



SECTION

3

WORKING WITH EMPLOYERS

3.1 WHAT EMPLOYERS NEED TO KNOW

Employers often struggle with language and policy regarding transgender employees and their experiences. Many employers may have never had a transgender employee before. This can be confusing for the employer and possibly stunt the progress of your client towards sustainable employment.

The following lists contain policies and practices on how to create a welcoming and supportive atmosphere for all employees. These can also be used by employers to evaluate of their current policies and practices.

TIPS

GENERAL POLICIES FOR THE WORKPLACE

1. An inclusive workplace is one where all employees feel welcome and supported, regardless of their sexual orientations or gender identities.
2. All employees are able to self-identify instead of being assigned particular identities.
3. Privacy is important for all members of staff.
4. An inclusive workplace values individuals' skills and abilities and actively recruits a diverse work force that includes transgender people.
5. Certain assurances around inclusiveness and non-discrimination are required for all employees to feel secure.

BEST PRACTICES FOR EMPLOYERS

1. It is important to refer to a transgender person by the pronoun appropriate to that person's gender identity and avoid using derogatory words such as "it" or "whatever."
2. Encourage employees to become comfortable with asking people what their preferred names and genders are rather than making assumptions.
3. It is up to that employee to come out as transgender when or if that person wishes to do so. Employees should not share another employee's personal information.
4. Develop nondiscrimination language in policies and manuals that include gender identity and sexual orientation.
5. Transgender employees are entitled to use the bathroom that is in alignment with their gender identities. Gender neutral or single stall bathrooms in the work place are valuable.

6. Providing gender and sexual diversity trainings for employees will foster an environment of inclusivity.
7. Employers should know that if they make a mistake with pronoun usage when addressing transgender employees, they need to apologize and correct this in future interactions.
8. Employers and employees should be made aware that they should not ask any employee personal questions regarding body parts, transition-related care, or dating habits.
9. Insurance must be inclusive of transition-related care for transgender employees.
10. Develop protocols for addressing harassment complaints based on gender identity and sexual orientation. Ensure that HR personnel are equipped and ready to deal with these issues.

QUESTIONS AND ANSWERS FOR PARTNER EMPLOYERS

Q: What should I as a case manager disclose to partner employers?

A: The transgender status of your client is considered confidential, and may not be disclosed without consent from the client.

Q: If I suspect a job candidate is transgender during an interview, can I ask?

A: No, it is illegal to ask a job candidate about gender.

Q: If our company requires security ID's with legal names and this is different from their preferred name, what is the appropriate course of action?

A: A discussion between the case manager, employer, and youth about legal names and preferred names, and how the employer can accommodate these, is the appropriate course of action. (If the youth is interested in a name and gender change it is permissible to have a discussion as outlined in Section 2.3).

Q: What restroom should a transgender employee use?

A: Transgender employees should be permitted to use the restroom matching their gender identities or where they feel most comfortable.

Q: Will a transgender employee need special accommodations for our dress code?

A: No, the employee is expected to follow appropriate dress codes. Transgender employees are expected to follow the same rules, policies, and procedures as all employees.

Q: Should we educate our workers on matter of sexual orientation and gender identity?

A: Yes, co-workers may have misconceptions about LGBT people and company policy.