

# TRANSGENDER & NON-BINARY AFFIRMING

## EMPLOYER TOOLKIT

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# INTRODUCTION

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**The Transgender Economic Empowerment Coalition (TEEC) is a group of nonprofit organizations around Puget Sound that came together to increase economic opportunity and access for the trans community in King County.** Coalition members have included GSBA, UTOPIA, Ingersoll Gender Center, Seattle Counseling Services, Gay City, POCAAN, Trans Families, and TRANSform Washington.

We were able to join forces together to tackle these critical issues with assistance from the Communities of Opportunity Partnership awarded through the Best Starts 4 Kids Grant. This is the first grant of its kind in the region and is a historic investment to our Transgender and Gender Diverse community members. We know that our world is ever-changing and so is our language. We also recognize that the transgender community is not a monolith and identify many different ways. Because of this, we will use the term transgender, or trans, in this document moving forward to represent all, non-binary, culturally specific, or gender diverse individuals that lay somewhere outside of the heteronormative cisgender binary.

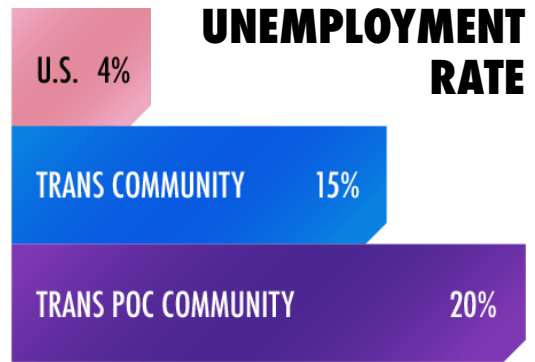
***Our collective goal is to identify barriers and gaps in economic resources so we can develop policies, solutions, new resources, and improve access to move these communities out of poverty.***

We know working in a coalition led by the LGBTQ community - specifically transgender led and LGBTQ People of Color led organizations with a focus on intersectionality - the coalition is best suited to find solutions to address long-standing and systemic inequities. Intersectionality is a term coined by Kimberlé Crenshaw, a civil rights activist and legal scholar, in 1989. In a paper that she wrote for the University of Chicago Legal Forum, Crenshaw wrote that traditional feminist ideas and antiracist policies exclude black women because they face overlapping discrimination unique to them. "Because the intersectional experience is greater than the sum of racism and sexism, any analysis that does not take intersectionality into account cannot sufficiently address the particular manner in which Black women are subordinated," she wrote in the paper. Members of the trans community often face multiple barriers or layers of oppression at the same time, thus compounding the harm and violence they experience. Participating in a group of all-trans leaders is a first for many of us, and it's also empowering to see the people who are affected by these issues in the position to shape the future of this landscape.

***“Because the intersectional experience is greater than the sum of racism and sexism, any analysis that does not take intersectionality into account cannot sufficiently address the particular manner in which Black women are subordinated.”***

- Kimberlé Crenshaw

We know from research conducted by the [US Trans Survey](#) that nearly a third of respondents were living in poverty as compared to 12% of the US population. This disparity is amplified when referring to trans people of color. This is highly attributed to the **15% unemployment rate among the trans community, three times higher than the national average, with trans people of color being affected four times as much as 20%.**



TEEC partners created and collected a community needs assessment for all transgender people who live, work, or study in King County. One challenge in doing this kind of work within our community is that we have no real data on how many people identify as transgender or gender diverse in King County. The coalition's goal is to get a sense of the size of this community and its needs, gaps in resources, and what solutions need to be developed and prioritized. To do this we surveyed online and completed in-person data collection from February-April 2019, in total, [we collected 286 responses](#).

Our questions were mainly quantitative, consisting of 8 sections (demographics, economic status, transportation, housing, applying for jobs, workplace experiences, alternative economies, and social experiences). Eligibility requirements include being at least 15 years old, living or working in King County, being able to read/write English or Spanish, and being trans, nonbinary, gender diverse, etc. Our overall guiding questions included: What are the economic experiences of a) trans individuals in King County overall and b) differing groups of trans individuals in King County (e.g., POC, disabled, outside of Seattle)?

Although it came to no surprise our area statistics were strongly correlated with national statistics in terms of economic opportunity and safety. We used our results to help guide us in creating a robust tool kit for area employers to implement.

