



Transgender Persons in the Workplace

Table of Contents

Transgender Persons in the Workplace

- Transgender: Background and Understanding
- What does it mean to be a transgender person?
- Coming Out as Transgender
- Symbols and Observances
- Transgender Employee Rights

Transgender: Background and Understanding

Transgender individuals are people with a gender identity—their internal sense of being male, female, neither or both—that is different from the sex assigned to them at birth.

The way an individual expresses their gender identity is frequently called “gender expression,” and may or may not conform to social stereotypes associated with a particular gender. Someone who was assigned male at birth (AMAB) but who identifies as female is a transgender woman. Likewise, a person assigned female at birth (AFAB) but who identifies as male is a transgender man.

Gender identity is neither the same as, nor necessarily related to, sexual orientation. Transgender people may be straight, lesbian, gay, bisexual, asexual or more.

Some individuals find it necessary to transition from living and working as one gender to another. These individuals often seek some form of medical treatment, such as:

- Counseling
- Hormone therapy
- Gender confirmation surgery

Be aware that not all transgender individuals are alike. Some individuals do not pursue any forms of medical treatment because of their age, medical condition, lack of funds, or other personal circumstances.

Transitioning

A transgender individual’s gender transition usually proceeds in the following order:

- Meet with a mental health provider to ascertain what steps are most appropriate to address the lack of congruity between their gender identity and the sex assigned to them at birth.
- After appropriate evaluation and counseling, the individual may begin a course of hormone therapy, usually under the supervision of both a health provider and an endocrinologist.
- After a period of time, an individual may be ready to commence the “real life experience,” which is when an individual transitions to living full-time in the gender role that is consistent with their gender identity. It is at this point that employers and co-workers are most often made aware that an employee is transgender and in the process of transitioning.

Note that an employee’s transition should be treated with as much sensitivity and confidentiality as any other employee’s significant life experiences. Employees in transition often want as little publicity about their transition as possible.

During the “real-life experience” stage of a co-worker’s gender transition, individuals live and work full-time in the appropriate gender identity in all aspects of their life. This includes:

- **New clothing.** Once an employee has informed management that they are transitioning, the employee may begin wearing clothes associated with their gender identity.
- **Names.** Managers, supervisors and co-workers should use the name and pronouns appropriate to the employee’s gender identity in employee records and in communications with others regarding the employee. While legal circumstances may prevent a business from changing records until the formal completion of name change, it is not preferred to continue to refer to a transgender person by their “dead name,” that is the name assigned to them at birth.
- **Restroom access.** Once a transitioning employee has begun living and working full-time in the gender that reflects their gender identity, they will often want access to the restrooms and (if provided to other employees) locker room facilities consistent with their gender identity.
- **Pronouns.** Some transgender people will prefer to be identified with the pronoun, he/him, she/her, they/them or other pronouns appropriate to their gender identity. It is understood that pronoun changes can take time to adjust to, and if you make a mistake, apologize and move on with the conversation.

[Contact us anytime for confidential assistance.](#)

Coming Out at Work

For transgender persons who wish to be open about themselves, coming out is a process of accepting oneself as well as opening up publicly to others.

The decision and process are very personal. There is no standard set of rules or steps to coming out. A person may choose to come out slowly to just a few trusted friends or to everyone at once. Additionally, the reactions of those who are told will vary. Thus, coming out is often viewed as an act of bravery and authenticity.

Resources

Some content in this article was gathered from the United States National Library of Medicine (NLM). The NLM is part of the National Institutes of Health, an agency of the Department of Health and Human Services: www.nlm.nih.gov.

More information about transgendered or transsexual people can be found online:

- The Human Rights Campaign: www.hrc.org
- Parents, Families, and Friends of Lesbians and Gays: www.pflag.org
- Gay and Lesbian Alliance Against Defamation (GLAAD): www.glaad.org
- International Foundation for Gender Education: www.ifge.org
- Transgender Law and Policy Institute: www.transgenderlaw.org
- National Institutes of Health: www.nlm.nih.gov/medlineplus/gaylesbianbisexualandtransgenderhealth.html
- Office of Personnel Management: www.opm.gov/policy-data-oversight/diversity-and-inclusion/reference-materials/gender-identity-guidance

What does it mean to be a transgender person?

Transgender is a description of people whose gender identity or expression differs from the gender they were assigned at birth. It is important to note that the term transgender is an adjective and should not be used as a noun. For example, it is appropriate to refer to someone as “a transgender person,” but not appropriate to refer to someone as “a transgender.” Also, “transgender” as an identity is not a verb. For example, if someone wishes to self-identify, they would be “transgender” and not “transgendered.”

