GENDER TRANSITION IN THE WORKPLACE

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OVERVIEW

• Explore the importance of a gender inclusive workplace
• Learn appropriate terminology & spectrae
• Create transgender inclusive policies and procedures
• Manage a gender transition plan

Why is gender transition important to human resource management?

• You will have a transgender employee.
• Attract and retain the people most qualified for particular jobs.
• Become productive, innovative and creative, because inclusion means an employer can draw from a broad range of talented people.
• Fulfill diversity and inclusion initiatives.
• Demonstrate compliance with federal, state, local and global employment laws.
  • EEOC
  • VII Circuit Court of Appeals
So where do we start?

LEARNING
Knowledge – Skills – Abilities

CREATES
BEHAVIORAL (Say/Do) CHOICES

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BIOLOGICAL SEX

- Traditionally, the classification of a person as male or female
- What is written on the birth certificate
- A combination of chromosomes, hormones, internal and external reproductive organs, and secondary sex characteristics
GENDER IDENTITY

A person’s internal, deeply held sense of their gender

One’s own internal gender identity may or may not match the sex they were assigned at birth

GENDER IS A SPECTRUM
WHAT IT MEANS TO BE TRANSGENDER

• People are born transgender. It’s not a choice.
• One’s gender identity forms in the first 3 years of life.
• Experience a persistent conflict between their birth sex and gender identity.

GENDER EXPRESSION

• How we present to the world through our name, pronouns, clothing, haircut, behavior, voice, and/or body characteristics.
• Society identifies these cues as masculine and feminine, although what is considered masculine or feminine changes over time and varies by culture.
• Typically, transgender people seek to align their gender expression with their gender identity, rather than the sex they were assigned at birth.
SEXUAL ORIENTATION

• A person’s enduring physical, romantic, and/or emotional attraction to another person.
• Gender identity and sexual orientation are not the same.
• Transgender people may be straight, lesbian, gay, bisexual, or pansexual.
CREATING TRANS-INCLUSIVE POLICIES AND PROCEDURES

• Non-Discrimination
• Privacy
• Names, pronouns
• Official records
• Restroom/locker room accessibility
• Workplace transition plan

NON-DISCRIMINATION POLICY

• It is unlawful and violates company policy to discriminate in any way against an employee because of the employee’s actual or perceived gender identity.
• Any incident of discrimination, harassment, or violence based on gender identity or expression will be given immediate and effective attention.
• It is unlawful and contrary to this policy to retaliate against any person objecting to, or supporting enforcement of legal protections against, gender identity discrimination in employment.

PRIVACY

• Right to discuss or not discuss gender identity
• Transgender status = confidential
• Management, HR staff or coworkers should not disclose information that may reveal an employee’s transgender status
1. What is your preferred name?
2. What are your preferred pronouns?
3. Where can I use these?

OFFICIAL RECORDS

• Our company will change an employee’s official record to reflect a legal change in name or gender upon request from the employee.
• As quickly as possible, we will make every effort to update any photographs at the transitioning employee’s workplace so the transitioning employee’s gender identity and expression are represented accurately.
• If a new or transitioning employee has questions about company records or ID documents, the employee should contact ________________.

RESTROOM ACCESSIBILITY

• All employees have a right to safe and appropriate restroom facilities, including the right to use a restroom that corresponds to the employee’s gender identity, regardless of the employee’s sex assigned at birth.
• Any employee who has a need or desire for increased privacy, regardless of the underlying reason, will be provided access to a single-stall restroom, when available.
WORKPLACE TRANSITION PLAN

#1 Create a Transition Team

#2 Create a Transition Plan

- The date when the transition will officially and formally occur. This means the date that the employee will change their gender expression, name, and pronouns.
- Decide how, and in what format, the transitioning employee's co-workers should be made aware of the employee's transition.
- Decide what, if any, training will be given to co-workers.
- Determine what/when updates should be made to the transitioning employee's records.
- Determine dates of any leave that may be needed for pre-scheduled medical procedures.
- Ensure that all name changes and photographs are updated in advance so that they can go live on the transition day.

#3 Provide Clear, Consistent Communication
Emphasize the transitioning employee’s importance at the company and the management’s complete support of the employee’s transition.

Review the company’s relevant nondiscrimination policies.

Indicate that the transitioning employee will be presenting themselves in accordance with their gender identity and this should be respected.

Advise co-workers about the transitioning employee’s new name and preferred pronoun.

Be a behavioral model by using the transitioning employee’s new name and pronoun in all communication – written and oral, formal and informal.

Make a point that the transition will not change the workplace and that everything should go on as it did previously.

If training is going to occur, the date should be announced at this meeting.

“If you want to change attitudes, start with a change in behavior . . .”

through inclusive education, policies and practices