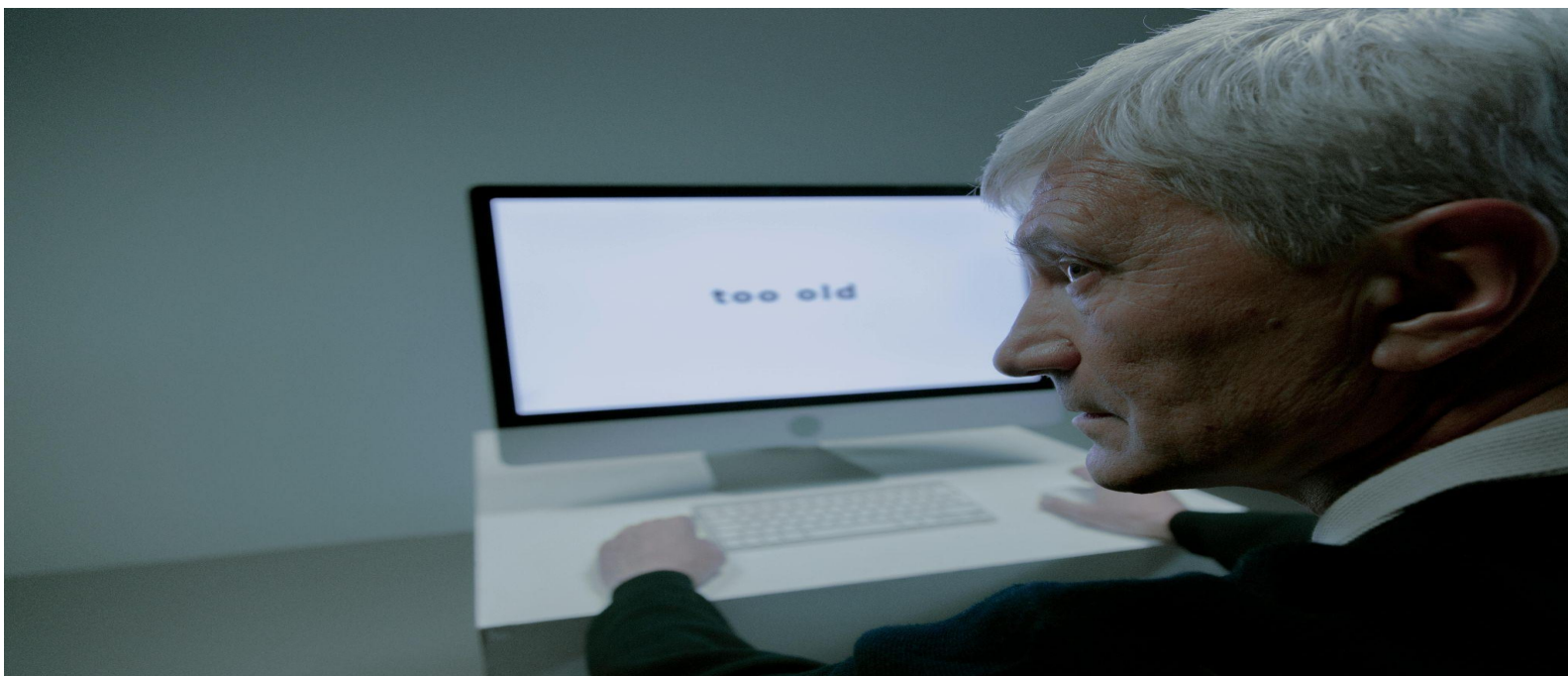


# Breaking Barriers: Addressing and Overcoming Workplace Discrimination

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## GLOBAL HUMAN RIGHTS DEFENCE

## INTRODUCTION

Workplace discrimination remains a persistent challenge across industries, affecting employees' rights, well-being, and professional opportunities. Despite legal frameworks designed to prevent discrimination, individuals continue to face unequal treatment based on factors such as age, gender, race, disability, and sexual orientation. These discriminatory practices not only violate fundamental rights but also create barriers to career progression, fair compensation, and workplace inclusion. Addressing these issues is not just a matter of legal compliance but an essential step toward fostering a work environment that is diverse, fair, and equitable.

This report examines workplace discrimination through an in-depth analysis of its prevalence, impact, and the effectiveness of existing policies. It integrates both legal research and firsthand data collected through a survey conducted among employees from various industries and geographic regions. By capturing real-world experiences, the report aims to identify patterns of discrimination and assess how individuals navigate workplace biases.

To ensure a comprehensive understanding, the report is structured into three main chapters. The first chapter explores the different types of workplace discrimination, outlining the legal protections that exist at the international and national levels. The second chapter presents the findings of the survey, offering a closer look at the respondents' demographics, the types of discrimination they have experienced or witnessed, and the extent to which these incidents are reported or addressed. The third chapter delves into the consequences of workplace discrimination, examining its impact on employees' personal well-being and professional development.

Workplace discrimination is not only a challenge for individuals but also has broader societal and economic consequences. It contributes to job dissatisfaction, high employee turnover, and reduced workplace productivity, ultimately affecting businesses and economies at large. Addressing these issues is also essential for fulfilling global commitments such as the United Nations Sustainable Development Goals (SDGs), particularly SDG 5 on gender equality and SDG 8 on decent work and economic growth. By understanding how discrimination manifests in the workplace and assessing the effectiveness of existing policies, this report seeks to contribute to the development of more inclusive and equitable work environments that benefit employees and employers alike.

## 1. TYPES OF WORKPLACE DISCRIMINATION

Workplace discrimination happens when employees or job applicants are treated unfairly based on characteristics that have nothing to do with their skills, experience, or performance. These characteristics—protected by international and national legal frameworks—include **age, gender, race, disability, and sexual orientation, among others**. Discrimination can be blatant, such as refusing to hire someone because of their ethnicity, or subtle, like policies that disadvantage certain groups under the guise of neutrality. Either way, it creates barriers to equal opportunities, fair treatment, and career progression. Addressing workplace discrimination is about more than just complying with the law—it’s about building an inclusive, productive, and fair work environment.

There are three main types of discrimination in the workplace: direct discrimination, indirect discrimination, and multiple (or intersectional) discrimination. **Direct discrimination** is the most obvious—it happens when a person is explicitly treated less favourably because of a protected characteristic.<sup>1</sup> For instance, if a company refuses to hire a woman for a leadership role because they believe men are better suited for management, that’s direct discrimination. **Indirect discrimination** is more subtle. It happens when a policy or rule applies to everyone but ends up putting certain groups at a disadvantage.<sup>2</sup> A classic example is a company enforcing a dress code that bans head coverings, which would disproportionately affect employees who wear religious attire. Unless the rule is objectively justified—for example, for safety reasons—such a policy could be considered discriminatory.

Beyond these two forms, there’s **multiple discrimination**, also known as intersectional discrimination.<sup>3</sup> This occurs when someone faces discrimination on more than one ground at the same time, creating a unique and often more severe disadvantage. For example, an older woman of colour might experience barriers in the workplace that neither a younger woman nor an older white man would face. Addressing intersectional discrimination is important because many legal frameworks only focus on single-category discrimination, making it harder for some individuals to seek justice.