Some transgender people may no longer identify with the name given to them at birth. For some people, being called by this name can be a major source of anxiety. Therefore, it is important to respect and use the individual’s chosen name.

It is also important to respect an individual’s chosen pronouns, such as referring to oneself as “he,” “she,” “they” or others. If you do not know which pronoun to use when speaking to or about the person, try to first listen to the pronouns other people use when interacting with them. If this is not possible, when you introduce yourself, mention the pronouns you use for yourself. For example, you may start the conversation by saying, “Hi, my name is John, and I use ‘he/him’ pronouns.” If it is not possible to determine their chosen pronouns directly, try using the singular “they” to avoid misgendering them. In the event that you make a mistake later and use the wrong pronoun during conversation, apologize sincerely and move on with the conversation. Avoid lingering on your mistake.

Get into the habit of asking for chosen pronouns whenever you meet someone new. If you are organizing a meeting or event, encourage everyone in the room to share their chosen pronouns when introducing themselves or to note their chosen pronouns on their nametag.

Some transgender individuals may choose to undergo hormone therapy or gender confirmation surgery, a physician-supervised intervention which brings one’s body into alignment with one’s gender identity. However not all transgender individuals are able or choose to do so. Some individuals may use the term transgender to identify themselves because they may identify with more than one gender or with no gender at all. Other people may simply feel that they are able to express their gender without medical therapies.

Gender identity is neither the same as, nor is it necessarily related to, sexual orientation. Gender identity refers to an individual’s internal sense of being male, female, a blend of both or neither. Sexual orientation refers to whom an individual is attracted to sexually, who they choose to have relationships with, and the sense of identity related to these preferences. Transgender individuals may be straight, lesbian, gay, bisexual, asexual or queer.

Resources

The information on this page was gathered from GLAAD. You can access their website at www.glaad.org.

More information can be found online:

- The Human Rights Campaign: www.hrc.org
- Parents, Families, and Friends of Lesbians and Gays: www.pflag.org
- National Center for Transgender Equality: <https://transequality.org>

Coming Out as Transgender

Being a transgender person can be a difficult concept for some people to understand. Gender is often thought of as being biologically pre-determined, yet some people identify with a gender that's different from the one they were assigned at birth. Some people also use the term "transgender" as an umbrella term because they may identify strongly with both male and female characteristics (or with neither). Some also believe that their transgender identity does not necessarily depend on medical procedures or physical characteristics.

Being Open

For transgender people who wish to be open about their gender identity, "coming out" is a process of accepting oneself as well as opening up publicly to others.

The decision and process are very personal. There is no standard set of rules or steps to take when coming out, as each situation is unique. A person may choose to come out slowly to just a few trusted friends or to everyone at once. Additionally, the reactions of those they tell will vary. Thus, coming out should be viewed as an act of bravery and authenticity.

It is important for transgender people to find others who share similar experiences and emotions. Finding other people in the community helps transgender individuals feel connected. Peers are also good resources for answers to questions about the coming out process. It may be helpful to include a therapist in the coming out process, as they can provide ideas for coping with the range of emotions involved when a person comes out to family, friends and co-workers.

Transitioning

Many transgender people feel they are pressured into coming out as they begin to transition. These moments include:

- Hormone replacement therapy (HRT) for at least a year before certain kinds of surgery, such as gender confirmation surgery. HRT will begin to alter physical appearance, especially reduced or enhanced breasts, facial hair, changes to skin and muscles.
- Some practitioners may recommend that an individual successfully live as their gender identity for at least a year before any type of gender confirmation surgery. This is called the real-life test (RLT) period and includes dressing and using public restrooms as their appropriate gender.
- Changing name and identity documents to align with their gender.

Before Coming Out

Deciding to tell people about being transgender is an important decision that requires preparation. People who are going to come out should consider the following:

- How they feel about themselves. The person should be comfortable with their transition before deciding to come out to anyone else.
- Do some research on how others have come out, especially in the local community. Having insight and being prepared makes the process easier.
- Coming out is not a one-time event; it is a process. People can choose to tell some people and not others depending on their comfort level. The person coming out should not feel pressured to reveal everything right away, nor should someone else step in to "out" that person.
- Have support available. Have someone or somewhere to turn to if coming out is met with disappointment or angry reactions.

