

Your Employee Assistance Program is a support service that can help you take the first step toward change.

Gender identity in the workplace: resources for transgender and gender non-binary employees

Going through a gender transition or expressing a non-binary gender identity can be scary for both employees and their employers. Despite more openness and acceptance of non-conforming gender identities, employees are still fearful of losing their jobs or experiencing harassment or discrimination and employers are confused about their responsibilities and obligations.

A climate of change

Currently, only 19 states (California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Hampshire, New Jersey, New Mexico, Oregon, Rhode Island, Vermont, Washington) and the District of Columbia) have laws protecting workers against discrimination based on their sexual orientation or gender identity. Six other states only protect state workers from such discrimination. Even with legislation, transgender and non-binary employees face challenges in the workplace, including stigma and stereotypes, resistance from co-workers and lack of health coverage.

On the plus side, recent polls show that more than 70 percent of Americans believe transgender people should be protected from discrimination and corporate America is listening. According to the Human Rights Campaign`s latest Corporate Equality Index, three-quarters of Fortune 500 companies have gender identity protections, compared with just three percent in 2002. In addition, 40 percent of employers have at least one plan that covers hormone replacement therapy; in 2002, it was zero.

Preparing for change

For any employee planning to transition or openly express their gender identity, the key is careful and thoughtful planning. Here are some ideas from people who have successfully transitioned.

Laying the groundwork

- Contact your Employee Assistance Program (EAP) to see if they have a workplace and transgender program. Your EAP can help guide you through this process and ensure a safe and comfortable transition for the employee, their coworkers and the organization.
- Contact local LGBTQ+ organizations for information and support from gender experts and people who have transitioned. Your EAP can also be a valuable resource.
- If your organization has policies regarding gender identity in place, make sure you fully understand them. Local LGBTQ+ organizations can help you understand the legalities.
- Share your intent to transition with your organization’s diversity representative (or HR if no diversity specialist is available).
- Talk privately with your manager or supervisor. If you are unsure of their reaction, include your diversity or HR representative. Never surprise your boss by transitioning without an advance agreement - they can be an ally and should be part of the planning process.
- Make a plan with your supervisor and HR that includes:
    - Creating a timeline for your transition.
    - Determining when your name will be changed on all work documents and databases.
    - Planning announcements to your work group and clients will be made.

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The day of the announcement

- Hold a department meeting with your manager, HR representative and a gender specialist. Everyone in your work group should be there. *Do not do this by e-mail!* Your manager and/or member of the executive team should make the announcement which should include:
    - Making it clear that you are a valuable employee and have management's full support.
    - Explaining company policies and guidelines.
    - Communicating bathroom policy.
    - A statement that going forward, you will be referred to by your preferred pronoun and name.
    - Stressing that on a certain date you will be referred to by a new names and pronouns.
    - Answering people's questions.

Following the transition

- Continue doing the very best work you can and take steps to ensure that your performance is given appropriate credit.
- Adhere to your company's dress code.
- Expect some inappropriate questions. Understand some people may be grappling to understand the transition process and probably do not mean to be rude or intrusive. Answer questions you feel comfortable about and politely refuse those that you deem inappropriate.
- Inform your manager of any hostile or harassing behavior by colleagues or client.

If you would like more information on resources in your area, counseling or your legal rights regarding gender identify, contact your EAP or the following:

GLAAD
https://www.glaad.org/transgender/resources

Transgender Guide
https://tgguide.com

Human Rights Campaign
https://www.hrc.org/resources/topic/transgender

Out and Equal
http://outandequal.org/transition-guidelines/