**Being a better ally means recognizing that everyone will always be learning and that there will be no end to diversity and inclusion work. Rather, diversity and inclusion are a continuous commitment to prioritize the needs of those who've been continuously marginalized and left out of business and economic prosperity.**

We include ourselves in that journey and have started the implementation of this policy in our own organizations. Even in LGBTQ plus affirming spaces we all had areas to grow in terms of LGBTQ and BIPOC equity. **This tool kit was created by trans people for trans people with the help of the larger community. Our goal is to create and distribute this information for free to all community members. Let this be a guide and starting point for opening more conversations around how you are ensuring, not just that our companies look diverse, but that they are treating our talent equitably.**

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# WHERE TO START

## *Implementation*

The following recommendations outline a pathway toward implementation of the Transgender Affirming Model Employment Toolkit. **An essential element in setting workplace culture is leadership buy-in. When employees can see the leaders in their organization defend company values it becomes clearer how important it is for other employees to model.** Integral to implementation will be the continued support of leadership and the creation of a team within the workplace that is tasked with implementing the policy successfully. Feedback and approval from key decision-makers, and key staff members, including staff members nominated to make up the Transgender Model Employment Team should be derived throughout the workplace's implementation process. As implementation is planned, special attention and consideration should be placed on where these recommendations might be adjusted to be in alignment with the workplace's present shape, culture, and where the workplace sees itself heading into the future.

## *Implementation Team*

The proposed Trans Affirming Model Employment Toolkit will ideally pull in resources and expertise across your workplace's various departments, represented by key staff members (at least one per department or level – if applicable). **The participation from at least one staff member per department on the implementation team will ensure the accountability of each department in workplace wide development that consistently centers Transgender accessibility and support, and will ensure uniform understanding and application of policies across the whole workplace.**

The goal of the Implementation Team is to implement and execute the Trans Affirming Model Employment Policy goals and activities successfully. Additionally, the team will support cross-workplace information sharing and collaboration by ensuring respective departments are accountable to the goals and activities of the TAMEP.

**The Implementation Team will be responsible for holding the workplace at large accountable to plan's implementation, as well as ongoing feedback from any advisory group established.** Trans and Non-Binary employees should be invited to sit on the team but not required to or excessively encouraged to. Additional compensation is recommended for all employees sitting on this team as they serve as cultural ambassadors providing labor in advisory and constructive ways to the organization.

## *Recommended Areas of Focus*

**Training & Policies:** Develop onboarding, training, policies, and practices that explicitly communicate support and prioritization of the needs of BIPOC, Trans, and Non-Binary employees.

- [Tips for Professional Development](#)
- [Pay & Benefits Recommendations](#)
- [Human Resources Questions to Ask](#)
- [Transition Policies](#)

**Workplace Culture:** Create hiring practices that screen for potential bias in prospective employees; explicitly state the workplace’s commitment to Trans and Non-Binary access; [create opportunities for dialogue about trans and non-binary access](#) and work with employees to build a safer and more supportive workplace for trans and non-binary employees. Ensure that professionalism and respect are core values in your workplace for all employees – preventing harm to marginalized employees is an employer’s legal obligation and the purpose of inclusive policy-making and practices, but if professionalism, privacy, and respect are values only afforded to marginalized employees, then your teams will view them as “special rights” and workplaces are more likely to experience resentment, conflict, and policy noncompliance.

- Organizational Assessment
- [LGBTQ Caucusing](#)
- [Common Errors in LGBTQ Inclusion](#)

**Built Environment:** Develop spatial and [programmatic opportunities](#) that center and support trans and non-binary employees in their physical and psychological safety, leadership development, and mastery of self-determination.

- [Discussion Guide for Staff](#)
- LGBTQ Representation in Posters & Artwork
- [All Gender Bathroom Guide](#)

## 5 EASY STEPS TO IMPLEMENTATION

1. *Fill out a Workplace Assessment (at the end of this document)*
2. *Organize an Implementation Team*
3. *Build the Implementation Plan*
4. *Create a timeline of needed changes*
5. *Keep connecting with community organizations for Training & Technical Assistance*

# WHAT TO KNOW

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## *Gender, Sexuality, & Intersectionality*

Before we can dive into how we can support our more marginalized communities we need to first understand their cultural backgrounds and their rich history.

**We are often taught that there are two genders that are assigned at birth and do not change throughout a person's life. However, this is a limiting view of human bodies and our history.**

On nearly every continent, and for all of recorded history, thriving cultures have recognized, revered, and integrated more than two genders. All of this was dramatically altered only upon the arrival of colonialism, colonizers, and, by extension, European concepts of gender. Our Indigenous siblings often refer to themselves with their cultural language and identity.

***When we say that gender is colonized, we don't mean that gender was absent prior to colonization, rather that gender systems were used as a tool of colonization and that colonization diluted and stripped a vast majority of indigenous beliefs and traditions through violence and harm.***

That being said, trans people have existed as long as time has existed. We were often excluded or left out of history because they weren't out, or we didn't call it that, or gender was different at the time.

