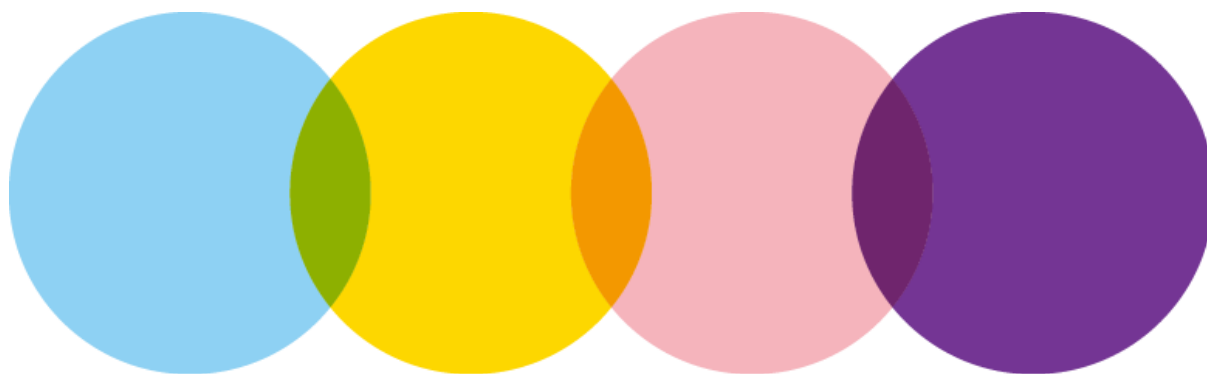


Trans, intersex and non-binary people at work in Hungary: A national report



Title: **Trans, intersex and nonbinary people at work in Hungary: A national report**

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Hungary at a glance: an introduction

The workplace is a meeting point: one of the major shared spaces of trans, intersex and non-binary (TINb) people and cisgender people who accept the binary gender system. The majority of adults spend several hours at work every day, collaborating with colleagues or clients. There is a huge difference between spending so much time feeling comfortable and feeling constantly threatened. The latter has an impact on a person's efficiency and health, but also on the mental wellbeing of our society as a whole.

In Hungary, there have been **widespread (and negative) legislative, institutional and political changes affecting the lives of TINb people in recent years**, so it was especially timely to work on a research targeting TINb people and HR managers and staff in the framework of the *Inclusion4All: Trans, Intersex and Nonbinary People at Work* project. The government and pro-government media have been conducting a smear campaign against human rights organizations, specifically organizations working on the rights of LGBTQI people. Pro-government news portals such as Pesti Srácok, Origo, 888.hu, Vasárnap.hu talk about LGBTQI and specifically trans issues as a form of ideology, and claim that LGBTQI and trans organizations work to recruit children to become LGBTQI. This speech is also supported and reiterated by leading politicians, including the prime minister. There has also been a concerted political campaign against LGBTQI people by government politicians and pro-government media, including **the adoption of laws restricting the rights of LGBTQI people (banning legal gender recognition, restricting adoption by non-married persons, and banning access to content "portraying or promoting" homosexuality and transgender identities to minors).**

The **Hungarian Parliament banned legal gender recognition** on 19 May 2020 (Act no. XXX of 2020, Art. 33., amended provisions: Act no. I of 2010 on the registry procedure, Arts. 3:x, 44:3, 69/B:1:be, 69/B:3). The new legislation sets out that "sex" on birth certificates is replaced by the term "birth sex" which is defined with reference to primary sex characteristics and chromosomes. The law also states that the birth sex can under no circumstances be changed in the birth registry, and subsequently in any official document. Transgender and intersex persons are no longer able to obtain identification documents reflecting their gender identity and/or appearance. Since legislation requires that first names are chosen from a closed list of male and female names, and that the name has to be in line with the birth sex of the person, the changing of first names to one associated with the other sex is also forbidden.

There are still employers who recognize that **an inclusive workplace that does not tolerate harassment and the exclusion or threat of exclusion of TINb employees is**

better for the employees and more productive for employers. However, our research shows that many HR professionals need training about equal treatment and the relevant legislation, and the huge number of TINb people who reported unemployment and workplace discrimination signals a clear need of work-related training events as well.

We need to highlight that we do not have enough data on **intersex people**. The number of respondents to our online survey who identified as intersex are too small to analyze separately. Interviews made in another project focusing on intersex people contain some information about the two interviewees' work experience, but since both of them went through transition at work (at the age of 40 or close to that age), both of them were treated as trans people wanting their name and papers changed rather than as people with an intersex identity. In the forthcoming activities of the project, especially the production of training materials and the organization of training events, we need to pay special attention to the inclusion and presentation of intersex experiences.



1. Legal and policy framework

The Equal Treatment Act prohibits discrimination and harassment based on sexual orientation and gender identity. However, reporting discrimination remains extremely low, and on 1 January 2020, the Equal Treatment Authority was abolished, and its tasks were taken over by the Commissioner for Fundamental Rights – an institution that is rather inactive when it comes to the rights of TINb people.

