diversity and inclusion headcount sits in the United Kingdom, the United States, and possibly regional headquarters — markets where diversity and inclusion messages will be most well-received and where many of the broader social and legal gains have already been made. "Why not put an LGBTI-funded D&I resource in Singapore or Malaysia or the Philippines?" she asked. "This would target our limited D&I resources where we can achieve the greatest impact for our LGBTI people."

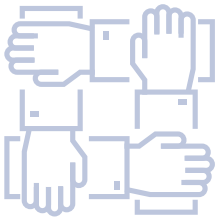
D. Continue the cycle

Once a company has moved through the When-in-Rome cycle — cultivating internal champions and taking action — it returns to the beginning of the cycle and can reassess the risks within that location's legal, social, and company environments. This time, however, the risk assessment occurs with the benefit of the first lap around the cycle. The company may, therefore, decide it is ready to move to the Embassy model.

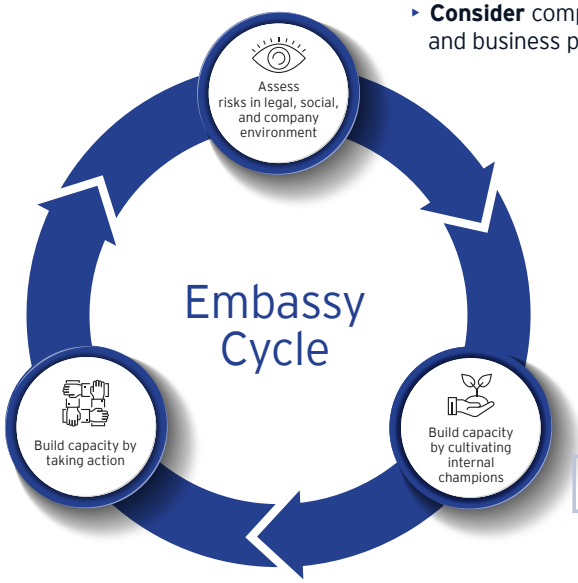
PART IV:

The Embassy Cycle

In the "Embassy" model, companies apply pro-LGBT+ policies and practices to their own employees without seeking to change the laws or culture outside the company.



- **Fortify** the Embassy
- **Forge** external coalitions
- **Leverage** external comparisons and rankings
- **Engage** in "embassy-advocacy"



- **Consider** legal risks (e.g., government constraints on LGBT advocacy)
- **Consider** social risks (e.g., presence or absence of NGOs and other external LGBT+partners)
- **Consider** company risks (e.g., attitude of clients and business partners)

- **Increase** the focus on leadership
- **Strengthen** the ERG

Under the Embassy model, companies offer inclusive policies and programs to their own employees, even in jurisdictions hostile to LGBT+ rights. Such policies and programs include nondiscrimination policies that prohibit sexual orientation and gender identity discrimination; equivalent medical and other benefits for same-sex spouses and domestic partners; training and education on LGBT+ topics; and an LGBT+ ERG. At this stage, many companies are understandably eager to advance to the Advocate model, where they strive to make change in the wider society rather than focusing solely on internal activities.

Before moving from Embassy to Advocate, however, companies should again move through the LGBT+ growth cycle:[23]

A. Assess risks

Again, the risk-assessment stage involves a holistic analysis of risks in the legal, social, and company environments.

1. Risks in the legal environment

In rare cases, even jurisdictions that permit internal inclusion initiatives can legally

23 As with the When-in-Rome cycle, the Embassy cycle begins with a risk assessment. This sequence is intended for companies that are starting their analysis in the Embassy model. Companies that have just entered the Embassy cycle after completing a risk reassessment in When in Rome can move directly to capacity-building measures.

bar external advocacy. One interviewee noted that in Singapore, "the government prohibits us and others, as foreign multinationals, from external advocacy on LGBT issues, as they deem it to be a local Singaporean matter." This restriction means foreign entities cannot sponsor the "Pink Dot" event, the local equivalent to Pride.