We also must consider the idea of gender shifts across time, across culture, and across place. What was considered masculine and sexy in the 1950's can't be found on the magazine stand at the grocery store. This doesn't mean that 1950's men weren't masculine, they just performed it differently.

## *Don't Make Assumptions*

Often time's gender and sexuality are thought to be directly correlated to each other. This however is large misconception. **Gender can be thought of more as WHO you go to bed AS, while sexuality is more about WHO you go to bed WITH. Deciphering these two things is important not only for LGBTQ people but all people, realizing that our bodies, personalities, and identities are more complex than a black or white option.**

In reality, there are a lot of different contributing factors that play into what we think of as gender, which is called the gender spectrum. Why do we call it a gender spectrum? Because people's sex, gender identity, and/or gender expression may vary.

## **SOME HELPFUL TERMS** *More Located in The Back of the Toolkit*

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**SEX:** Sex is “the classification of people as male or female. At birth, infants are assigned a sex, usually based on the appearance of their external anatomy. (This is what is written on the birth certificate at birth). However, a person’s sex is a combination of bodily characteristics including chromosomes, hormones, internal and external reproductive organs, and secondary sex characteristics.

**GENDER:** Gender is one’s internal, deeply held sense of self. Gender is often understood to be binary, or a one or the other concept, as in one is either male or female. However, there are many folks who don’t identify with either of those genders. These folks could identify as trans, non-binary, gender non-conforming, gender fluid, genderqueer, or a variety of other identities. Most people have a gender identity of male or female. But, for some people, their gender identity does not fit neatly into one of those two choices. It’s also important to understand that one’s gender is not visible to others.

**GENDER BINARY:** A system of viewing gender as consisting solely of two, opposite categories, termed “male and female”, in which no other possibilities for gender or anatomy are believed to exist. This system is oppressive to anyone who defies their sex assigned at birth, but particularly those who are gender-variant or do not fit neatly into one of the two standard categories.

**GENDER EXPRESSION:** This is your external appearance to the world. A lot of things in our society are gendered, which leads us to make a lot of assumptions based on people’s gender expression. Your gender expression or the way that you “perform” your gender—often defined as “masculine” or “feminine” can be visible to people but isn’t necessarily representative of the way that people identify. External manifestations of gender, expressed through one’s name, pronouns, clothing, haircut, behavior, voice, or body characteristics. Society identifies these cues as masculine and feminine, although what is considered masculine and feminine changes over time and varies by culture.

**Pronoun Lesson:** *We make a lot of assumptions in the world, which aren’t always right and can be harmful. He and she are not male or female pronouns, just because you use them doesn’t mean you identify on the binary.*

**SEXUALITY:** This is who you are physically or emotionally attracted to. This can be a physical attraction or an emotional or romantic attraction.

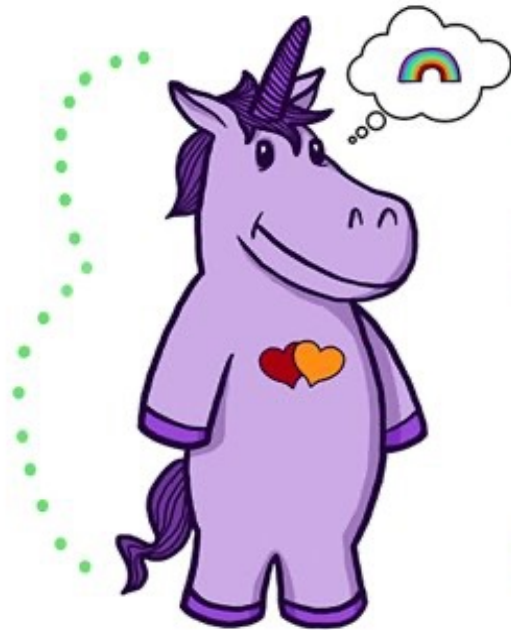
The important thing to remember is that gender and sexuality are fluid and don’t always mean the same thing at the same time for anyone. Embracing this and creating a world that exists in these beautiful shades of gray will continue to allow people to be their full authentic selves.

*Understanding all of the terms is not the most important part of being a good ally. Make sure that you’re familiar with the terms that the people in your life use so that you can make sure you can speak with them and about them in a respectful way.*