Discrimination in the workplace isn’t just about who gets hired or promoted. It influences pay disparities, work culture, career development opportunities, and even job security. The following sections (1.1–1.5) will explore how different types of discrimination—age, gender, racial, disability, and sexual orientation discrimination—play out in real work environments, along with their legal implications. To provide a clear understanding of the legal protections in place, each section will include a table summarising key legal instruments that protect employees from discrimination at work. These tables will

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<sup>1</sup> Equality and Human Rights Commission, ‘Your Rights Under the Equality Act 2010: Direct and Indirect Discrimination’ (25 November 2019) <<https://www.equalityhumanrights.com/equality/equality-act-2010/your-rights-under-equality-act-2010/direct-and-indirect-discrimination>> accessed 28 February 2024.

<sup>2</sup> *ibid.*

<sup>3</sup> UN Committee on Economic, Social and Cultural Rights (CESCR), ‘General Comment No. 20: Non-Discrimination in Economic, Social and Cultural Rights (Art. 2, Para. 2, of the International Covenant on Economic, Social and Cultural Rights)’ (2 July 2009) UN Doc E/C.12/GC/20.

outline relevant international treaties, conventions, and domestic laws, explaining their binding nature and applicability. Some of the most influential frameworks include the International Labour Organisation Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and the EU Directive 2000/78/EC, which set global and regional standards for fair treatment in employment.

Discrimination isn't just a personal issue—it has real consequences for society and the economy. It undermines global commitments like the United Nations SDGs, particularly SDG 5 (Gender Equality) and SDG 8 (Decent Work and Economic Growth).<sup>4</sup> By addressing workplace discrimination, businesses and policymakers not only improve individual lives but also strengthen economies, promote social stability, and encourage innovation.

## 1.1. AGE DISCRIMINATION

Age discrimination in the workplace occurs when employees or job applicants are treated unfairly due to their age rather than their skills, experience, or qualifications. While it can affect individuals at any stage of their careers, it is particularly common among older workers, who may be perceived as less adaptable, technologically challenged, or close to retirement. At the same time, younger employees often face bias that assumes they lack experience, maturity, or leadership ability. These stereotypes result in barriers to hiring, promotion, compensation, and job security, impacting employees across different industries and professions.<sup>5</sup>

Despite legal protections against age discrimination, evidence suggests that it remains widespread. A survey by the AARP found that nearly 64 percent of workers aged 50 and older have witnessed or experienced age discrimination in the workplace.<sup>6</sup> Similarly, research by the Society for Human Resource Management (SHRM) revealed that almost 30 percent of U.S. workers have felt unfairly treated due to their age, with 72 percent of them considering leaving their jobs as a result.<sup>7</sup> Such discrimination is not always explicit; it can take subtle forms, such as exclusion from professional development opportunities, age-related jokes in the workplace, or a lack of consideration for leadership roles. In some cases, age bias is embedded in hiring and promotion practices, where older candidates are overlooked because they are assumed to be overqualified, inflexible, or too expensive due to salary expectations

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<sup>4</sup> UN General Assembly, Transforming Our World: The 2030 Agenda for Sustainable Development, GA Res 70/1 (21 October 2015) UN Doc A/RES/70/1, Goals 5 & 8.

<sup>5</sup> Thomas WH Ng and Daniel C Feldman, 'Evaluating Six Common Stereotypes About Older Workers with Meta-Analytical Data' (2012) 65(4) Personnel Psychology 821 <<https://onlinelibrary.wiley.com/doi/10.1111/peps.12003>> accessed 28 February 2024.

<sup>6</sup> Lona Choi-Allum, 'Age Discrimination Among Workers Age 50-Plus' (*AARP Research*, 26 July 2022) <<https://www.aarp.org/pri/topics/work-finances-retirement/employers-workforce/workforce-trends-older-adults-age-discrimination/>> accessed 28 February 2024.

<sup>7</sup> Society for Human Resource Management, 'New SHRM Research Details Age Discrimination in the Workplace' (11 May 2023) <<https://www.shrm.org/mena/about/press-room/new-shrm-research-details-age-discrimination-workplace>> accessed 28 February 2024.

and pension costs.<sup>8</sup> Conversely, younger workers are often given short-term contracts, lower wages, or fewer leadership opportunities, limiting their career progression.<sup>9</sup>

Job termination and workforce restructuring also disproportionately affect older employees, who may be targeted during layoffs under the justification of cost-cutting measures. Research shows that older workers are more likely to be dismissed or pressured into early retirement, even when they are willing and able to continue working.<sup>10</sup> This not only affects individuals but also undermines workplace diversity, as companies lose experienced professionals who contribute to institutional knowledge and mentorship. Younger workers, on the other hand, may face challenges securing stable employment, particularly in industries where seniority is highly valued.<sup>11</sup>

Several legal frameworks protect workers from age-based discrimination, ensuring that employment decisions are based on merit rather than stereotypes. The ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111) establishes broad principles prohibiting workplace discrimination, including on the basis of age.<sup>12</sup> Within the European Union, the Council Directive 2000/78/EC (Framework for Equal Treatment in Employment and Occupation) requires member states to enforce anti-discrimination laws that prevent age-related bias in hiring, promotion, and workplace conditions while allowing for objective justifications where necessary.<sup>13</sup> In the United States, the Age Discrimination in Employment Act (ADEA) of 1967 specifically prohibits employers from discriminating against workers aged 40 and above, ensuring that older employees are not unfairly excluded from employment opportunities or benefits.<sup>14</sup>

A summary of key legal instruments addressing age discrimination, including their binding nature and applicability, is provided in the table below. These legal protections are essential for ensuring that individuals of all ages receive fair treatment in the workplace, with equal access to opportunities and protections against unjust dismissal or exclusion.

| Legal Instrument | Relevant Article(s) | Summary                         | Binding Nature | Applies to |
|------------------|---------------------|---------------------------------|----------------|------------|
| ILO Convention   | Article 1           | Defines discrimination broadly, | Binding on     | Ratifying  |

<sup>8</sup> Marie Wilson, Polly Parker, and Jordan Kan, 'Age Biases in Employment: Impact of Talent Shortages and Age on Hiring' (2007) 9 University of Auckland Business Review <[https://www.researchgate.net/publication/38310532\\_Age\\_biases\\_in\\_employment\\_Impact\\_of\\_talent\\_shortages\\_and\\_age\\_on\\_hiring](https://www.researchgate.net/publication/38310532_Age_biases_in_employment_Impact_of_talent_shortages_and_age_on_hiring)> accessed 28 February 2025.

<sup>9</sup> *ibid.*

<sup>10</sup> Hannes Zacher and Henriette R Steinvik, 'Workplace Age Discrimination' (December 2015) <[https://www.researchgate.net/publication/316375424\\_Workplace\\_Age\\_Discrimination](https://www.researchgate.net/publication/316375424_Workplace_Age_Discrimination)> accessed 28 February 2025.

<sup>11</sup> *ibid.*

<sup>12</sup> Discrimination (Employment and Occupation) Convention No. 111 (adopted 25 June 1958, entered into force 15 June 1960) 362 UNTS 31.