Even if formal prohibitions do not exist, the regulatory environment may nonetheless preclude certain kinds of advocacy. One interviewee in a relatively hostile jurisdiction observed that the government does not allow corporate sponsors of the Pride march and could shut down events sponsored by nongovernmental organizations (NGOs) if it felt too many people had gathered. Another interviewee in the same jurisdiction observed that although the government has not enacted specific laws, many fear what could happen if a company went too far on LGBT+ inclusion: "The government can always find ways to punish you if we are not playing by their rules."

The relative power of the government and the company will factor into any such risk assessment. Singapore can ban foreign companies from sponsoring Pink Dot because it is an indispensable business hub in the Asia Pacific. Other cities or countries may lack such clout. Likewise, a company's leverage over the government will depend on its presence in the jurisdiction. Michael Karimian observed that Microsoft's Asia-Pacific headquarters in Singapore is home to a sizable workforce, which in theory should make it more effective in voicing its concerns there.[24]

24 A larger presence in the country is, of course, a double-edged sword. While it gives the company greater influence in pressuring the government, it also exposes the company to greater risk if the government chooses to use its legal and regulatory power to punish corporate actors.

2. Risks in the social environment

Employee safety in the social environment must figure heavily in the calculation of whether the company is ready to become an Advocate. Jarrod Trusler stated that same-sex relations are generally legal in Indonesia, "so in theory we could do more externally." Yet he added: "From a cultural perspective and a religious perspective, the risk for us and our employees is too high. There are stories of employees — not at Dow, but in society at large — being targeted and attacked if they are identified as LGBT."

The social environment could also include a pervasive attitude that companies should not take sides on contentious social or political issues. This attitude inverts the cultural mindset discussed in Part III — that LGBT+ issues are inherently private. On the one hand, LGBT+ advocates are told their issues are too personal. On the other, they are told the issues are too political. Either way, it seems, the workplace is the only environment in which LGBT+ issues do not belong.

A more particular version of this objection opposes advocacy by foreign companies rather than by companies in general, on the theory that LGBT+ rights is a form of Western cultural imperialism. As Harsha Ravikumar noted, this may make local corporations better suited to advancing LGBT+ rights: "Multinational corporations need to appease every current government. They can't just openly talk against them or for them. Homegrown companies can."

The social environment also includes the presence or absence of opportunities to form external partnerships. Many countries and industries offer significant external partners. Interviewees mentioned the Interbank LGBT Forum, the Intertech LGBT+ Diversity Forum, Out and Equal, the Partnership for Global LGBTI Equality with the World Economic Forum, and Pride Connection. Other countries, however, lack NGOs that work specifically on LGBT+ issues, or lack events (such as Pride) that typically serve as focal points for corporate advocacy. Without external organizations, events, or networks, a company may find its opportunities for effective advocacy to be limited.

3. Risks in the company environment

Finally, companies should consider the risks within the company environment. A company open to internal LGBT+ inclusion efforts may still balk at external advocacy.

Two interviewees noted that the main barrier to public advocacy is their employer's business with the government — either because the government is a customer or external partner, or because employees regularly accept government positions after leaving the company. This concern about customers and partners extended beyond the government. Another interviewee observed that in a particular hostile jurisdiction, some of her company's customers are "local traditional conservative organizations," which would "genuinely have a big problem if they saw us promoting 'the LGBT agenda.'"

Though sometimes well-founded, these worries can be overblown. At EY Mexico, some leaders feared how clients would react to EY's participation in Mexico City's Pride parade. Abril Rodriguez Esparza recalled: "A couple of years ago, a bank put an LGBT flag in one of their banks during one of the main avenues in Pride month, and that was very controversial. Some people wanted to change banks because they were mad that the bank did not 'protect the values of the Mexican family.'" Some EY leaders were nervous that something similar would happen to them: "'What if we say this out loud and clients don't like it?'" Yet no such problems arose.

Perhaps less intuitively, inaction also carries risks — especially when the company is otherwise a leader on these subjects. Michael Karimian stated that one of many reasons Microsoft advocates for issues like marriage equality is that "our employees expect us to speak out and are disappointed if the company doesn't do it."