*Act no. CXXV of 2003 on equal treatment and the promotion of equal opportunities (Equal Treatment Act or ETA)*¹ prohibits discrimination and harassment based on sexual orientation and gender identity. The legislation pertains to all employers, regardless of whether they are state owned or privately owned and regardless of the legal form of employment (whether it is an employment contract, public sector service or a special order contract, etc.). Employers cannot reject an applicant because of their gender identity or sexual orientation, and employees cannot be discriminated against on these grounds when it comes to promotions, vocational trainings, salaries, or other work-related benefits. Sex characteristics or intersex status is not specifically included, but it could be tackled under discrimination based on sex, health status or other status. (Protected characteristics mentioned in ETA are as follows: gender, ethnic origin, race, skin colour, age, mother tongue, disability, state of health, motherhood (pregnancy) or fatherhood, family status, sexual orientation, gender identity, social origin, financial status, religious or ideological conviction, political or other opinion, part-time status or fixed-term employment relationship, membership in an interest group, any other status.) The Labor Code² also includes a broad provision on the principle of equal treatment, although it does not name any protected characteristics, it relegates more detailed rules on equal treatment to ETA.

Even though the legislation clearly sanctions discrimination in employment reporting discrimination remains alarmingly low, according to the 2019 FRA survey, only 5% of those experiencing discrimination in any field of life reported it. A 2016 study by Háttér found that while 87% of HR professionals surveyed knew that Hungarian legislation prohibits discrimination based on sexual orientation and gender identity in the field of employment, only 29% knew the employer has to intervene in case of homophobic and transphobic harassment among colleagues.

¹ Act no. CXXV of 2003 on equal treatment and the promotion of equal opportunities (2003. évi CXXV. törvény az egyenlő bánásmódról és az esélyegyenlőség előmozdításáról)

² Act no. I of 2012 on the Labor Code (2012. évi I. törvény a munka törvénykönyvéről), Art. 12.

ETA defines various types of actions as a form of violation of the principle of equal treatment: direct and indirect discrimination, harassment, segregation, and retribution, all of which are prohibited.

Discrimination can happen in a number of situations in the field of employment. It is therefore impossible to provide a complete list of practices that violate the legal requirement of equal treatment. ETA does not provide an exhaustive list of violations; instead, it highlights and names certain **employment-related situations in which equal treatment must be enforced**. Specifically, the principle of equal treatment is violated if an employee is directly or indirectly discriminated in the following areas:

- access to work, especially in the case of public job vacancy notices, employment, and the conditions of employment;
- proceedings that precede and conduce the establishment of employment;
- the establishment and termination of employment;
- training preceding or during employment;
- defining and securing work conditions;
- defining and securing benefits pertaining to employment, especially wages;
- participation or membership in employee organizations;
- business hierarchy and promotions; and
- liability and decisions on disciplinary action.

If an employee's right to equal treatment is violated, the injured party has different options for demanding legal remedies. One such option is to bring an action before the Office of the Commissioner for Fundamental Rights. From 2005 until January 2021, there was a specific public body, the Equal Treatment Authority (ETAAuth) that enforced the ETA. The ETAAuth was a Budapest-based autonomous government body that was empowered nationally to intervene in all types of discrimination, regardless of the protected characteristic (e.g. ethnicity, disability, age, sexual orientation or gender identity) or the field in which the discrimination took place (e.g. employment, education, health system).

In recent years the ETAAuth was one of the last public bodies standing up for the rights of LGBTQI people in Hungary. However, on 1 December 2020, the Parliament adopted legislation to abolish the Equal Treatment Authority. From 1 January 2020, the tasks of ETA were taken over by the Commissioner for Fundamental Rights (CFR). A report by Háttér Society found that the institutional change impacted negatively the enforcement of equal treatment legislation.³ This is largely due to the fact that since he assumed

³ Háttér Society (2021) *Information on the abolishment of the Equal Treatment Authority in Hungary*. <https://en.hatter.hu/publications/information-on-the-abolishment-of-the-equal-treatment-authority-in-hungary>

office in September 2019, the new Commissioner has failed to protect the rights of LGBTQI people. For example the current CFR has not commented on any of the laws mentioned above restricting the rights of LGBTQI people, and even though several complaints have been submitted by transgender individuals regarding the ban on legal gender recognition, those complaints have not been adjudicated for over a year now. The only report CFR published on transgender rights came out after the Constitutional Court has already found parts of the law to be unconstitutional, and the report merely repeated the findings of the Court. The failures of CFR have been recognized internationally: the Sub-Committee on Accreditation (SCA) of the Global Alliance of National Human Rights Institutions (GANHRI) recommended in June 2021 that the CFR be downgraded from A to B status, with reference among others to the lack of protection of vulnerable groups, mentioning specifically the LGBTI community. The tasks and powers of EAuth were thus handed over to a public body whose current leadership fails to protect and promote the human rights of all.