Making a Plan

Having a fully thought-out plan for coming out is vital. It is possible to get a sense of how accepting people will be during general conversations. One way to gauge is to start a discussion about a transgender character from a movie to weigh the reactions of others.

First steps may involve telling close friends and most-trusted family members. When the time is appropriate, others can be approached. But transgender persons should never feel that someone “must” be told.

When broaching the subject in the workplace, Employee Assistance Program counselors can connect transgender persons with local experts who can help with the coming out process.

Reactions from Others

Reactions people have when they learn someone is a transgender person will be different in every situation. When coming out, a transgender person should consider the following:

- Allow people time to adjust to the announcement. Friends, family and co-workers might need to let the information sit before they ask questions or react.
- Some people may question why they were told. Be prepared to answer these questions honestly. For example, let them know how much you love and trust them.
- Some people may be supportive, and others may react harshly. Be prepared for the worst reactions and for rejection.
- Transgender persons who come out at work and face discrimination or harassment should document the events and actions. Depending on company policy, supervisors or human resource personnel should be notified.

Resources

More information about transgender or transsexual people and the coming out process can be found online:

- The Human Rights Campaign: www.hrc.org
- Parents, Families and Friends of Lesbians and Gays: www.pflag.org
- Gay and Lesbian Alliance Against Defamation (GLAAD): www.glaad.org
- The World Professional Association for Transgender Health: www.wpath.org
- International Foundation for Gender Education: www.ifge.org
- Transgender Law and Policy Institute: www.transgenderlaw.org

Trans Pride Flags

This is a short list of community used flags by trans persons.



Transgender Pride Flag

Designed by Monica Helms in 2000

"The light blue is the traditional color for baby boys, pink is for the girls, and the white is for those transitioning, those who feel they have a neutral gender or no gender, and those who are intersex. The pattern is such that no matter which way you fly it, it will always be correct. This symbolizes us trying to find correctness in our own lives." – Monica Helms



Genderqueer Flag

Designed by Marilyn Roxie finalized in 2011

Lavender is a mix of blue and pink (traditional colors associated with men and women present on the transgender flag) as such, lavender represents androgyny as well as the "queer" in genderqueer. White represents agender identity, congruent with the white on the transgender flag. Dark chartreuse is inverse of lavender, meant to represent "third-gender" identity.



Nonbinary Flag

Created by Kye Rowan in 2014

Yellow represents those whose gender exists outside of and without reference to the binary. White represents those who have many or all genders. Purple represents those who feel their gender is between or a mix of male and female – also seen as fluidity. Black stripe represents those without gender.

Transgender Day of Remembrance

Transgender day of remembrance is an annual event occurring on Nov. 20 every year to commemorate and remember trans individuals who have suffered violence over the past year and to draw attention to the continued violence and transphobia endured by the transgender community.

Transgender Employee Rights

The term “transgender” refers to a person who identifies with a different sex than the one that was assigned at birth. A transgender woman is someone assigned male at birth who identifies as female. A transgender man is someone assigned female at birth who identifies as male. A person does not need to undergo any kind of medical procedure to be considered transgender.

Bathroom Access Rights for Transgender Employees Under Title VII of the Civil Rights Act of 1964

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination based on race, color, national origin, religion and sex (including pregnancy, gender identity and sexual orientation). Title VII applies to all federal, state and local government agencies in their capacity as employers, and to all private employers with 15 or more employees.

In 2012, the EEOC ruled that discrimination based on transgender status was prohibited. Denying an employee equal access to a common restroom corresponding to the employee’s gender identity is sex discrimination. An employer cannot ask for medical records to determine an employee’s gender or defer them to a single-user restroom. Public schools must also comply with these rules and under Title VII of the Civil Rights Act of 1964, contrary state law is not a defense.

If you believe that you have been discriminated against, consider filing a complaint. Private sector and state/local government employees can contact the EEOC at 1.800.669.4000 or visit <https://www.eeoc.gov/employees/howtofile.cfm> to report discrimination. Federal government employees can contact an EEO counselor at their agency or visit https://www.eeoc.gov/federal/fed_employees/complaint_overview.cfm to learn more.

Resources

Some of this content was gathered from the U.S. Equal Employment Opportunity Commission. For more information, visit their website at www.eeoc.gov.

This piece was developed using recommendations and data from a variety of nationally recognized sources such as government agencies and not-for-profit advocacy and research organizations, as well as input from credentialed topical experts, employee resource groups, and ComPsych clinical teams. This information is for educational purposes only. It is always important to consult with the appropriate professional on financial, medical, legal, behavioral or other issues.