<sup>13</sup> Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation [2000] OJ L303/16.

<sup>14</sup> Age Discrimination in Employment Act of 1967 (USA), 29 USC § 621.

|                                                                                                                                                                                                                                                                                    |                   |                                                                                                                                                                                                                                                                                                                                             |                     |                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-------------------------------------------------------------|
| No. 111<br>(Discrimination<br>(Employment<br>and<br>Occupation)<br>Convention,<br>1958)<br><a href="https://normlex.ilo.org/dyn/normlex/en/f?p=NormLex:12100:0::NO::P12100_ILO_CODE:C111">https://normlex.ilo.org/dyn/normlex/en/f?p=NormLex:12100:0::NO::P12100_ILO_CODE:C111</a> |                   | promoting equality of opportunity and treatment in employment and occupation.                                                                                                                                                                                                                                                               | ratifying countries | ILO member states                                           |
| Madrid International Plan of Action on Ageing (2002)<br><a href="https://social.un.org/ageing-working-group/documents/mipaa-en.pdf">https://social.un.org/ageing-working-group/documents/mipaa-en.pdf</a>                                                                          | Articles 8 and 12 | Commits to incorporating ageing within social and economic strategies, recognising the need for gender perspective in all policies <b>and</b> Emphasises the participation of older persons in economic, political, social, and cultural life, advocating for continued work opportunities and access to education and training.            | Non-binding         | UN member states (guidance for national policies)           |
| Age Discrimination in Employment Act (ADEA) of 1967 (USA)<br><a href="https://www.eoc.gov/statutes/age-discrimination-employment-act-1967">https://www.eoc.gov/statutes/age-discrimination-employment-act-1967</a>                                                                 | Section 623       | Prohibits various employer practices, including: failing to hire, discharging, limiting, or classifying employees based on age; also addresses practices of employment agencies and labour organisations, and retaliation against individuals opposing unlawful practices.                                                                  | Binding             | Employers and employees in the United States                |
| EU Directive 2000/78/EC (Framework for Equal Treatment in Employment and Occupation)                                                                                                                                                                                               | Articles 2 and 6  | Defines the principle of equal treatment as meaning that there shall be no direct or indirect discrimination whatsoever based on age <b>and</b> Allows differences of treatment on grounds of age if they are objectively and reasonably justified by a legitimate aim, such as legitimate employment policy, labour market, and vocational | Binding             | EU member states (requires transposition into national law) |

|                                                    |             |                                                                                                                                                                                                                                 |             |                                                   |
|----------------------------------------------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---------------------------------------------------|
|                                                    |             | training objectives, and if the means of achieving that aim are appropriate and necessary.                                                                                                                                      |             |                                                   |
| United Nations Principles for Older Persons (1991) | Principle 7 | Older persons should remain integrated in society, participate actively in the formulation and implementation of policies that directly affect their well-being, and share their knowledge and skills with younger generations. | Non-binding | UN member states (guidance for national policies) |

**Table 1 - Summary of Legal Instruments Addressing Age Discrimination in the Workplace.**

## 1.2. GENDER DISCRIMINATION

Gender discrimination in the workplace occurs when individuals are treated unfairly based on their gender or gender identity, impacting various aspects of employment such as hiring, promotion, compensation, and job security. While significant progress has been made in advancing gender equality, disparities persist, particularly in leadership representation, wage equality, and workplace treatment. These inequalities disproportionately affect women and gender minorities, limiting their career progression to leadership roles and economic independence.<sup>15</sup>

One of the most persistent issues is the gender pay gap, which remains a significant barrier to workplace equality. In the United States, women earned 82.7 cents for every dollar earned by men in 2023, marking a widening of the pay gap for the first time in two decades.<sup>16</sup> Similarly, in the European Union in 2022, women continue to earn approximately 13 percent less per hour than men on average, despite legal protections designed to prevent wage discrimination.<sup>17</sup>

In addition to pay disparities, gender-based discrimination in promotions and leadership roles continues to hinder professional growth. While statistics in 2024 found that women occupied 43 percent of board positions in Britain's top 350 public companies, the number of female CEOs declined for the second consecutive year, standing at only 19 out of 350 companies.<sup>18</sup> This trend highlights the ongoing challenges women face in ascending to

<sup>15</sup> UN Women, 'Advancing Gender Equality in the World of Work' (13 September 2024) <<https://www.unwomen.org/en/news-stories/statement/2024/09/advancing-gender-equality-in-the-world-of-work>> accessed 28 February 2025.

<sup>16</sup> Institute for Women's Policy Research (IWPR), 'National Gender Wage Gap Widens Significantly in 2023 for the First Time in 20 Years' (12 September 2024) <<https://iwpr.org/national-gender-wage-gap-widens-significantly-in-2023-for-the-first-time-in-20-years/>> accessed 28 February 2025.

<sup>17</sup> Eurostat, 'Gender Pay Gap Statistics: Part-Time versus Full-Time Employment' (European Commission, 2024) <[https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Gender\\_pay\\_gap\\_statistics#Part-time\\_vs\\_full-time\\_employment](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Gender_pay_gap_statistics#Part-time_vs_full-time_employment)> accessed 28 February 2025.

<sup>18</sup> Reuters, 'Women Now Make Up 43% of Britain's Top Boardrooms, Report Says' (25 February 2025) <<https://www.reuters.com/sustainability/boards-policy-regulation/women-now-make-up-43-britains-top-boardrooms-report-says-2025-02-25/>> accessed 28 February 2025.

executive positions, despite their increasing presence in corporate governance. The so-called “glass ceiling” remains a critical issue, preventing women from reaching top leadership roles at the same rate as their male counterparts.<sup>19</sup>

Gender bias is also evident in hiring practices. A recent study found that 41 percent of women felt discriminated against during job interviews, with 42 percent reporting being asked inappropriate or gender-biased questions.<sup>20</sup> This includes inquiries about marital status, pregnancy plans, or childcare responsibilities, which are rarely posed to male candidates. Such discriminatory practices discourage gender diversity in recruitment and reinforce stereotypes that undermine women’s professional opportunities.

Beyond women’s experiences, gender discrimination also affects non-binary and transgender employees, who often face exclusion, workplace hostility, or a lack of recognition for their gender identity. In many jurisdictions, legal protections against discrimination based on gender identity and expression remain inadequate or unenforced, leaving gender-diverse individuals vulnerable to bias in the workplace.<sup>21</sup>

A summary of key legal instruments addressing gender discrimination, including their binding nature and applicability, is provided in the table below. These laws and conventions are fundamental in ensuring that individuals of all gender identities receive fair treatment, have equal access to opportunities, and are protected from workplace bias and exclusion.

| Legal Instrument                                                                                                                                                                                                                                                                                                                                              | Relevant Article(s) | Summary                                                                                                                                                                                                                                                                                                                                                                                                                               | Binding Nature                 | Applies to                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------|
| Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979<br><a href="https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women">https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women</a> | Articles 1 and 11   | Defines gender discrimination as <i>"any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field"</i><br><b>and</b> | Binding on ratifying countries | Ratifying UN member states |

<sup>19</sup> Audrey Babic and Isabelle Hansez, ‘The Glass Ceiling for Women Managers: Antecedents and Consequences for Work-Family Interface and Well-Being at Work’ (2021) 12 *Frontiers in Psychology*, Sec. Organizational Psychology <<https://doi.org/10.3389/fpsyg.2021.618250>> accessed 28 February 2025.