2. Previous research on the topic

Studies conducted on the exclusion and discrimination of TINb employees and job seekers show an extreme exposure to discrimination and harassment.

According to the 2019 FRA survey trans people are nearly twice as likely to report discrimination in the field of employment than LGB people: 22% experienced such behavior when looking for work, and 42% while already at work.

A study published in 2015 by Háttér Society on the social exclusion of transgender people in Hungary⁴ summarising the relevant results of a large scale LGBT Survey conducted in 2010 contains a number of data points on the workplace and employment discrimination of trans people. Of the 2755 respondents who answered employment-related questions, 166 were transgender, and they represented a range of professions, including doctors, carpenters, project managers, and shop assistants.

- More than twice as many trans respondents were **unemployed** (12%) compared to their LGB counterparts (5%). 62% reported that they had been unemployed for more than three months. This proportion was only 39% among non-trans respondents.
- Trans people were twice as likely to be **discriminated** against at their workplace (29%) than non-trans LGB people (13%).
- Discrimination against transemployees were more serious than that of LGB people: they were **rejected when applying for jobs** (58%) or **dismissed** (55%) almost twice as often.
- Respondents had experienced **harassment** at work both from colleagues and superiors.
- The most common forms of workplace discrimination were **spreading rumours or lies** (80%).
- The majority of trans employees **did not talk about their trans status** to colleagues (58%) or superiors (71%).

A research conducted by Háttér in 2016⁵ found similar results when examining the differences between the responses provided by trans people and all survey respondents:

⁴ Háttér Society (2015) *A transznemű emberek társadalmi kirekesztettsége Magyarországon. Az LMBT Kutatás 2010 eredményei.* <https://hatter.hu/kiadvanyaink/lmbt-kutatas-2010-transznemuek>

⁵ Háttér Society (2018) *A kirekesztés arcai: A transz emberek foglalkoztatási és munkahelyi hátrányos megkülönböztetése.* <https://hatter.hu/kiadvanyaink/kirekesztesarcai>

- While 83% of survey respondents had regular paid jobs, only 46% of trans respondents did.
- Among trans respondents, the proportion of those who had been **unemployed** for more than three months during the last 5 years (46%) or earlier (26%) was significantly higher than among all respondents (27% and 16% respectively).
- 6.5% of all respondents had to **postpone their studies** in an educational institution; among trans respondents, this proportion was significantly higher at 46%.
- 13% of respondents **began to work in another field** because of the homo- or transphobia they experienced at work, but this proportion was 80% among trans respondents. Similarly, 20% of all respondents and 80% of trans respondents were influenced by being LGBTQI when choosing a profession.
- 43% of all respondents had **felt lonely** at work because of being LGBTQI; among trans people, twice as many people (86%) gave the same answer.
- Many more trans respondents had been **dismissed** because of being LGBTQI (40%) than the respondents in the general sample (6.8%), and those who had felt **forced to leave their job** were also 60% among trans respondents and 12% among all respondents.
- Two thirds (66%) of trans respondents answered that they had had to **work below their education level**, while only 11% of all respondents had the same experience.

3. Support and services to Trans, Intersex and Non-binary employees and job seekers

There are no specific services targeting trans, intersex and non-binary employees and job seekers in Hungary. Háttér Society, the largest and oldest currently operating lesbian, gay, bisexual, transgender, queer and intersex (LGBTQI) organization in Hungary founded in 1995, provides inclusive support services.

There are no specific services targeting trans, intersex and non-binary employees and job seekers in Hungary. When exploring the situation and needs of LGBTQI people, working on mainstreaming these concerns in laws and public services and protecting the human rights of LGBTQI people and countering discrimination against them, as well as promoting the health and well-being of LGBTQI people and encouraging the self-organization of LGBTQI communities, the organization has been working on research and developing its services so that they specifically target trans, intersex and non-binary people.

In the framework of the TransVisible project, Háttér participated in the development of a guide⁶ to the labor inclusion of trans women, and also created a set of recommendations for management and HR to deal with legislative gaps and create trans-inclusive workplaces⁷.

The organization is preparing to develop a training and mentoring program for trans, intersex and non-binary people, the pilot version of which is being prepared in the framework of the Inclusion4All project.

There are also trans and intersex organizations and informal groups that provide support, advice, and spaces for discussions:

Transvanilla Transgender Association (<https://transvanilla.hu/home/news>), the only registered trans rights organization in Hungary, has been representing the rights of trans people since 2011;

The **Prizma Community** (<https://prizma.lgbt>) aims at creating new fora for the transgender community.

⁶Háttér Society (2020) TransVisible: A professional guide to labor inclusion and economic empowerment of trans women. <https://hatter.hu/kiadvanyaink/a-professional-guide-to-labour-inclusion-and-economic-empowerment-of-trans-women>.