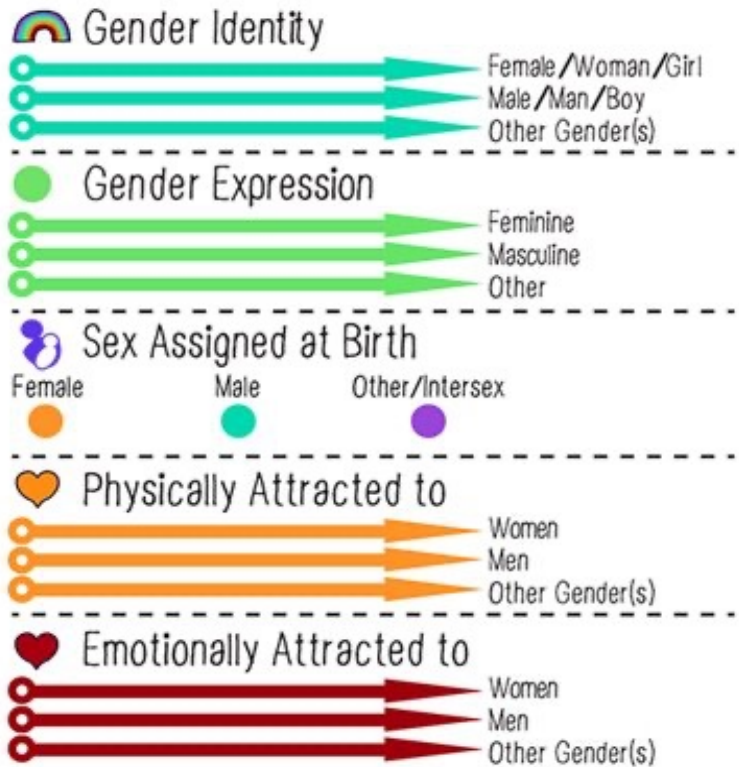
# The Gender Unicorn

Graphic by:  
**TSER**  
Trans Student Educational Resources



To learn more, go to:  
[www.transstudent.org/gender](http://www.transstudent.org/gender)

Design by Landyn Pan and Anna Moore



This is a tool created by Landyn Pan and Anna Moore, that helps explain how **these traits are not binary, rather on spectrum.**

# WHAT TO DO - BEST PRACTICES

## *Employee Records & Interviewing:*

Organizations and companies want to make sure that they have the best folks on their team. Likewise interested applicants want to make sure that the prospective job is a good fit for them. Employment practices shape the relationship between an organization and its workers, and its workers with one another. Efforts to hire and retain qualified trans and non-binary people, especially Black people, Indigenous people, People of Color, people with disabilities, and others with traditionally undervalued skills and experience are imperative to interrupting the cycle of poverty by which trans and non-binary people are largely impacted. But even more than that, **an organization that uplifts and values employees from marginalized backgrounds is much more likely to be innovative, flexible, and healthy – because its workforce is made up of people who have spent their entire lives forging pathways to success through adversity.** But before we can expect QTBIPOC, Queer Trans and Non-Binary Black Indigenous People of Color, talent to invest in organizations and companies, we must do the front end work to make sure that [our workplaces are accessible to and supportive of QTBIPOC folks](#). Beyond basic non-discrimination protections for employees, workplaces should adopt recruitment strategies, pay and benefits, equity commitments, personnel policies, and general labor practices that attract diverse job candidates, promote job satisfaction, and increase retention and leadership.

*By the time an applicant comes to interview they have most likely made a judgment about how accessible & inclusive the organization or company is.*

- *Is the company doing its best to be welcoming & accessible?*
- *Are people aware of the applicants' names & pronouns that are coming in for an interview?*
- *Do applicants have an option for a preferred name on the application?*
- *Does this preferred name get carried onto other forms as their name?*
- *How does one navigate a hiring process without an up-to-date ID?*

Additionally, applicants from marginalized backgrounds often seek input from friends or community members about an organization's culture and inclusivity practices before deciding to apply. Negative information travels, but so does positive information. **It is important not to put the responsibility for diversity recruiting on your trans, non-binary, and BIPOC employees, but if you include them in your recruitment and hiring teams and take their input seriously, you are likely to end up with a much more diverse pool of applicants.** One very helpful indicator that your inclusivity practices are effective is if your trans, non-binary, and BIPOC employees recommend your workplace to members of their communities.

## ***Inclusivity Practices Must Be Routine***

**It is very important that whatever practices you adopt for trans, non-binary, and BIPOC inclusion, that you implement them routinely for all applicants and in all instances.**

This furthers two important objectives: it ensures that your inclusivity supports applicants and employees whether you know they are trans or non-binary or not, and it ensures that you do not treat trans and non-binary people differently. For example, if you only ask for pronouns when you believe a person might be trans or non-binary based on their appearance, your inclusivity does not extend to trans or non-binary employees who fit a stereotypically gendered appearance which may not match their identity. Instead, think of learning pronouns like learning names – there is no way to know unless you ask.