<sup>20</sup> Matt Gonzales, ‘Gender Bias 2024 Survey’ (*SHRM*, 1 April 2024) <<https://www.shrm.org/mena/topics-tools/news/inclusion-diversity/gender-bias-2024-survey>> accessed 28 February 2025.

<sup>21</sup> Patrick Parkinson, ‘Gender Identity Discrimination and Religious Freedom’ (2023) 38(1) *Journal of Law and Religion* 10, <[DOI:10.1017/jlr.2022.45](https://doi.org/10.1017/jlr.2022.45)> accessed 28 February 2025.

|                                                                                      |                   |                                                                                                                                                                                                                                                                                                                                   |                                |                                                             |
|--------------------------------------------------------------------------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-------------------------------------------------------------|
|                                                                                      |                   | Obligates state parties to eliminate discrimination against women in employment and ensure equal rights, including the right to work, the same employment opportunities, free choice of profession, promotion, job security, and equal remuneration.                                                                              |                                |                                                             |
| ILO Convention No. 100 (Equal Remuneration Convention), 1951                         | Articles 1 and 2  | Establishes the principle of equal remuneration for men and women workers for work of equal value <b>and</b><br>Calls for the application of this principle by means of national laws or regulations, legally established or recognised machinery for wage determination, collective agreements, or a combination of these means. | Binding on ratifying countries | Ratifying ILO member states                                 |
| ILO Convention No. 111 (Discrimination (Employment and Occupation) Convention), 1958 | Article 1         | Addresses discrimination in employment and occupation on various grounds, including sex.                                                                                                                                                                                                                                          | Binding on ratifying countries | Ratifying ILO member states                                 |
| European Union Directive 2006/54/EC (Equal Treatment Directive)                      | Articles 2 and 4  | Implements equal opportunities and treatment for men and women in employment, prohibiting discrimination in various employment aspects.                                                                                                                                                                                           | Binding                        | EU member states (requires transposition into national law) |
| United Nations Universal Declaration of Human Rights (UDHR), 1948                    | Articles 2 and 23 | Affirms the right to equality and non-discrimination, the right to work, and equal pay for equal work.                                                                                                                                                                                                                            | Non-binding                    | UN member states (guidance for national policies)           |

*Table 2 - Summary of Legal Instruments Addressing Gender Discrimination in the Workplace.*

### 1.3. RACIAL DISCRIMINATION

Racial discrimination in the workplace involves the unjust treatment of individuals based on their race or ethnicity, affecting various aspects of employment such as hiring, promotion, compensation, and job security. Despite legal frameworks designed to combat such bias, racial discrimination remains a pervasive issue, leading to significant disparities in employment opportunities and outcomes.

Recent data underscores the prevalence of racial discrimination in professional settings. In 2023, the U.S. Equal Employment Opportunity Commission (EEOC) received 20,908 complaints alleging race-based discrimination, accounting for 34.1 percent of all discrimination cases filed that year.<sup>22</sup> Furthermore, a study across six countries revealed that 66 percent of employees from marginalised racial and ethnic groups experienced racism at work, highlighting the global nature of this issue.<sup>23</sup>

The impact of racial discrimination extends beyond individual experiences, contributing to systemic inequities in the labour market. For instance, in the United Kingdom, the number of Black and minority ethnic (BME) workers in insecure employment more than doubled from 360,200 in 2011 to 878,800 in 2023. This increase indicates a disproportionate rise in precarious job conditions among BME individuals compared to their white counterparts.<sup>24</sup>

Internationally, efforts to combat racial discrimination are encapsulated in legal instruments such as the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). Adopted by the United Nations General Assembly in 1965, ICERD obligates signatory nations to pursue, without delay, policies aimed at eliminating racial discrimination in all its forms and promoting understanding among all races.<sup>25</sup>

Despite these frameworks, challenges persist. A recent analysis of 13 million jobs within S&P's 500 companies revealed only modest changes in workforce demographics, with minimal increases in representation for Black and Hispanic employees since 2020.<sup>26</sup> This stagnation suggests that corporate diversity, equity, and inclusion initiatives have not significantly transformed workforce compositions.

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<sup>22</sup> Setyan Law, 'Employment Discrimination Statistics 2023' (2023) <<https://setyanlaw.com/employment-discrimination-statistics-2023/>> accessed 28 February 2025.

<sup>23</sup> Catalyst, 'World of Voices: Experiences of Racism' (2023) <<https://www.catalyst.org/about/newsroom/2023/world-of-voices-experiences-of-racism>> accessed 28 February 2025.

<sup>24</sup> Richard Partington, 'Tories Left Legacy of Structural Racism in UK Jobs Market, Says TUC' *The Guardian* (12 August 2024) <[https://www.theguardian.com/politics/article/2024/aug/12/tories-left-legacy-of-structural-racism-in-uk-jobs-market-says-tuc?CMP=share\\_btn\\_url](https://www.theguardian.com/politics/article/2024/aug/12/tories-left-legacy-of-structural-racism-in-uk-jobs-market-says-tuc?CMP=share_btn_url)> accessed 28 February 2025.

<sup>25</sup> International Convention on the Elimination of All Forms of Racial Discrimination (adopted 21 December 1965, entered into force 4 January 1969) 660 UNTS 195.

<sup>26</sup> Inti Pacheco, Elizaveta Galkina, and Theo Francis, 'The Impact of DEI on U.S. Company Workforces—In Charts' *The Wall Street Journal* (7 February 2025) <[https://www.wsj.com/business/dei-impact-us-company-workforce-charts-2e6a6bb7?reflink=share\\_mobilewebshare](https://www.wsj.com/business/dei-impact-us-company-workforce-charts-2e6a6bb7?reflink=share_mobilewebshare)> accessed 28 February 2025.

Addressing racial discrimination necessitates multifaceted strategies, including the enforcement of equitable policies, promotion of inclusive workplace cultures, and proactive efforts to dismantle systemic barriers hindering the advancement of marginalised racial and ethnic groups. By fostering environments that value diversity and inclusivity, organisations can enhance innovation, employee satisfaction, and overall performance.