⁷Háttér Society (2020) Hogyan működtessünk transzbefogadó munkahelyet? Javaslatsgyűjtemény a jogszabályi hiányosságok kezelésére. <https://hatter.hu/kiadvanyaink/transvisible-utmutato>

4. Inclusion4All research results

In the framework of the Inclusion4All project, we conducted two online surveys during March–July 2021: one targeting HR professionals, and another targeting trans, intersex and non-binary employees and job seekers. We also made 5 interviews with HR professionals to assess their knowledge of terminology, legislation, as well as their experience and training needs, and 10 interviews with trans, intersex and non-binary employees about their experience and training needs.

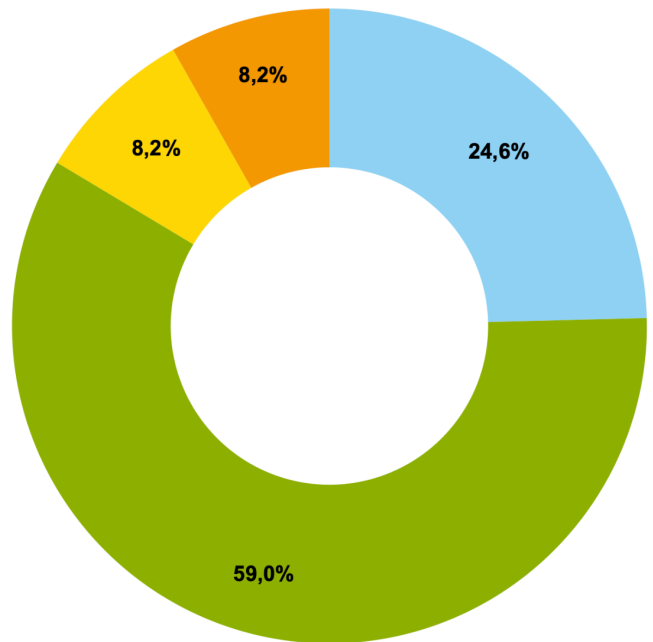
Research results show that many HR professionals do not know the basic terminology, that is, what the expressions trans, intersex and non-binary mean. Only 23% of the respondents know that Hungarian legislation explicitly prohibits discrimination based on sexual orientation in the field of employment since 2003, and when it comes to gender identity and gender expression, only 17% of the respondents know that legislation explicitly prohibits discrimination based on gender identity. Similarly, only 1/4 of the HR professionals know that Hungarian legislation requires the employer to take action against the harassment of a trans, intersex or non-binary employees by their colleagues. 45% of the respondents say that lacking knowledge and skills on the topic prevents them or their employer from creating a positive work environment for trans, intersex and non-binary employees. These results indicate a definite need for training. The majority of HR professionals would participate in training provided by Háttér Society.

Trans, intersex and non-binary interviewees shared mostly negative experiences: the 6 trans men, 2 trans women and 2 non-binary persons interviewed in Hungary talked about their experiences of discrimination and harassment (and also discrimination and harassment against women at work), being laughed at and gossiped about by colleagues, difficulties with name, bathroom and changing room usage, and the lack of workplace policies aiming at preventing and tackling discrimination and harassment.

4.1 Knowledge, attitudes and experiences of HR professionals

Sectoral diversity

In the survey, we analyzed responses from 61 HR professionals in Hungary who started to fill out the questionnaire and who belonged to the target group. 25% work in senior management, 59% in the field of human resources, while others in other relevant areas, such as corporate social responsibility (8%).



● senior management ● human resources ● corporate social responsibility ● other

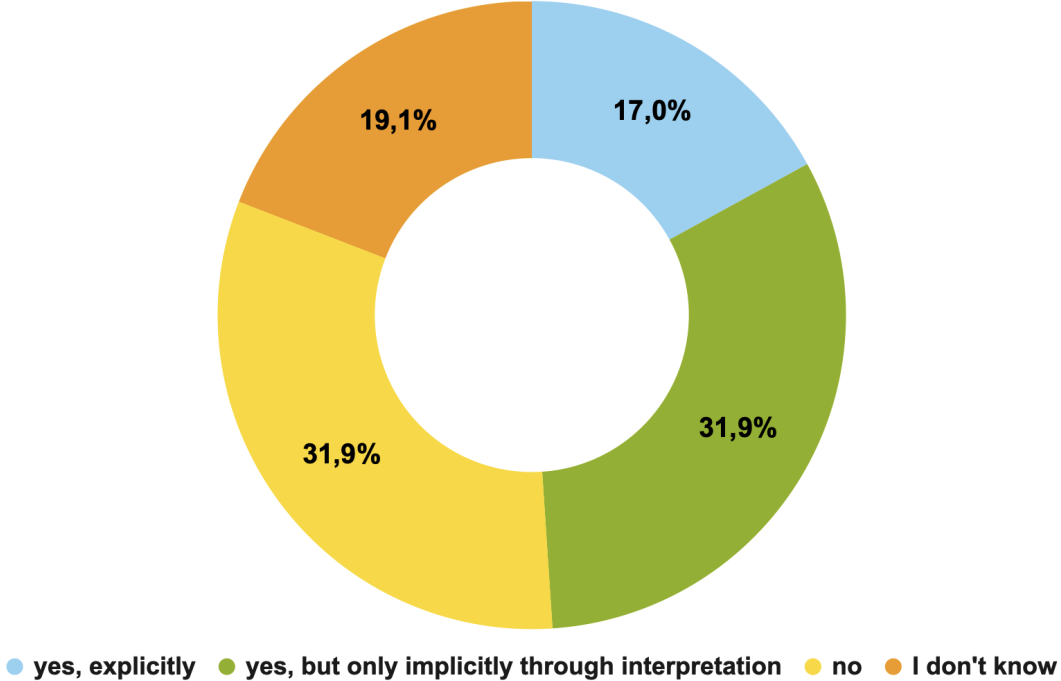
47% work for foreign owned multinational companies, 29% for local privately owned companies, and 11% for (local) governments or related firms. 69% work in Budapest, the capital and an added 8% in the suburbs of Budapest, 7% in major cities, and 16% in smaller cities or settlements. 33% work in companies that have 1000 or more employees, 40% in companies that employ 20 to 250 people, and 16% in small firms (with up to 19 employees).