## ***Hiring Practices***

Hiring Practices start when your applicant first engages with your job opportunity. From that point on the applicant is taking notes and forming their own opinion about your organization. Where you post your [outreach matters](#), what you say in your job description matters, they are all used as a cue to signal inclusion. **The process of applying and interviewing can be daunting enough for employees and then add additional anxiety and nervousness around what name or gender they will be referred to as.** In both workplace hiring and onboarding practices, there are many opportunities to be trans-affirming. It is the employer's responsibility to thoroughly vet job applicants before offering them a position at their workplace. However, in Washington, there are many restrictions on the types of questions an employer can ask an applicant, whether in a job application form, a pre employment interview, or throughout the applicant's duration of employment. [These restrictions are designed to protect against discrimination in the hiring process and to ensure equal opportunities in employment.](#) The following table is meant to demonstrate what topics are appropriate to be addressed in the interview process.

TOPIC	WHAT YOU CAN ASK	WHAT YOU CAN'T ASK
Name	Can ask if they have worked for another employer under any other name	Can't ask it is their birth name, changed by court, marriage, or insinuate anything that would divulge marital status, sexual orientation, gender expression or gender identity, transgender status or sex assigned at birth, lineage, ancestry, national origin or descent
Residency	Can ask for a mailing address to facilitate the interview process	Can't ask if they rent or own and who they live with
Sex	Nothing	Can't ask if they are transgender or plan on transitioning
Sexual Orientation	Nothing	Can't ask if they are LGBTQ+ or in a relationship
Gender Identity	Nothing	Can't ask about their gender, medical needs, disability, or their spouses
Gender Expression	Nothing	Can't ask about their wardrobe or dressing habits
Citizenship	Can ask if they are legally allowed to become employed in the US through a visa or immigration status	Can't ask if they are a US citizen or require proof of citizenship

## References

In some cases, an applicant's diploma or business connections may know them by a different name. **If you plan to check references, it is beneficial to let the applicant know you are planning to do so and ask them how they would like you to refer to them in your inquiry.** It is important to do this for all applicants – people change their names for a wide range of reasons. Also, you cannot assume that an applicant will have disclosed their identity to you by this point in the application process – because employment discrimination on the basis of gender identity is so rampant, many trans and non-binary applicants will not disclose their identity during the hiring process. By asking this open-ended question, you are signaling that you anticipate a name or gender change as a routine occurrence in your workplace, which will help applicants feel assured that you have experience with inclusivity practices, and they may feel comfortable including references they might not otherwise.

Additionally, **it is important to recognize that applicants who have been chronically under-employed or unwelcome in workplaces are likely to have job histories and references which do not reflect their true skills.** You can help break that cycle by affirmatively offering the option that applicants provide references who are friends, community members, or former coworkers rather than limiting reference checks to prior supervisors.

## Benefits Package

Despite market shifts and laws to the contrary, many health insurance providers consider gender-affirming healthcare or medical needs specific to gender affirmation to be cosmetic and not medically necessary. If you have not reviewed the coverage offered by your organization, it is important to do so. **Ensure that gender-affirming care is covered, and find out how many in-network providers of that coverage are in your area.** Additionally, ensure that co-pays for gender-affirming care are equal to other similar procedures and are affordable for employees. **Having quality trans and non-binary competent health care is a matter of survival for many individuals, and is an area where you can easily differentiate yourself from other competitors in your market.** If you have a trans and non-binary inclusive health care program be loud and proud about it – even employees currently in your workplace may not know what is covered.

In 2014 Washington State's Office of the Insurance Commissioner made it clear in a June letter that it is illegal for insurance plans to discriminate on the basis of gender identity. **Essentially, any procedures that insurance providers cover for people of one gender must be covered for people of all genders.** This builds upon both Washington's 2006 Law Against Discrimination and section 1557 of the Affordable Care Act.

The one major exception to this broad coverage is for plans that are self-insured. A self-insured health insurance plan is a plan under which a company contracts with an insurance company or a third party managed plan administrator but instead of paying premiums the company pays the actual costs of claims. Many larger companies use self-insured plans because they are more cost-effective and

geographically diverse. While self-insured plans are regulated by federal laws, the inclusion of anti-discrimination requirements in those laws is relatively new and has been subject to many legal challenges. As a result, **it is important to fall back on best practices rather than simply what is legally required.** If your organization has a self-insured plan, it is critical to review that plan to ensure that gender affirming healthcare (that should be broadly defined and include but not limited to hormone replacement therapy, gender affirming surgeries, electrolysis, mental health care, etc) is included and covered. In most cases if you realize that your self insured plan includes gender affirming healthcare exclusions in the midst of your plan year you can contact your plan administrator to purchase an additional insurance rider to cover the critical care your trans and non-binary employees will need before you are able to renew your plan to one that will cover gender affirming healthcare.