B. Build capacity by cultivating internal champions

If the assessment of risk within the legal, social, and company environments suggests the company is not ready to become an Advocate, the organization can still lay the foundation for an eventual move by engaging in capacity-building strategies. Some of the capacity-building strategies from the When-in-Rome cycle remain relevant in the Embassy cycle. Specifically, companies should continue to draw on the power of allyship, continue to use technology to their advantage, and continue to raise awareness of LGBT+ issues. This section, however, focuses on the capacity-building strategies that more particularly relate to the movement from Embassy to Advocate.

Again, the first step in capacity building is to cultivate internal champions. The interviewees suggested two strategies.

1. Increase the focus on leadership

Leaders are particularly helpful in building capacity for a move from Embassy to Advocate. Adlai Goldberg, a Principal at EY, stated that a company's willingness to become an Advocate "will depend on leadership." In some cases, such as signing an amicus brief or releasing a public statement on behalf of the company, only a leader can perform the role. In other cases, as Goldberg noted, leaders are still necessary to give employees "permission to become an advocate."

In pressing for, and appointing, more leadership champions, it is important to think about diversity in all its forms. Some interviewees spoke about the importance of openly LGBT+ role models. Harsha Ravikumar saw "having more out role models" as the antidote to the remaining pockets of skepticism in Microsoft India about LGBT+ inclusion. Others noted the importance of role diversity. "We need more voices from outside HR," stated Yun Zhang.

2. Strengthen the ERG

In most large organizations, an ERG serves as the primary vehicle for internal champions to advocate for LGBT+ inclusion. Chris Crespo observed that once an ERG is established, companies need to invest time and resources to make it successful. Her suggestions included providing ERG leaders with leadership development support, connecting the ERG to the company's broader diversity and inclusion strategy (including recruiting, community engagement, supplier diversity, and marketing), and engaging in succession planning for ERG leaders.

Other interviewees echoed the call for succession planning. Asako Kawamura stated that when the former Unity Japan leader moved to the United States, Kawamura seamlessly succeeded him. Yet when she herself left Japan and moved to Canada, she and her colleagues were still identifying people who could potentially be the next Unity Japan leader. Paul Lo agreed that leadership continuity is a perennial issue: "One of the biggest challenges is how you maintain the ERG. My challenge is always trying to find others to take that mantle."

C. Build capacity by taking action

As with the When-in-Rome cycle, the next stage in the Embassy cycle is to build capacity by taking action. The interviewees offered four such strategies.

1. Fortify the Embassy

Internal champions are more willing to push for bold action on LGBT+ rights when they feel unwavering support internally. Companies therefore need to work on being the best Embassy they can be.

This strategy begins with making employees aware of existing Embassy protections. Saber Zou noted that a challenge at Microsoft Beijing was "a lack of visibility." "People don't really talk about this, and a lot of people struggle to find other LGBT people," he observed. He added that it was "by accident that I stumbled upon the LGBT group" in the Beijing location. Another interviewee in the Asia-Pacific region noted that until recently, the burden was on employees to search for the LGBT+ affinity group, because their organization did not publish any information about it. The takeaway is clear: Companies should find whatever opportunities they can to increase the visibility of any existing LGBT+ groups, networks, or initiatives, such as by publishing notifications in internal employee newsletters or including information about LGBT+ activities in onboarding materials.

Relatedly, the relevant employees must know how to implement LGBT+ policies. When Jarrod Trusler moved to Thailand, he sought to carry over the spousal benefits that he and his husband had enjoyed at Dow Australia. "It's not that Dow wouldn't support it," Trusler observed, "but they had never come across the situation in the Asia Pacific region."

> "It's not that Dow wouldn't support it, but they had never come across the situation in the Asia Pacific region."
>
> **— Jarrod Trusler, Dow**

"The company, to a degree, didn't know how to approach it or where to start," he recalled. "Nonetheless, we worked through it and found a way to accommodate my family's need." Similarly, when Max Taffel, an EY Senior Manager, joined the firm in Hong Kong in 2013, he asked the frontline human resources staff whether the firm offered same-sex partner benefits. They said no. He then had to appeal to a manager, who confirmed that the firm offered such benefits.