Knowledge

67% of respondents know that the terms “sexual orientation”, “gender identity” and “sex characteristics”, mean different things that are not necessarily related, while others seem to be uncertain about the meaning of basic terminology. 78% of respondents managed to match the term “non-binary” with its description, but 13% could not answer and 9% mixed the term with bisexual or trans. The term “intersex” was more or less known to 59%, while 9% assumed it meant “bisexual”, 15% assumed it meant “transgender”, and 17% marked the answer “do not know.”

Only 23% of the respondents know that Hungarian legislation explicitly prohibits discrimination based on sexual orientation in the field of employment since 2003. 30% thinks there is no such legal protection against workplace discrimination based on sexual orientation, and 40% think that such prohibition is in power, but only implicitly, through interpretation. When it comes to gender identity and gender expression, only 17% of the respondents know that legislation explicitly prohibits discrimination based

on gender identity in the field of employment. 32% think there is non such legal protection against workplace discrimination based on gender identity, and 32% think that such prohibition is in power, but only implicitly, through interpretation, and 19% marked the answer “do not know”.



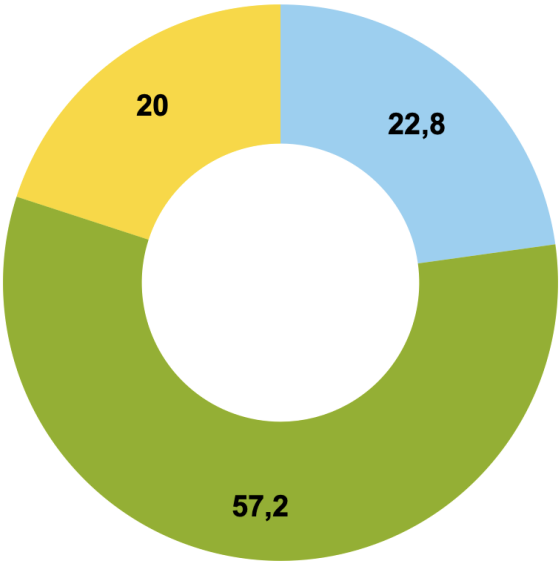
Similarly, only 25% of the HR professionals know that Hungarian legislation requires the employer to take action against the harassment of a trans, intersex or non-binary employees by their colleagues, 40% told that this is not so, and 34% did not know. These results indicate a definite need for training.

Company attitudes

84% of the foreign-owned multinational companies, 21% of Hungarian privately owned companies and 33% of companies owned by the national government / local government have enacted diversity, equality and inclusion policies. In Hungary, public bodies or state owned companies with more than 50 employees are legally required to adopt equal opportunity plans.

While 42% of the respondents agree or strongly agree that their company does everything it can to prevent discrimination against trans, intersex and non-binary people, 41% disagree, and 15% neither agree nor disagree.

23% said their company did not investigate and sanction all cases of discrimination against trans, intersex and non-binary people reported, and 20% did not know, meaning that only 57% state securely that their company treats such reports properly.



- The company does not investigate all cases of discrimination and harassment
- The company properly investigates all cases of discrimination and harassment
- Don't know

25% assumes that verbal harassment (name-calling, threats, etc.) occurs to trans, intersex and non-binary people because of their gender identity, gender expression or intersex status “sometimes” or “very often,” however, it must be noted that only 18% says that such cases are reported by victims, while 60% assumes that these are never or rarely reported, and more than one fifth of the respondents (22%) do not know.

45% of the respondents say that lacking knowledge and skills on the topic prevents them or their employer from creating a positive work environment for trans, intersex and non-binary employees. Only 8% said that they allow employees to use names different from those in their official documents, and only 5% have inclusive dress code policies in place.

