

# Transgender Quick Tips for HR Staff

OCHRS MEETING, OCT 22<sup>ND</sup>, 2009

RENEE BAKER, PH.D.

GENDERPOWER.COM

1. **Education.** First of all, be sure to educate yourself on transgenderism. The more we know about something, the less afraid we are of it.
2. **Acceptance.** The biggest gift that can be given to a transgender employee is acceptance. Let them know they are valued as an employee and will be given equal employment opportunities.
3. **Communication.** Keep the communication lines open between HR, Diversity, Management and the transgender employees. Stifling communication is anathema to the transgender employee. Come up with a good communication plan and strategy for employees in transition.
4. **Safe Zones.** Have safe zone spaces in the company where all LGBT people may go to. Consider having safe zones in the cafeteria or in employee offices.
5. **ERG.** Encourage your employees to start employee resource groups, such as one for LGBT employees.
6. **Organization Support.** Your company might consider making donations to a local LGBT resource center or a transgender organization such as NCTE. Being a champion of an LGBT organization really says you care.
7. **Sensitivity Training.** Having a transgender speaker come and talk to employees and share of their experiences will often open employees up to workplace acceptance.
8. **EEO Policy.** Update your EEO policy to include statements that discrimination based on gender identity, gender expression **OR** gender characteristics will not be tolerated. Fortune 500 companies are rapidly moving in this direction. Do not use the term “transgender” in the policy as its definition is potentially too narrow and ill-defined.
9. **Executive Clarity.** The President, CEO or other top executive in the company can bring much clarity to the diversity picture by making a statement that all transgender individuals and other diverse individuals are welcome at the company, and that discrimination will not be tolerated.
10. **Dress Codes.** All employees, including transgender employees, must follow the company dress codes. Make sure your codes are updated to include transgender employees and the codes do not gender stereotype. The best thing to do is keep dress codes gender neutral.
11. **Bathrooms/Dressing Rooms.** Some employees may be uncomfortable with transgender employees in the same rooms as them. Instead of making the transgender employees use separate rooms (segregation), have the other employee use a unisex bathroom. However, it is not unreasonable to ask a transgender employee to use a unisex restroom for a temporary time period such as during transition. Also, be aware of OSHA regulations and local legal guidelines.
12. **Transition Plan / Transgender Policies.** Have a transition plan for each transgender employee. Have a policy written on transgender in the workplace. Include transition dates, records changes, the communication plan, security issues, and sensitivity training. See GenderPower.com to download a Ten Step Transgender Inclusive Guide and Transgender Primer.
13. **Other Policies.** Review other policies to be sure they do not use gender stereotypical language.
14. **Partners and Spouses.** At company leisure functions, be sure to include partners and spouses of transgender employees.
15. **Health Benefits.** Update your health benefits plan to include gender reassignment surgeries, transgender counseling and hormone treatments. Read the American Medical Association’s 2008 position on treatment needs and medical necessity. Be familiar with the transition process and the changes employees will undergo.
16. **Identity.** If you are unsure how to address a person (he or she), then politely ask or refer to them as “they” as if it was a singular pronoun.
17. **Interviewing.** When interviewing candidates, be sure to let them know your company is an EEO employer and give them a copy of the policy. But avoid identifying them as transgender specifically, let them do that if they so choose.

- 18. Domestic Partnership.** Include transgender individuals and their partners in any company benefits allotted to marital relationships.
- 19. Conferences.** Have your company attend national transgender conferences like Southern Comfort in Atlanta and the Be-All in Chicago. Attend talks or sponsor a career booth.
- 20. Newsletters.** Be transgender inclusive in company communication.
- 21. GLAAD.** Become familiar with defamatory language by reviewing the GLAAD website. Know your terminology!
- 22. WPATH / FMLA.** Become familiar with the transgender Standards of Care that define the transition process for transgender employees, including a year living in the desired gender before approval is given to have surgery – often causing catch 22 circumstances surrounding name and pronoun usage, etc. Understand the Family and Medical Leave Act and how it impacts employees that must take time off to surgically transition.
- 23. DSM.** Become familiar with the American Psychiatric Association’s Diagnostic Statistical Manual and its Gender Identity Disorder entry. Note that this entry is controversial and is currently under review by the APA.
- 24. Counselor or Consultant.** Hire a licensed professional counselor or transgender consultant to help you understand transgenderism or to speak to your employees. Do not depend on your transitioning transgender employees to educate you.
- 25. Legal Issues.** The latest ruling is *Schroer v. Library of Congress* which awarded Diane Schroer with \$500,000 for having a job offer rescinded after coming out to her future boss. The ruling was made by the US Supreme Court and it upheld Title VII of the 1964 Civil Rights Act as protecting transgender employees. Become familiar with local statutes, court rulings and regulations. Be aware of civil (and in some rare cases criminal) penalties that can be imposed for employment discrimination. Also, never ask for proof of genitalia, especially photographic proof.
- 26. Employment.** Give a little extra energy in helping transgender employees find a position. Unemployment and underemployment among transgender individuals is currently near 60%.
- 27. Contributions.** When employees are asked to contribute to charitable and nonprofit organizations, be inclusive of transgender organizations.
- 28. Volunteer.** Consider volunteering as a company representative at local transgender or LGBT event or organization.
- 29. Library / Publications.** If your company has a library, consider having a transgender publication such as *Transgender Tapestry* from IFGE or professional journals on gender or feminism. Subscribe to LGBT newspapers such as *The Dallas Voice* in Texas. See Wikipedia for a list in your area.
- 30. National Coming Out Day.** On this day every year, be sure to make a company statement in support of the LGBT community.
- 31. Celebration.** At your next company picnic, have a celebration of LGBT employees.
- 32. Jokes.** Let it be known that you don’t tolerate “transphobic” jokes in the workplace when you hear them.
- 33. Website.** On your company intranet website, have a webpage for transgender information and resources.
- 34. Lunch talks.** Host a lunchtime chat to talk about transgenderism with your employees.
- 35. Ally Recognition.** Give public recognition to transgender allies, such as in the company newsletter. Include the recognition in performance reviews.
- 36. Segregation.** Encourage employees not to segregate based upon gender expression or sexuality. It can be easy to separate and form cliques, but we to conquer our fears, we have to face them.
- 37. Complaints.** Be open to listening to any complaints about discrimination in the workplace.
- 38. Advertising.** Advertise your company products or career openings in transgender publications.
- 39. LGB versus T.** Recognize that LGB issues are primarily in regard to sexuality. T issues are primarily in regard to gender and gender transition. LGBT training should cover both areas
- 40. Enjoy!** Embracing transgender in the workplace can be an amazingly enriching experience for everyone, and lead to a freer and more productive workplace! Enjoy this new exploration!