A summary of key legal instruments addressing racial discrimination, including their binding nature and applicability, is provided in the table below. These legal protections are essential for ensuring that individuals of all racial and ethnic backgrounds receive fair treatment in the workplace, with equal access to opportunities and safeguards against bias and exclusion.<sup>[OBJ]</sup>

| Legal Instrument                                                                                | Relevant Article(s)  | Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Binding Nature                 | Applies to                  |
|-------------------------------------------------------------------------------------------------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-----------------------------|
| International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), 1965 | Articles 1, 2, and 5 | Defines racial discrimination as <i>"any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life"</i><br><b>and</b><br>Obligates state parties to condemn racial discrimination and pursue a policy of eliminating racial discrimination in all its forms<br><b>and</b><br>Guarantees the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law in the enjoyment of civil rights, including the right to work and free choice of employment. | Binding on ratifying countries | Ratifying UN member states  |
| ILO Convention No. 111 (Discrimination (Employment and Occupation) Convention),                 | Articles 1 and 2     | Addresses discrimination in employment and occupation on various grounds, including race, and calls for national policies to eliminate discrimination.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Binding on ratifying countries | Ratifying ILO member states |

|                                                                   |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |                                                             |
|-------------------------------------------------------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------------------------------------------------------|
| 1958                                                              |                   | <p>Defines discrimination as any distinction, exclusion, or preference made on the basis of race, colour, sex, religion, political opinion, national extraction, or social origin, which nullifies or impairs equality of opportunity or treatment in employment or occupation</p> <p><b>and</b></p> <p>Calls for each member state to declare and pursue a national policy designed to promote equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination.</p> |             |                                                             |
| United Nations Universal Declaration of Human Rights (UDHR), 1948 | Articles 2 and 23 | <p>Affirms the right to equality and non-discrimination, the right to work, and equal pay for equal work.</p> <p>States that everyone is entitled to all rights and freedoms without distinction of any kind, such as race</p> <p><b>and</b></p> <p>Declares that everyone has the right to work, to free choice of employment, to just and favourable conditions of work, and to protection against unemployment, with equal pay for equal work.</p>                                                                             | Non-binding | UN member states (guidance for national policies)           |
| European Union Directive 2000/43/EC (Racial Equality Directive)   | Articles 2 and 3  | <p>Implements equal treatment between persons irrespective of racial or ethnic origin in public and private sectors, including employment.</p> <p>Defines direct and indirect discrimination, harassment, and instructions to discriminate based on racial or ethnic origin</p> <p><b>and</b></p> <p>Applies the principle of equal treatment to all persons as regards both public and private sectors, including employment and working</p>                                                                                     | Binding     | EU member states (requires transposition into national law) |

|                                                  |                   |                                                                                                                                                                                                                                                                                                                                                                                                             |                                |                             |
|--------------------------------------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-----------------------------|
|                                                  |                   | conditions.                                                                                                                                                                                                                                                                                                                                                                                                 |                                |                             |
| American Convention on Human Rights (ACHR), 1969 | Articles 1 and 24 | <p>Obligates state parties to respect rights and freedoms without discrimination and guarantees equal protection of the law.</p> <p>Obliges the state parties to respect the rights and freedoms recognised in the convention without any discrimination based on race, colour, or national origin</p> <p><b>and</b></p> <p>Guarantees the right to equal protection of the law without discrimination.</p> | Binding on ratifying countries | Ratifying OAS member states |

**Table 3 - Summary of Legal Instruments Addressing Racial Discrimination in the Workplace.**

## 1.4. DISABILITY DISCRIMINATION

Disability discrimination in the workplace involves the unjust treatment of individuals based on physical, mental, intellectual, or sensory impairments, affecting various aspects of employment such as hiring, promotion, compensation, and job security.

Recent data from the U.S. Bureau of Labor Statistics indicates that in 2023, the unemployment rate for persons with disabilities was 7.2 percent, nearly double the 3.5 percent rate for those without disabilities. This statistic shows the ongoing employment challenges faced by this demographic.

Discrimination during the hiring process remains a significant barrier. A 2024 survey revealed that 25 percent of disabled workers experienced discrimination during job interviews, indicating persistent biases that impede access to employment opportunities.<sup>27</sup> [OBJ]

Internationally, the Convention on the Rights of Persons with Disabilities (CRPD), adopted by the United Nations General Assembly in 2006, serves as a pivotal legal instrument. The CRPD aims to “promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities.” As of November 2024, 191 parties, including 190 states and the European Union, have ratified the Convention, reflecting a global commitment to upholding the rights of persons with disabilities.<sup>28</sup> [OBJ]

<sup>27</sup> Kristen Parisi, ‘Exclusive: 25% of Disabled Workers Have Experienced Discrimination During the Job Interview Process, New Survey Finds’ (HR Brew, 5 March 2024) <<https://www.hr-brew.com/stories/2024/03/05/exclusive-25-of-disabled-workers-have-experienced-discrimination-during-the-job-interview-process-new-survey-finds>> accessed 28 February 2025.

<sup>28</sup> Convention on the Rights of Persons with Disabilities (adopted 13 December 2006, entered into force 3 May 2008) 2515 UNTS 3; National Disability Authority (NDA), ‘United Nations Convention on the Rights of Persons with Disabilities (UNCPRD)’ (2024) <<https://nda.ie/disability-policy/uncrpd>> accessed 28 February 2025.

Despite these international frameworks, workplace barriers persist. For example, a 2023 report in the United Kingdom found that 56 percent of disabled employees encountered disability-related obstacles even after workplace adjustments were made, and only 37 percent felt their employers were genuinely committed to creating an inclusive environment.<sup>29</sup>

Addressing disability discrimination requires comprehensive strategies, including the enforcement of equitable policies, fostering inclusive workplace cultures, and proactive efforts to eliminate systemic barriers that hinder the professional advancement of individuals with disabilities. By valuing diversity and inclusivity, organisations can enhance innovation, employee satisfaction, and overall performance.

A summary of key legal instruments addressing disability discrimination, including their binding nature and applicability, is provided in the table below. These legal protections are essential for ensuring that individuals with disabilities receive fair treatment in the workplace, with equal access to opportunities and safeguards against bias and exclusion.

| Legal Instrument                                                   | Relevant Article(s) | Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Binding Nature                 | Applies to                 |
|--------------------------------------------------------------------|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------|
| Convention on the Rights of Persons with Disabilities (CRPD), 2006 | Articles 2 and 27   | <p>Defines disability discrimination and mandates equal rights in employment, including reasonable accommodation and the right to work in an inclusive environment.</p> <p>Defines discrimination on the basis of disability as any distinction, exclusion, or restriction which has the purpose or effect of impairing the recognition, enjoyment, or exercise of human rights and fundamental freedoms</p> <p><b>and</b></p> <p>Obligates state parties to recognise the right of persons with disabilities to work on an equal basis with others, including the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive, and accessible.</p> | Binding on ratifying countries | Ratifying UN member states |

<sup>29</sup> Business Disability Forum, 'The Great Big Workplace Adjustments Survey 2023: What Did People Tell Us?' (2023) <<https://businessdisabilityforum.org.uk/policy-and-research/the-great-big-workplace-adjustments-survey-2023/gbwas-what-did-people-tell-us/>> accessed 28 February 2025.