In some cases, companies based in Washington will purchase plans for their employees that are not based in Washington State. This can be confusing to untangle what is covered or not as different states have different nondiscrimination laws and unfortunately different interpretations of section 1557 of the Affordable Care Act. **Regardless of where your plan is based out of your organization should review your health insurance plan annually at renewal to ensure that lifesaving gender affirming healthcare is covered in a way that does not present barriers** (i.e, higher premiums for gender affirming care because it has been classified as elective). Like self-insured plans, if you discover that your out of state health insurance plan has exclusions for gender affirming care in the midst of your plan year you can and should purchase riders to extend coverage of gender affirming healthcare to your trans and non-binary employees.

## ***What can you do to make it easier for your trans & non-binary employees to navigate your insurance plan?***

- *Provide every employee a copy of your health insurance plan's Summary Plan Description, or similar document detailing which policies and procedures are covered and at what rates.*
- *Take time to explain your sick time policy to all of your employees, including how to donate and receive time from other colleagues. Maintain flexibility so that employees can make the best choices for themselves – for example, employees may benefit from being able to balance paid and unpaid time off in order to fully care for their health needs. Ensure that supervisors and HR are well-educated on Washington's state and local paid leave laws, and recognize that the state paid leave often takes weeks to begin paying benefits. It is an important inclusion practice to recognize those kinds of administrative impacts and cover for them when you can.*

- *As employers you are responsible for setting employees up for a successful recovery that includes coming back to their job when the time is right, and implementing temporary or permanent job accommodations they may need while they recover. Things that don't help recovery include being taken off payroll, paying for your own health insurance, having to deal with bureaucracy. The more you can invest in your people the more they will invest in you.*
- *If you allow your employees to pick between multiple health insurance plans, highlight any differences in gender affirming care between plans.*
- *Many insurance plans or care networks are bringing on social workers to help trans and non-binary people navigate accessing to care. If your insurance plan or care network provides that kind of support, you should provide that contact information to all employees.*
- *If you provide any kind of health savings plans or flexible spending accounts that cover health costs, be sure to be explicit that employees can use those funds to cover gender affirming healthcare costs that are not covered by your plan.*
- *Be prepared to answer questions from employees about what kind of gender affirming care your insurance plan covers and how they can access that care.*

### **Self-Identification**

Self-Identification is an optional practice when an employee, optionally, discloses their identities to their employer, this includes race/ethnicity, LGBTQ, Veteran, or Disability Status. This information can be used to concentrate cultural responsiveness work, help identify barriers, and expand the accessibility of the workplace. As an optional practice, employees have the right to choose out of disclosing their identities. However, if a workplace is collecting this information, it is imperative that the data is then used to create a supportive and accessible workplace culture for employees and build the cultural responsiveness of the workplace as a whole.

### **Restrooms, Locker Rooms, and Gender-Segregated Facilities**

The restroom or other gender-segregated facility a trans and non-binary employee uses should be a decision made solely by the trans and non-binary employee. Trans and non-binary employees have the right to choose to use the restroom they feel most comfortable in regardless of their gender expression or sex assigned at birth.

**Trans and non-binary employees must at all times be able to use the restroom and other traditionally gender-segregated facilities (such as locker rooms) that they are most comfortable with.** Refusing to allow trans and non-binary employees to use the bathroom that is congruent with their gender identity is a form of discrimination and can place a trans and non-binary person at risk by exposing them to ridicule, harassment, and even violence. It is not unusual for cisgender employees to feel uncomfortable sharing facilities with their trans or non-binary colleagues, but these employees must not be allowed to take their discomfort out on their colleagues. Ensuring safe, equal, easy, and unstigmatized access to gender-appropriate facilities is an important inclusivity practice and is required by law.

*The built environment conveys a workplace's culture, values, and priorities. From its geographic location to its facility layout, the physical characteristics can facilitate a sense of belonging or exclusion. Physical spaces that indicate gender segregation, such as in bathrooms or locker rooms, can also pose significant barriers to access and safety for some T/GNC people.*

Workplaces should (and under some local ordinances, must) make all single-occupancy restroom facilities “All Gender Restrooms,” and build single occupancy restrooms whenever possible. This can preempt conflict that may arise from employees who are hostile to or have a lack of understanding of trans and non-binary people, and ensures access to privacy for a wide variety of reasons not limited to gender.