Besides the online survey, we also interviewed 5 HR professionals / experts: two working for multinational companies, one for a state-owned company, one for a smaller Hungarian firm and one works as an independent equal opportunity expert. The interviews made with HR professionals show that apart from a few British or American owned multinational companies providing support to TINb employees, other companies tend to have quite insecure knowledge of the relevant legislation and employers’ obligations to tackle harassment and discrimination based on gender identity as well as

gender expression and sex characteristics under the Equal Treatment Act. As the equal opportunity expert highlighted, governmental communication and actions are a huge setback: companies in Hungary do not want to appear as openly opposing the discourse set by the Hungarian government.

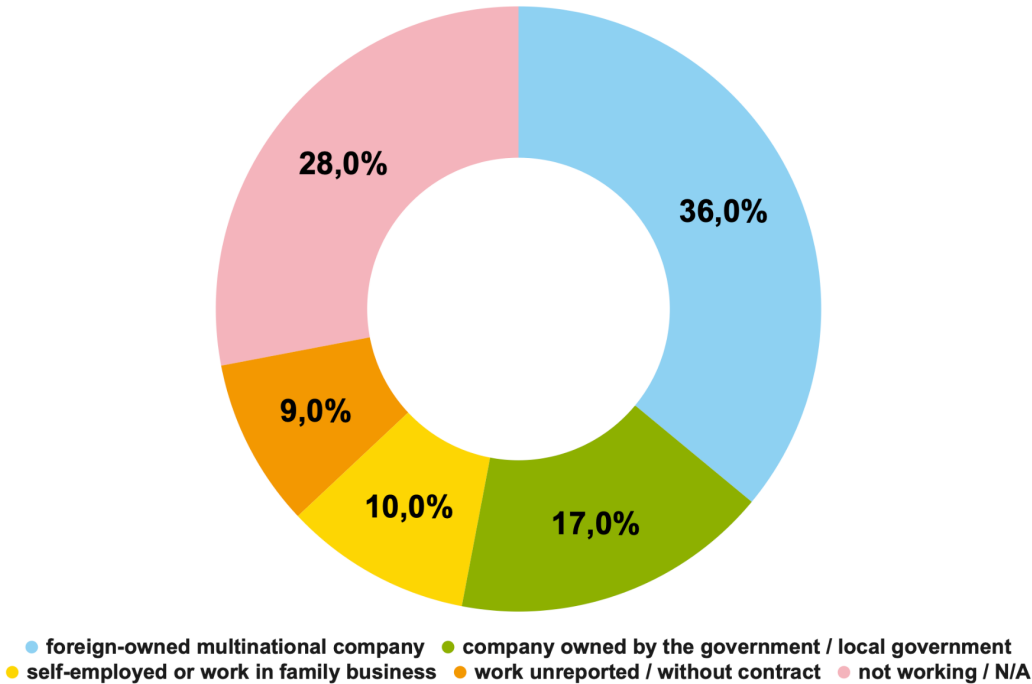
4.2. Trans, intersex and non-binary people at work: experiences, practice and discrimination

Demographics

We analyzed 243 answers given to our survey questionnaire developed in the Inclusion4All project. This included all respondents who started to fill out the questionnaire, and who belonged to the target group. While 75% of the respondents were working currently, 25% were not employed when answering the survey.

52% of respondents live in Budapest or its suburbs, 14% in big cities with more than 100,000 inhabitants, 11% in mid-size cities (20,000 to 100,000 inhabitants), and 24% in smaller towns or villages (12%). 2% of the respondents were intersex, and 31% non-binary.

37% of respondents held diplomas (BA or MA), 18% took part in post-secondary education, 34% in secondary education, and 6% in primary education. 36% works for a foreign-owned multinational company, 17% for a company owned by the government / local government, 10% are self-employed or work in family business, while 9% work without contract, unofficially.



33% of the respondents had been unemployed and seeking a job for more than 3 months during the last 5 years; and while this is already very high, trans women experience unemployment even more often: 51% of them had been unemployed during the same period.

At the workplace

24% of all respondents are out to all colleagues and 18% to some of their colleagues; 36% are not at all out to the management, while 18% are out to some and 4% to the whole of the management.

7% knew about a protocol on responding to complaints about harassment and discrimination at work, 10% marked that they can use an anonymous interface for reporting harassment and discrimination, and 16% said that employees could use names different from those in their official documents at their workplace. (This is very important given that legal gender recognition was banned in Hungary in 2020, so trans people cannot get their official name and documents changed.) 38% have experienced psychological harassment (rumors, isolation, unfair discrediting, etc.) at work: 25% often or very often, and 13% sometimes.

Those who also wrote about their experiences, shared stories of discrimination, harassment and extensive abuse:

"This happened in a Hungarian chain store. The guy delivering beer told the two managers present that if I do not work well they would take me down to the cellar and fuck me. I lost lots of weight. I made a complaint to my boss but was told that there were no witnesses so I had no chance. I took lots of medication and drank alcohol to be able to stay at home on a doctor's recommendation as they were making fun of me even during my period of notice."

"Even though my colleagues use my chosen male name, administrators call me by my dead (female) name every month when I have to submit my time report."