Correcting these mistakes, whether before or after the fact, is primarily a matter of training. After a court ruling in Hong Kong prompted the government to grant dependent visas to same-sex partners, Holly McGhee "ran a training session with our immigration team with the sole purpose of preparing them for same-sex visa applications." Companies should also build information about same-sex partner benefits into written materials so that employees do not have to depend on word of mouth. Max Taffel's experience prompted him to advocate for such a systemic fix: "I worked with the HR Lead to mention on the intake form that same-sex partners were covered. Previously, the onboarding document said you had to provide a marriage certificate and did not mention same-sex partners."

After ensuring that it has properly implemented baseline Embassy protections, the company should create a culture in which LGBT+ people can feel truly authentic at work. Moriaki Kida, Deputy Area Managing Partner, has been fostering that culture at EY Japan. At an all-hands meeting after the holiday season, the firm wanted to "show people that we enjoyed time off and how important it was to be with our families." Kida's colleague shared pictures of he and his wife at a Japanese hot spring. Kida responded in kind: "I shared pictures of myself and my partner at the beach in South East Asia. It was a top-down sharing of how ordinary it is to be LGBT." Sharing stories that color outside the bounds of a traditional résumé, as Kida did in this instance, nurtures a climate of full acceptance.

Kida believes that a strong Embassy enabled the office to move more in the direction of the Advocate model, such as by serving as a "launch partner" for the UN Standards, supporting marriage equality, and working with the Japanese nonprofit organization, Work With Pride. "People were willing to take a little more risk because they felt safer. Our Embassy model created an internal culture that it's OK — they feel that EY will back them up."

2. Forge external coalitions

Companies can position themselves to be advocates by forming relationships with other companies and NGOs. Such relationships allow companies to become better advocates by affording the safety of numbers and by providing insight into the local culture. Linda Lim, Global Business Communications Director for Dow Olympic and Sports Solutions, noted that if an opportunity arose in Singapore to engage in public advocacy, "it would be challenging to go it alone and do it just as individual companies." If, however, multinational businesses in Singapore combined to write a statement in support of the LGBT+ community, "I think several companies would be ready to be signatories if the statement was in the right spirit."

Dow spearheaded such an effort in Brazil. Jose Alberto Pino Andrade noted that during the country's presidential election campaign, it was revealed that then-candidate Jair Bolsonaro had said in an interview that he would rather have a dead son than a gay one. "We at Dow worked with 31 other companies covering more than 100,000 employees in Brazil to write a statement that we supported LGBT inclusion in the workplace and demanded that the person leading the country support it as well," Andrade observed.

EY sees partnerships with other companies and NGOs as a critical "21st century skill," according to Beth Brooke. In part for that reason, EY and Microsoft, along with five other multinational companies, launched the Partnership for Global LGBTI Equality in collaboration with the World Economic Forum in January 2019. Brooke observed that companies and NGOs increasingly recognize the need to work together. "Companies holding a roundtable without the involvement and coaching of the local activists and NGOs are apt to make a mistake at worst or sub-optimize at best, because they don't understand the lay of the land as well as the NGOs," she stated. She added that activists have also started to see the benefit of working with companies, recognizing that "multinational companies are the vessels through which real change on LGBT inclusion can happen."

Many external networks and coalitions already exist. If they do not, companies should consider forming one by connecting with the ERGs of other companies in their industry. For example, Onur Terkesli, an interviewee in Turkey, brought 14

companies together at Dow's offices to hold a conference on LGBT+ inclusion and share best practices. He was driven by a belief that Dow will be able to make significant change only in coalition with others: "Together we stand, divided we fall."

3. Leverage external comparisons and rankings

Another action is to leverage external comparisons — such as rankings in rating systems —to exert pressure internally. The prime example is the Human Rights Campaign's annual Corporate Equality Index, which rates workplaces on their LGBT+ inclusion efforts. "Companies love to be very highly rated on anything that's publicly out there," Carol Holly stated. "The Human Rights Campaign did a great thing by producing an arms race among all the corporations to see who could get the 100% rating."