Changing the built environment may seem difficult, daunting, or costly. However, simple and low-cost alterations can often have a meaningful impact on the comfort of your employees and the workplace environment. **Trans and non-binary people are the experts on what makes them feel safe and supported. Starting a conversation about how the built environment affects our work and who we serve can help providers and organizations build the momentum needed for change.**

### **Dress Codes**

If your workplace requires employees to adhere to a dress code, it is important to [update dress codes and policies to make them gender affirming](#). Gender affirmation is an umbrella term for the range of actions and possibilities involved in living, surviving, and thriving as our authentic gendered selves. Ideally, dress codes will be flexible enough that employees who wear professional business attire irrespective of sex or gender are in compliance. Such policies recognize the varying bodies of employees and provide accessible and affirming guidelines that fully reflect a diverse workforce. **Bear in mind that the clothing styles identified as “professional” have historically been racialized to benefit white, gendered cultural norms. Any professional dress requirement should be inclusive of gender diversity as well as cultural or ethnic diversity.** Importantly, penalizing employees for not adhering to gender norms or wearing natural or protective hairstyles (e.g., afros, dreadlocks, twists, etc.) is unlawful discrimination.

### **The following are examples of accessible and affirming dress codes:**

- As representative of our [organization/company], employees are expected to present a clean, neat, and professional appearance. Acceptable colors are Black, Charcoal, Grey, Navy, Brown, Khaki, white. Acceptable materials are cotton, polyester, leather, canvas, denim, selvedge denim, wool, and nylon.

- Approved Shirt styles are button-downs, Henleys,  $\frac{3}{4}$ -sleeve, long-sleeve, and polo. Choose a clean shirt appropriate for foodservice that allows freedom of movement without presenting a safety hazard. If the shirt is worn untucked, the bottom hem should be long enough so that your midsection won't be exposed when bending down or reaching overhead, but generally not longer than your back pants pocket.
- Wear pants, shorts, skirts or dresses in black, gray, navy, brown and khaki (no white). Jeans are welcome too, in darker washes and hues only (no light tones). All clothing must be durable, practical and fit comfortably, without rips, tears, patches or distress.
- Please keep hair tidy: clean, brushed and kept back from the face. For food safety reasons, hair color must be permanent or semipermanent, no sprays, glitter, chalks or temporary products. Tie long hair back with plain clips or hairbands to avoid contact with drinks or food. Please keep beards and mustaches neat and trimmed.
- For personal safety—and to avoid injury if you drop sharp or hot objects on your footwear—shoes should have a closed toe and a flat, closed heel with as much coverage of the top of the foot as possible.

### **Gender Segregated Job Assignments: BFOQs**

Most local, state, and federal antidiscrimination laws make it illegal to segregate employees on the basis of sex or a number of other factors. However, one exception is for bona fide occupational qualifications, or BFOQs. Where a particular quality, such as gender, is essential to the accomplishment of a particular job, an employer may be able to restrict employees in that position on that basis. However, **BFOQs are meant to be used very rarely, so consult with an employment attorney prior to restricting employees from any position on the basis of sex or any other protected group.**

BFOQs are most frequently applied on the basis of sex or gender (e.g., employees who obtain urine samples), but may also occur in other instances (e.g., mandatory retirement age for bus drivers and pilots for safety reasons). When a BFOQ allows job assignments to be gender-segregated, all employees must be classified and assigned in a manner consistent with their gender identity, not their sex assigned at birth. Employers who implement hiring in BFOQ-limited jobs should ensure that they maintain discretion and confidentiality of any employee records they review in making placements.

### **Privacy and Confidentiality**

There are many ways an employer may learn an employee identifies as trans and non-binary. It can occur during the hiring process because of the application or a background check, or when an existing employee decides to transition to the gender with which they most identify. The disclosure may occur when the employee requests employment accommodation – such as asking a supervisor to ensure colleagues use their preferred name instead of their legal name – or it can be learned through other means, such as employee gossip or mutual acquaintances. **Regardless of how an employer learns an individual is trans or non-binary, it is essential that confidentiality be maintained at all times.** Information should be shared solely on a need-to-know basis or in consultation with the employee.



An employee may need to disclose their gender identity to an HR official in order to coordinate updating the employee's records to reflect their gender identity, name or other information. However, this should be discussed with the employee and coordinated based on their needs, wishes and timeline. **Supervisors or colleagues should never out an employee to coworkers against their will or without consulting them – doing so is a form of unlawful harassment.** Trans and non-binary people frequently face stigma, prejudice, and discrimination in the workplace. Being outed can jeopardize their job satisfaction and safety. Employers should establish clear rules prohibiting employees from disclosing or gossiping about an employee's gender identity and ensure violations of the policy are addressed quickly.

The federal Department of Health and Human Services regulates HIPAA, which guarantees the right to privacy over records maintained by health plans, most health care providers, and health care clearinghouses. However, it does not apply to employers or employment records, even if the information in those records is health related. However, it does protect medical or health plan records where an employee receives health care or insurance coverage from the same provider or insurer that employs them.