|                                                                                                       |                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                |                                                                                                     |
|-------------------------------------------------------------------------------------------------------|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-----------------------------------------------------------------------------------------------------|
| Americans with Disabilities Act (ADA), 1990 (United States)                                           | Title I          | <p>Prohibits discrimination against qualified individuals with disabilities in all employment practices and requires reasonable accommodations.</p> <p>Prohibits private employers, state and local governments, employment agencies, and labour unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment.</p> | Binding                        | Employers, state and local governments, employment agencies, and labour unions in the United States |
| ILO Convention No. 159 (Vocational Rehabilitation and Employment (Disabled Persons) Convention), 1983 | Articles 4 and 5 | <p>Promotes employment opportunities for disabled persons through national policies and mainstreaming vocational rehabilitation services.</p> <p>Calls for the formulation, implementation, and periodic review of a national policy on vocational rehabilitation and employment of disabled persons <i>and</i></p> <p>Ensures that vocational rehabilitation and employment services for disabled persons are provided in the mainstream of public services and programs.</p>     | Binding on ratifying countries | Ratifying ILO member states                                                                         |
| European Union Directive 2000/78/EC (Employment Equality Directive)                                   | Articles 1 and 5 | <p>Establishes a framework for combatting discrimination on various grounds including disability, and mandates reasonable accommodation for disabled persons.</p> <p>Establishes a general framework for combatting discrimination on various grounds including disability, with a view to putting into effect in the member states the principle of equal treatment <i>and</i></p>                                                                                                | Binding                        | EU member states (requires transposition into national law)                                         |

|                                                                   |                   |                                                                                                                                                                                                                                                                                                                                  |             |                                                   |
|-------------------------------------------------------------------|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---------------------------------------------------|
|                                                                   |                   | Requires employers to provide reasonable accommodation to persons with disabilities, meaning necessary and appropriate modifications and adjustments to ensure they can participate in employment on an equal basis.                                                                                                             |             |                                                   |
| United Nations Universal Declaration of Human Rights (UDHR), 1948 | Articles 2 and 23 | States that everyone is entitled to all rights and freedoms without distinction of any kind, including disability<br><b>and</b><br>Declares that everyone has the right to work, to free choice of employment, to just and favourable conditions of work, and to protection against unemployment, with equal pay for equal work. | Non-binding | UN member states (guidance for national policies) |

**Table 4 - Summary of Legal Instruments Addressing Disability Discrimination in the Workplace.**

## 1.5. SEXUAL ORIENTATION DISCRIMINATION

Sexual orientation discrimination in the workplace involves treating individuals unfairly based on their real or perceived sexual orientation, affecting aspects such as hiring, promotion, compensation, and job security.

Recent studies highlight the prevalence of such discrimination. Approximately 33 percent of employees have reported experiencing discrimination based on their sexual orientation.<sup>30</sup> Transgender individuals face even higher rates, with 90 percent reporting harassment at work.<sup>31</sup> Additionally, 34 percent of LGBTQIA+ employees have left a job due to an unaccepting work environment, and 50 percent are not out to their supervisors.<sup>32</sup> This shows the ongoing need for inclusive workplace policies and cultures. [OBJ] [OBJ]

Legal protections against sexual orientation discrimination have evolved over time. In the United States, the landmark Supreme Court decision in *Bostock v. Clayton County* (2020) affirmed that Title VII of the Civil Rights Act of 1964 prohibits employment discrimination

<sup>30</sup> Wenzel Fenton Cabassa, 'Employment Discrimination Statistics Employees Need to Know' (June 2023) <<https://www.wenzelfenton.com/blog/2022/07/18/employment-discrimination-statistics-employees-need-to-know>> accessed 28 February 2025.

<sup>31</sup> *ibid.*

<sup>32</sup> Catalyst, 'LGBTQ+ Insights and Research' (2024) <<https://www.catalyst.org/insights/featured/lgbtq>> accessed 28 February 2025.

based on sexual orientation and gender identity. However, the implementation of this ruling has faced challenges, and discrimination persists in various forms.<sup>33</sup> [OBJ]

Internationally, the Yogyakarta Principles, established in 2006, provide a framework for applying existing human rights standards to issues of sexual orientation and gender identity. These principles emphasise the obligation of states to prevent and address discrimination against LGBTQIA+ individuals in all areas, including employment.<sup>34</sup> [OBJ]

Despite these frameworks, recent policy shifts have raised concerns. For instance, executive actions from the current Trump administration in the United States have been taken to eradicate "gender ideology" and remove protections against discrimination based on sexual orientation and gender identity. Similarly, the United Kingdom Supreme Court ruling on the application of the definition of a woman under the UK Equality Act 2010 places restrictions on transgender women’s ability to participate in public life.<sup>35</sup> Accordingly the sex of a woman is defined based on their biological sex and not by their legal gender. These have led to increased uncertainty and fear among LGBTQIA+ employees. [OBJ]

Addressing sexual orientation discrimination requires comprehensive strategies, including the enforcement of equitable policies, promotion of inclusive workplace cultures, and proactive efforts to dismantle systemic barriers hindering the advancement of LGBTQIA+ individuals. By fostering environments that value diversity and inclusivity, organisations can enhance innovation, employee satisfaction, and overall performance.

The following table summarises key legal instruments addressing sexual orientation discrimination, detailing their binding nature and applicability. These protections are vital for ensuring that individuals of all sexual orientations receive fair treatment in the workplace, with equal access to opportunities and safeguards against bias and exclusion.

| Legal Instrument                          | Relevant Article(s) | Summary                                                                                                                                                                                                                | Binding Nature | Applies to                                        |
|-------------------------------------------|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------------------------------------|
| Yogyakarta Principles, 2006 (YP+10, 2024) | Principles 1 and 12 | States that human rights apply to all individuals regardless of sexual orientation and emphasises the right to work without discrimination.<br><br>States that all human beings are born free and equal in dignity and | Non-binding    | UN member states (guidance for national policies) |

<sup>33</sup> GLAAD, ‘In Focus: Nondiscrimination Laws & the LGBTQ Community’ (2025) <<https://glaad.org/nondiscrimination/>> accessed 28 February 2025.  
<sup>34</sup> Yogyakarta Principles, ‘Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity’ (2006, updated 2017) <<https://www.yogyakartaprinciples.org>> accessed 28 February 2025.  
<sup>35</sup> Max Booth, ‘Explained: UK Supreme Court’s 2025 bombshell biological sex ruling’ (*Politics UK*, 17 April 2025) <<https://politicsuk.com/uk-supreme-court-biological-sex-ruling-2025>> accessed 6 August 2025.

|                                                                                      |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                |                                                             |
|--------------------------------------------------------------------------------------|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-------------------------------------------------------------|
|                                                                                      |                   | <p>rights and that human rights should be respected without discrimination on any grounds, including sexual orientation</p> <p><b>and</b></p> <p>Emphasises the right to work, stating that everyone has the right to decent and productive work, to just and favourable conditions of work, and to protection against unemployment without discrimination based on sexual orientation.</p>                                                              |                                |                                                             |
| ILO Convention No. 111 (Discrimination (Employment and Occupation) Convention), 1958 | Article 1         | <p>Addresses discrimination in employment and occupation on various grounds, implicitly including sexual orientation.</p> <p>Defines discrimination as any distinction, exclusion, or preference made on the basis of race, colour, sex, religion, political opinion, national extraction, or social origin, which nullifies or impairs equality of opportunity or treatment in employment or occupation.</p>                                            | Binding on ratifying countries | Ratifying ILO member states                                 |
| European Union Directive 2000/78/EC (Employment Equality Directive)                  | Articles 1 and 2  | <p>Establishes a framework for combatting discrimination in employment, including sexual orientation.</p> <p>Establishes a general framework for combating discrimination on various grounds including sexual orientation, with a view to putting into effect the principle of equal treatment</p> <p><b>and</b></p> <p>Defines direct and indirect discrimination, harassment, and instructions to discriminate on the basis of sexual orientation.</p> | Binding                        | EU member states (requires transposition into national law) |
| United Nations Universal Declaration of Human Rights                                 | Articles 2 and 23 | Affirms the right to equality and non-discrimination, the right to work, and equal pay for equal work.                                                                                                                                                                                                                                                                                                                                                   | Non-binding                    | UN member states (guidance for national                     |