These ratings can drive change more quickly than efforts at internal persuasion. Abril Rodriguez Esparza observed even before EY launched its global nondiscrimination policy, EY Mexico changed its policy to include sexual orientation and gender identity to score well on the Human Rights Campaign's index.

Aside from the Human Rights Campaign and Work With Pride, other external rankings globally include the Stonewall Workplace Equality Index in the UK and the Pride in Diversity Australian Workplace Equality Index. Even without a formal index, however, companies can use other organizations in their industry to benchmark their own efforts.

4. Engage in "embassy-advocacy"

Finally, companies can engage in subtle or creative actions internally that drive toward the Advocate model without fully embracing it. One form of such embassy-advocacy is to host internal versions of prohibited external activities. Given the ban on funding Pink Dot in Singapore, Dow decided to organize its own "Pink Dot Day" in its Singaporean office. "I had more than 60 employees register and show up in a pink shirt to show support to the LGBT community," said Linda Lim. "It was one of the more well-attended employee events in recent months, so it was a very positive sign."

Finally, companies can engage in subtle or creative actions internally that drive toward the Advocate model without fully embracing it. One form of such embassy-advocacy is to host internal versions of prohibited external activities.

Another form of embassy-advocacy is to find small symbolic ways to indicate support for LGBT+ rights, such as rainbow mugs, flags, or pins. Holly McGhee noted: "I've had cases where recruitment candidates have told me that the reason they joined EY is because the partner interviewing them was wearing a rainbow pin. For emerging markets, it's the subtle symbols of support that add up to make a difference."

By introducing these avenues for employees to express their support for LGBT+ rights internally, companies lay the foundation for such expressive actions to carry over to external domains.

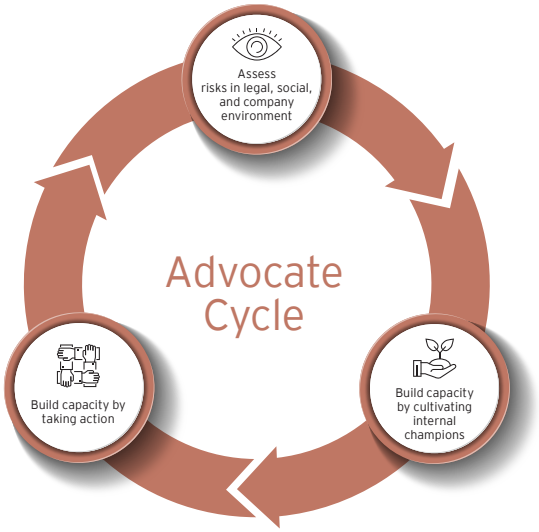
D. Continue the cycle

After the company has moved through the Embassy cycle — deepening its coalition of internal champions and taking action — it once again returns to the beginning of the cycle and is ready to reassess the risks within the legal, social, and company environments. This reassessment occurs with the benefit of the capacity-building measures that the company adopted in the first loop through the Embassy cycle. If the reassessment of risk suggests that the company is ready to advance, it enters the Advocate cycle.

PART V:

The Advocate Cycle

In the "Advocate" model, corporations strive to change the climate in the country, such as by lobbying the government or supporting local activists.



The Advocate model is the end state of LGBT+ inclusion, suggesting that a company's work may be done. Yet, even in the Advocate model, companies must continue to loop around the cycle. Legal, social, and company environments may all regress. Moreover, even in progressive environments, companies can always improve internal to the Advocate model.

This paper does not explore the Advocate cycle in detail, because its principal purpose is to discuss a company's progression through the earlier models — from When in Rome to Embassy, and from Embassy to Advocate. In addition, the range of actions that a company can take in the Advocate model is explored in depth in the 2019 *Channels of Influence* report published by Open for Business.[25] Nonetheless, four important capacity-building measures bear mention.