"What protects me from harassment and abuse is that they do not know that I am transgender. I am sure that I would be harassed and rumored about if they knew. My colleagues often make transphobic and racist comments."

"I worked in a restaurant for four months. Although I liked the job, I had to quit as my colleagues talked about me and laughed at me behind my back. I quit when someone drew female genitals on my family name on the attendance sheet."

"As a scientific researcher, I cannot start transitioning. My colleagues often make remarks about my clothes and appearance, or about my short hair and masculine look. They ask intrusive questions about my private life, family status, etc. In the present situation, when

it is impossible to change my name and documents, I do not dare to start transitioning, as I would then lose my job and this would halt my career."

Interviewees also shared mostly negative experiences: the 6 trans men, 2 trans women and 2 non-binary persons interviewed in Hungary talked about their experiences of discrimination and harassment (and also discrimination and harassment against women at work), being laughed at and gossiped about by colleagues, difficulties with name, bathroom and changing room usage, and the lack of workplace policies aiming at preventing and tackling discrimination and harassment. Some of them also talked about positive experiences, being helped to some extent by HR professionals, and supported by at least some colleagues. As one of them explained, bigger multinational companies are more inclusive, as well as some small, family business type firms – but mid-size companies are dangerous for TINb employees, as there are always colleagues who do not accept them and management that does not provide support.

"During transition, I worked at a place that I did not like any more, but did not quit because I did not want to be discriminated against during a selection process. I did not quit until I got my official permission and papers in 2018." **Trans man, 32, Budapest**

"I experience discrimination at work, every day. Colleagues talk about me, judge me, laugh at me. It used to be even worse. They have gotten used to it by now, but I am still not a simple colleague here. I do not react. I try to avoid these situations. I do not report."

Trans woman, 33, Budapest

"How they call me and refer to me matters a lot. I once had to review a call and I heard that my colleague, this cishetero man, called me "my colleague" and did not use the feminine term. I was so glad that he did that not only in front of me but also in a call with a client. My boss has also accepted that he should not give me flowers on Women's Day, and he does not." **Nonbinary person, 28, Budapest**

"They do not talk about this now, but it was an everyday topic at the place where I had worked before. They kept asking me about my body and the surgery. They did not let me use the men's bathroom but they also closed me out of the women's bathroom, so I had to run home to go to the bathroom. My boss did not care but my colleagues were hostile."

Trans man, 23, town in Eastern Hungary

"I've only had this one job. I would not dare to change and seek another one. I am sometimes afraid of the future. I have started hormone therapy recently, so I am not bearded yet, but it will happen, and my voice will also be deeper. But if I were to look for a job, how could I do that, with a female name? I will not even exist! There are probably more places that accept trans people in Budapest, but I live in this small town. The problem is

that many do not accept this. And in this case they would probably not call you for a job interview at all.” **Trans man, 38, small town in Southern Hungary**

In another research project (*BRING-In: Building professional capacity to combat discrimination against and better meet the needs of intersex persons*, implemented in 2020-2022), Háttér Society also interviewed intersex people. One of them, who lives in a larger city, but not the capital, introduced herself as a person living with Klinefelter syndrome. She explained that her documents contained a male name and gender marker, but she identified and lived as a woman. “*And now my papers cannot be changed. That’s a shame. People see me as a woman.*” When talking about her work experience, she said she had had one inclusive employer, where she could use the women’s changing rooms; at other places, she has not been allowed to use changing rooms and bathrooms according to her gender identity.

4.3. Training needs

The majority of HR professionals would participate in training provided by Háttér Society. Both the survey results and interviews show that there are serious knowledge gaps and a strong need for training in Hungary.

60% of respondents working in the field of HR told they would participate in a training on the workplace inclusion of trans, intersex and non-binary people, while 13% were uncertain.

The most relevant topics for HR-professionals were:	
Strategies and methods to integrate an inclusive approach in everyday practices:	93%
Practical tools for preventing and responding to cases of discrimination and harassment:	93%
Terminology and inclusive language:	90%
Model policies and protocols:	86%
Legal framework:	72%

The majority of respondents (55%) would choose a combination of e-learning and in-person training.

The vast majority (77%) of trans, intersex and non-binary respondents have not participated in any training to develop their job seeking ability (e.g.: preparation for

interviews, self presentation, etc.), and 90% have not participated in any training regarding workplace discrimination.

The most relevant topics for TINb respondents were:

Rights at work and protection for trans, intersex and non-binary persons:	92%
Sharing experience and strategies:	91%
Legal framework on discrimination:	82%

Written comments also stress the importance of practical advice and experience sharing:

"I think I'd need practical but at the same time personal advice."

"I'd like to know more about transition and coming out at work."

In the interviews, interviewees also talked about the subjects they find most important:

- the workplace-related rights of TINb persons;
- the situation of TINb rights in Hungary;
- discrimination;
- sharing of experiences;
- reporting channels, strategies for prevention;

(Trans man, 32)

- sanctions for people using someone's old name;
- discrimination;
- changing jobs;
- practical, imagined situations, acted out and discussed in person.