|                                                                    |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                |                            |
|--------------------------------------------------------------------|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------|
| (UDHR), 1948                                                       |                   | <p>States that everyone is entitled to all rights and freedoms without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status, which can be interpreted to include sexual orientation</p> <p><b>and</b></p> <p>Declares that everyone has the right to work, to free choice of employment, to just and favourable conditions of work, and to protection against unemployment, with equal pay for equal work.</p>                                                                                                                                |                                | policies)                  |
| International Covenant on Civil and Political Rights (ICCPR), 1966 | Articles 2 and 26 | <p>Ensures that all individuals are entitled to the rights in the Covenant without discrimination, often interpreted to include sexual orientation.</p> <p>Obligates state parties to respect and ensure to all individuals within its territory and subject to its jurisdiction the rights recognised in the Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status</p> <p><b>and</b></p> <p>States that all persons are equal before the law and are entitled without any discrimination to equal protection of the law.</p> | Binding on ratifying countries | Ratifying UN member states |

**Table 5 - Summary of Legal Instruments Addressing Sexual Orientation Discrimination in the Workplace.**

## 2. SURVEY OVERVIEW AND METHODOLOGY

Workplace discrimination remains a widespread yet often underreported issue, impacting employees across industries and regions. While research has examined its legal and social dimensions, a data-driven approach is essential to gain a real-world understanding of how discrimination manifests in different workplace environments.

The primary objective of this survey was to capture firsthand experiences of discrimination in the workplace by collecting detailed, respondent-driven data. Beyond documenting the prevalence and nature of workplace discrimination, this survey sought to examine how these experiences correlate with key factors such as industry, geographic region, type of discrimination, and reporting behaviour. By cross-referencing responses, the analysis aims to identify patterns in discrimination, ultimately contributing to informed policy recommendations for more inclusive and equitable work environments.

To ensure broad accessibility and a diverse respondent base, the survey was conducted via an online [Google Form](#) and distributed through multiple channels, including social media platforms, professional networks, and workplace advocacy groups. The survey remained open for responses over four weeks in early 2024, allowing time for sufficient data collection.

Participation was voluntary and anonymous, ensuring that respondents could share candid experiences without fear of repercussions. The survey contained a mix of quantitative and qualitative questions to allow for both statistical analysis and personal insights. The structured approach enabled cross-referencing discrimination experiences with demographics, industry, employment status, and reporting behaviour, facilitating a deeper exploration of workplace discrimination trends.

The survey was divided into several sections, each designed to capture essential workplace discrimination data:

**1. Demographic Information:**

- ☐ Age range
- ☐ Gender
- ☐ Ethnicity
- ☐ Location

**2. Employment Information:**

- ☐ Employment status
- ☐ Industry
- ☐ Role within the organisation
- ☐ Location of the organisation

### **3. Experience with Discrimination:**

- ☐ Whether the respondent has experienced or witnessed discrimination
- ☐ Types of discrimination experienced or witnessed (e.g., gender-based, racial, age, disability, sexual orientation)
- ☐ Frequency of discrimination incidents

### **4. Reporting and Awareness:**

- ☐ Whether the incidents were formally reported
- ☐ Reasons for not reporting incidents
- ☐ Awareness of formal anti-discrimination policies in the workplace
- ☐ Awareness of legal rights concerning workplace discrimination
- ☐ Training received on discrimination and rights at work

### **5. Suggestions and Additional Comments:**

- ☐ Changes that could be made in the workplace to better handle issues of discrimination
- ☐ Additional comments or experiences related to workplace discrimination

Responses were compiled and both quantitative data (e.g., frequency of discrimination types) and qualitative data (e.g., open-ended responses on suggested changes) were analysed to identify common themes, recurring patterns, and disparities across different respondent groups.

## **2.1. DEMOGRAPHICS OF RESPONDENTS**

### *2.1.1. Age*

The survey captured responses from a broad range of age groups, offering insight into how workplace discrimination varies across career stages. The largest proportion of respondents fell within the 18-24 age range, reflecting the perspectives of young professionals and early-career employees. The 25-34 age group also had significant representation, providing insight into mid-career challenges and workplace progression. In contrast, there were fewer responses from the 35-44 and 45-54 age brackets, which may indicate that older professionals are either less likely to participate in online surveys or face different workplace dynamics.

### 2.1.2. *Gender*

Women made up the majority of survey respondents, potentially reflecting a greater willingness to share experiences related to workplace discrimination. Research suggests that women, particularly in male-dominated industries, face significant biases in hiring, promotions, and leadership opportunities, which could explain their higher engagement in the survey. A notable number of male respondents also participated, along with a small but significant representation of non-binary and third-gender individuals.

### 2.1.3. *Ethnicity*

The survey included participants from a variety of ethnic backgrounds, though there was a notable concentration of White/Caucasian respondents. Smaller groups identified as Asian, Black/African descent, Arab, and mixed ethnicities. This ethnic diversity allows for an examination of how racial or ethnic discrimination manifests across different workplace settings. However, the overrepresentation of certain ethnic groups suggests that future research should incorporate more targeted outreach strategies to ensure better representation of underrepresented groups.

### 2.1.4. *Location*

Participants were located in multiple regions worldwide, including European countries (Netherlands, Italy, Ireland), the United States, Bulgaria, Nigeria, and Bahrain. This geographic spread provides a broad perspective on workplace discrimination, offering insights into how legal protections, cultural attitudes, and societal norms influence workplace experiences.

## 2.2. TYPES OF DISCRIMINATION OBSERVED

The survey responses revealed a wide spectrum of discriminatory experiences:

- Gender-based discrimination was among the most frequently reported, with female respondents citing exclusion from leadership roles, unequal pay, and promotion bias.
- Racial and ethnic discrimination was widely reported, particularly among respondents of African and Arab descent, who described biased job assignments and exclusion from career advancement opportunities.

- Age discrimination was a recurring issue, particularly for older professionals, who felt disadvantaged in hiring and promotions.
- Disability discrimination was reported less frequently but included a lack of workplace accommodations and exclusion from career development programs.
- Sexual orientation discrimination, while less commonly reported, included instances of harassment and exclusion from professional opportunities.

By cross-referencing these types of discrimination with demographics, employment details, and reporting behaviours, the survey provided deeper insights into systemic biases across industries and regions. The responses received highlighted the complexity and multi-dimensional nature of workplace discrimination. Discrimination does not affect all employees equally; rather, it is shaped by intersecting factors such as gender, class, race, sexuality, disability, religion and other identity factors. These insights emphasise the urgent need for **stronger anti-discrimination policies**, more **effective reporting mechanisms**, and **organisational accountability** in addressing bias.