The first is to improve the sophistication of the company's internal champions by making them more aware of what forms of advocacy do, and do not, work in a particular cultural environment. Moriaki Kida noted that in some countries, same-sex marriage passed by constitutional means or with the assistance of corporate pressure, whereas "Japan is a society where harmony and acceptance on a gradual basis is going to be much more accepted by the general public than somebody marching with a pink triangle down the street." Similarly, Jarrod Trusler observed that Dow's approach to advocacy in Thailand is more "roundabout" than the direct methods of advocacy to which his Western colleagues are accustomed. Trusler's North American colleagues asked if the company could send a letter regarding the civil partnerships bill in Thailand. "That approach may not work as well in a country like Thailand," Trusler stated. "The approach we're taking is more subtle. We're having a seminar and business networking event where we'll invite the Ministry of Justice to talk about the bill, and we as the company will talk about how this will benefit us."

25 Keller et al., *Channels of Influence,* 2019.

The second capacity-building measure is to focus on securing a higher budget for LGBT+ activities. A robust budget is, of course, important at all stages of the LGBT+ maturity curve. As noted, companies should consider allocating greater funding toward countries in the When in Rome model so that a small number of volunteers are not required to organize all LGBT+ inclusion initiatives in those locations. At the same time, countries in the Advocate model require a significant funding stream to participate meaningfully in external events and activities. Jarrod Trusler observed that Dow's LGBT+ affinity group in Asia was a "previously informal network without much visibility or leadership sponsorship," so budgeting was "ad hoc and based on having an individual who could negotiate someone to sponsor a certain event." That is now changing: "We're looking at having a formal budget for the ERG in Asia Pacific, which will give us a specific fund so that we'll be able to go out proactively and sponsor NGOs, activities, and events. To be an Advocate, you have to spend a bit of money, and I'm glad to report we're working on that."

Third, companies should streamline approval processes for external advocacy. Michael Karimian stated that Microsoft has had blanket support for worldwide marriage equality since 2015, and has delegated to in-country subsidiaries to decide whether and how they wish to advocate for that reform on the ground. Even though the company has articulated blanket support, in-country colleagues can occasionally seek approval and formal sign-off from the Legal Department. "Sometimes they go to the right people, and sometimes they go to the wrong people," Karimian observed. For issues that need a rapid response, an opaque approval process may seriously hamper a company's effectiveness as an Advocate. "We've been looking at how to streamline processes," Karimian noted.

Fourth, companies should ensure that their initiatives speak to all subgroups within the LGBT+ umbrella. Otherwise, companies risk focusing on the needs and interests of people who belong to the most dominant or visible subgroups. Bisexual individuals, for example, are often overlooked. Megan Carpenter, Director of Diversity and Inclusion Communications at Microsoft, observed that "there is still a struggle with support and acceptance of bi people in the larger queer community." LGBT+ individuals who belong to minority racial or ethnic groups can also find themselves on the sidelines. Carpenter reflected on her experiences at the intersection of Black and LGBT+ communities: "We feel more isolated, less accepted, and tend to cover or even stay in the closet about our identity. … We often decide to focus on engaging in the Black community over engaging in the queer community and feeling conspicuously other in what should be a safe space." The work of Advocates will not be complete for the foreseeable future in part because so much remains to be done on less familiar identities like bi, intersex, or gender-non-binary individuals, as well as on individuals who occupy the intersection of multiple minority identities.

Conclusion

Advancing LGBT+ rights globally as a multinational corporation requires sophisticated judgments. Sometimes it means recognizing that less desirable models of engagement – When in Rome or Embassy – are necessary in some jurisdictions. Yet advancing LGBT+ rights also requires relentless energy to build capacity so that the company can move beyond those models and achieve the ultimate goal of global advocacy.

Due to the complexity of the issues and the variety of companies and jurisdictions grappling with them, a definitive account of how to move between models is not possible in a paper of this scope. Rather, by analyzing qualitative interview data across three multinational organizations, this paper aims to stimulate conversation within the corporate sector globally about how best to achieve LGBT+ inclusion. To continue this important discussion, readers are invited to give feedback at OpeningUpTheWorld@gmail.com on the strategies they have adopted in their organizations.

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Notes

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