(Trans woman, 33)

One interviewee suggested that we should make **videos**, e.g. a **video blog series** about people's experiences, as it would reach more people than training sessions.

(Non-binary person, 28)

Several interviewees stressed that their fellow colleagues and those responsible for the prevention and elimination of harassment at work should also be trained.

5. Conclusion

According to the 2019 FRA survey trans people are nearly twice as likely to report discrimination in the field of employment than LGB people: 22% experienced such behavior when looking for work, and 42% while already at work. Previous research by Háttér Society also shows that trans people face discrimination at work and employment much more often than LGB people.^{8,9,10} The present research has been the first one in Hungary aiming at mapping the experiences and training needs of both trans and non-binary and intersex employees and job seekers.

Previous and present research results show that many HR professionals do not know the basic terminology, that is, what the expressions trans, intersex and non-binary mean. The Inclusion4All research shows that only 23% of the respondents know that Hungarian legislation explicitly prohibits discrimination based on sexual orientation in the field of employment since 2003, and when it comes to gender identity and gender expression, only 17% of the respondents know that legislation explicitly prohibits discrimination based on gender identity. Similarly, only 1/4 of the HR professionals know that Hungarian legislation requires the employer to take action against the harassment of a trans, intersex or non-binary employees by their colleagues. 45% of the respondents say that lacking knowledge and skills on the topic prevents them or their employer from creating a positive work environment for trans, intersex and non-binary employees. These results indicate a definite need for training.

Trans, intersex and non-binary interviewees shared mostly negative experiences: the 6 trans men, 2 trans women and 2 non-binary persons interviewed in Hungary talked about their experiences of discrimination and harassment (and also discrimination and harassment against women at work), being laughed at and gossiped about by colleagues, difficulties with name, bathroom and changing room usage, and the lack of workplace policies aiming at preventing and tackling discrimination and harassment. An intersex interviewee in a previously conducted research project also told that she was not allowed to use changing rooms and bathrooms according to her gender identity.

Given that legal gender recognition is banned in Hungary since May 2020, it is especially important that both employers / HR professionals and TINb employees know the

⁸ Háttér Society (2015) A leszbikus, meleg, biszexuális és transznemű emberek munkahelyi tapasztalatai Magyarországon. Az LMBT Kutatás 2010 eredményei. <https://hatter.hu/kiadvanyaink/lmbt-kutatas-2010-munka>

⁹ Háttér Society (2015) A transznemű emberek társadalmi kirekesztettsége Magyarországon. Az LMBT Kutatás 2010 eredményei. <https://hatter.hu/kiadvanyaink/lmbt-kutatas-2010-transznemuek>

¹⁰ Háttér Society (2016) "They can be anything?" Employment and workplace discrimination against LGBTQI people in Hungary. <https://en.hatter.hu/publications/they-can-be-anything>

existing anti-discrimination legislation. Serious work needs to be done in the field of workplace inclusion, and training events are a first step to reach out to and make changes in the thinking of HR professionals as well as to work on empowering TINb employees and job seekers.

6. Recommendations to employers

1. The management of organisations should openly stand by the importance of workplace diversity and the acceptance of trans, intersex and non-binary employees, as well as against discrimination based on gender identity, sex characteristics and gender expression.
2. Adopt regulations against discrimination and harassment (bullying) with an explicit reference to gender identity, sex characteristics and gender expression, extending to the conditions of employment, promotion and dismissal, payment and other conditions, including the prevention, elimination and punishment of harassment and other forms of victimisation.
3. Include trans, intersex and non-binary employees in the framing and review of organizational regulations, especially in the field of human resources management.
4. Support and encourage the participation of HR managers and personnel in trainings on equal opportunities that also refer to the situation of trans, intersex and non-binary employees.
5. Organise equal opportunities and sensitizing programmes for employees that include specific references to situations faced by trans, intersex and non-binary colleagues.
6. Pay special attention to data protection issues related to trans, intersex and non-binary employees, including steps to ensure that an applicant's gender history and / or former name are not made known to the employer and other employees in the course of job applications.
7. Develop organisational practices consulting with civil society organizations representing trans, intersex and non-binary people and considering the needs of the employee when the trans status of an employee changes during employment.
8. Make it possible for trans, intersex and non-binary employees to express themselves and participate in the life of the workplace according to their gender identity, including using the name they choose and the flexible application of regulations pertaining to clothing.
9. Secure gender-neutral dressing rooms and bathrooms in addition to or instead of men's and women's rooms, and make sure trans, intersex and non-binary employees can use these according to their own gender identity.

APPENDIX

Relevant legislation

Act no. CXXV of 2003 on equal treatment and the promotion of equal opportunities

Act no. I of 2012 on the Labor Code

Act no. XXX of 2020, Article 33

Act no. CXXVII of 2020 on the amendment of certain acts to support the effectiveness of the principle of equal treatment

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