To foster inclusive and equitable workplaces, organisations must move beyond policy statements and implement proactive strategies that create systemic change and meaningful cultural shifts in the workplace.

### 3. IMPACT OF DISCRIMINATION ON EMPLOYEES

Workplace discrimination has far-reaching consequences that extend beyond immediate unfair treatment. Employees who experience discrimination suffer both personally and professionally, affecting their mental and physical health, job performance, career progression, and overall workplace engagement. Discrimination in employment is not just a violation of fundamental rights but also a significant barrier to workforce productivity and well-being.

#### 3.1. PERSONAL IMPACT

Experiencing discrimination in the workplace can severely undermine an individual's well-being. Studies have shown that exposure to discriminatory practices correlates with increased psychological distress, including heightened levels of depression and anxiety. This emotional turmoil often leads to a diminished sense of self-worth and pervasive feelings of isolation. For instance, research indicates that workplace discrimination can disrupt

employees' sense of meaningfulness in their work, further exacerbating mental health challenges.<sup>36</sup> [OBJ]

The physiological consequences are equally concerning. Chronic stress resulting from discrimination has been linked to various health issues, such as headaches, fatigue, and a weakened immune system. Over time, the cumulative effect of these stressors can lead to more severe health complications, including cardiovascular diseases. A study examining the impact of workplace discrimination found that long-term exposure to such stressors adversely affects employees' physical health, contributing to a range of medical conditions.<sup>37</sup> [OBJ]

Moreover, the personal impact extends beyond the individual, affecting relationships with family and friends. The emotional strain and decreased life satisfaction resulting from workplace discrimination can lead to social withdrawal and strained interpersonal relationships, further diminishing an individual's support network.

### 3.2. PROFESSIONAL IMPACT

Discrimination in the workplace not only affects personal well-being but also significantly hampers professional development. Employees subjected to discriminatory practices often face barriers to career advancement, including being overlooked for promotions and receiving fewer opportunities for skill development. This stagnation can lead to decreased job satisfaction and a lack of motivation, ultimately impacting overall performance. Research indicates that discriminatory behaviour results in slower career progression and limited professional growth for affected employees.<sup>38</sup> [OBJ]

The professional repercussions are particularly pronounced for individuals from marginalised groups. For example, studies have found that women and minority groups often receive fewer training and development opportunities, which are critical for career progression.<sup>39</sup> This disparity not only affects individual careers but also perpetuates systemic inequalities within organisations. An article discussing barriers to training highlights that disparities in access to development opportunities can adversely affect underrepresented groups, leading to slower career progression and reduced professional growth.<sup>40</sup> [OBJ]

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<sup>36</sup> Rocco Palumbo, 'Disrupted Meaningfulness: The Side Effects of Discrimination on Well-Being' (2024) *Work & Stress* <<https://doi.org/10.1080/15555240.2024.2432330>> accessed 28 February 2025.

<sup>37</sup> MD Kearney and others, 'Employee Health and Wellness Outcomes Associated With Perceived Discrimination in Academic Medicine: A Qualitative Analysis' (2022) 5(1) *JAMA Network Open* <<https://doi.org/10.1001/jamanetworkopen.2021.45243>> accessed 28 February 2025.

<sup>38</sup> Damian McCarthy, 'How Workplace Discrimination Affects Career Development' (26 February 2024) <<https://damianmccarthy.com/how-workplace-discrimination-affects-career-development/>> accessed 28 February 2025.

<sup>39</sup> McKinsey & Company, 'Women in the Workplace' (*AARP*, 2024) <<https://www.mckinsey.com/featured-insights/diversity-and-inclusion/women-in-the-workplace>> accessed 28 February 2025.

<sup>40</sup> Denis Campbell, 'British BAME and Foreign Doctors Suffer Discrimination Throughout Careers' *The Guardian* (17 October 2024) <<https://www.theguardian.com/society/2024/oct/17/british-bame-and-foreign-doctors-suffer-discrimination-throughout-careers>> accessed 28 February 2025.

Furthermore, the presence of discrimination fosters a hostile work environment, leading to increased turnover rates. Employees who experience or witness discrimination are more likely to disengage and eventually leave the organisation, resulting in the loss of valuable talent and increased recruitment costs. A Gallup study found that discrimination undermines employee well-being, leading to disengagement and higher turnover intentions.<sup>41</sup>

[OBJ]

Workplace discrimination is not just an individual issue—it has far-reaching consequences for entire organisations and industries. Addressing these challenges requires a firm commitment to anti-discrimination policies, investment in inclusive workplace cultures, and proactive measures to create equal opportunities for career growth. Ensuring a fair, equitable, and supportive work environment is essential for retaining top talent, fostering innovation, and building a more sustainable workforce.

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<sup>41</sup> Ellyn Maese and Camille Lloyd, 'Understanding the Effects of Discrimination in the Workplace' (*Gallup*, 26 May 2021) <<https://www.gallup.com/workplace/349865/understanding-effects-discrimination-workplace.apx>> accessed 28 February 2025.

## CONCLUSION

Workplace discrimination remains a significant challenge that affects employees across industries, limiting career opportunities, undermining workplace well-being, and perpetuating systemic inequalities. Through an analysis of five key forms of discrimination—age, gender, racial, disability, and sexual orientation—this report has highlighted the various ways in which bias manifests in professional environments. Despite the existence of legal protections at both international and national levels, many employees continue to face unfair treatment, often with limited recourse. The survey findings further reinforce the reality that discrimination is not an isolated issue but a widespread concern that influences job satisfaction, mental health, and professional growth.

Addressing workplace discrimination requires a multi-faceted approach that goes beyond policy statements. Organisations must actively implement and enforce anti-discrimination measures, provide education and training on bias awareness, and establish transparent reporting mechanisms that protect employees from retaliation. Governments and policymakers must also strengthen legal frameworks and improve enforcement mechanisms to ensure greater accountability for discriminatory practices. By fostering inclusive workplace cultures and adopting meaningful reforms, businesses and institutions can contribute to a fairer and more equitable workforce.

Beyond the individual and organisational level, tackling workplace discrimination is essential for broader economic and social progress. Fair and inclusive work environments promote higher employee retention, increase innovation, and enhance overall productivity. Furthermore, eliminating discrimination aligns with global commitments such as the United Nations Sustainable Development Goals 5 on gender equality and 8 on decent work and economic growth. A commitment to equity and diversity is not just an ethical responsibility but a necessary step toward sustainable and just societies.

This report reinforces the urgent need for action. By understanding the scope and impact of workplace discrimination, stakeholders—including employers, employees, policymakers, and advocates—can take concrete steps to dismantle discriminatory barriers and build workplaces that uphold fairness, dignity, and equal opportunity for all. The responsibility to foster inclusive work environments lies with all sectors of society, and through collective effort, meaningful change can be achieved.

## LEGISLATION

Age Discrimination in Employment Act of 1967 (USA).

Convention on the Rights of Persons with Disabilities (adopted 13 December 2006, entered into force 3 May 2008) 2515 UNTS 3.

Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation [2000] OJ L303/16.

Discrimination (Employment and Occupation) Convention No. 111 (adopted 25 June 1958, entered into force 15 June 1960) 362 UNTS 31.

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