***Employers should take care to maintain confidentiality around employee records and cultivate a culture, particularly among supervisors and HR, of deep respect for employee privacy.***

- **Confidentiality and Privacy:** Confidentiality and privacy have numerous implications as it relates to a federal employee's records. Protecting employees' privacy rights is critical to contributing to a diverse and inclusive workforce. Agencies should take all appropriate actions so employees feel confident their personal information will be appropriately protected. An employee's medical treatment should be treated with as much sensitivity and confidentiality as any other private or highly personal life experience of an employee. Medical information received about individual employees is protected under the Privacy Act (5 U.S.C. 552a). Employing agencies and their managers and supervisors should be sensitive to these concerns about the privacy of employees' medical information and should advise employees to respect the privacy and dignity of all employees. Other employees should be provided information about an employee's medical history only if they have a need to know the information in the performance of their duties, in accordance with the Privacy Act, 552a(b)(1). **Personal information about the employee should not be released to anyone without a need to know unless the employee has provided prior written consent to having the information disclosed.**

- **Recordkeeping:** Consistent with the Privacy Act, the records in the employee's Official Personnel Folder (OPF) and other employee records (pay accounts, training records, benefits documents, and so on) should initially reflect the legal name and sex of the individual, consistent with the proof of identity provided at the time of completing the onboarding process. Subsequently, an employee may seek to update the employee's OPF consistent with any changes in legal documentation. Changes in an employee's OPF should be consistent with 5 U.S.C 552(a)(d) and Chapter 4 How to Reconstruct a Personnel Folder.

### ***Addressing Harassment, Discrimination, or Conflict***

Enacting inclusive policies is only the first step in creating and maintaining an inclusive workplace. In our current political and social climate, many people are receiving information about trans, non-binary, and BIPOC people that is false, stigmatizing, and cruel. As employees, they may feel entitled by faith, political affiliation, or personal preference to refuse to comply with workplace inclusion practices. For example, they may refuse to share a restroom or locker room with trans or non-binary colleagues, refuse to honor their colleagues' names or pronouns, or engage in invasive and unwelcome behavior, such as asking inappropriate questions, objecting to diversity initiatives as "reverse racism," or insisting upon "praying for" their trans or non-binary colleagues.

**How your organization responds to harassment, discrimination, and unwelcome interpersonal conflict is crucial. It is important to set a tone of professionalism overall, and to set the expectation that employees must respect one another as colleagues.** It is also important to frame professionalism and respect as honoring employees' identities. Just as it should be unconscionable in a professional workplace to insist that a Christian colleague is in fact Jewish, or to make fun of a colleague for having an accent, it is likewise unconscionable to debate the validity of a colleague's gender identity, name, or pronouns, or to make fun of their gender presentation. Unintentional mistakes or errors made in a learning process are an opportunity for accountability and growth – for example, when someone misgenders, or mis-names, someone once or twice, it is a genuine mistake. When it happens repeatedly, it is an act of violence. It becomes especially problematic when leadership is participating in this violence, thus signaling to the rest of the team that this is acceptable behavior.

***Unintentional mistakes or errors made in a learning process are an opportunity for accountability and growth.***

Many workplaces have paid close attention to their written policies, only to have those policies undermined because they were unprepared to navigate conflict from employees who were unready or unwilling to follow the policies in good faith. It is important that workplace leaders, from frontline supervisors to high-level management, are proactive and educated about workplace conflict dynamics,

and have the communication skills to maintain strong and unequivocal standards. **There are no “both sides” to inclusivity – your team must understand that one employee’s personal, political, or faith-based discomfort is not equal to another employee’s right to inclusion, and be ready to act and communicate accordingly.**

### ***Building Supportive Networks***

Management strategies, [communication styles](#), staff diversity, and regional social norms inform workplace culture and can influence job satisfaction, staff retention, and quality of services. Open and transparent workplace culture can increase the investment, participation, and engagement of staff in the workplace, change efforts and improve worker productivity and quality. This includes being open and honest about our own journeys. Our values are found in our budgets and when we share our plans for the business, employees are more invested and bring more to the work. Workplace attitudes and social interactions typically mirror dominant cultural norms that can isolate or marginalize trans, non-binary, and minoritized staff. **A workplace self-assessment should consider staff diversity, staff participation in decision making, workplace equity efforts, channels for feedback, workplace social events and social networks, and other aspects of this broadly defined area.**

Resistance to open discussions regarding access for gender-diverse communities is a profound yet common challenge. Creating opportunities for workplace dialogue about trans and non-binary access can positively impact workplace culture and increase skills and knowledge of providers in working with LGBTQ communities.

### ***Transition Policy:***

*Keeping an up-to-date transition policy in your human resources processes is critical in successful workplace transition. Time is critical in a transition, plans must be understood and supported from the senior leadership. By the time an employee considers transitioning in the workplace, they are most likely further along in their transition and have been navigating this process for a while. The sooner you can successfully get documents, pictures, and names updated the more supported the individual will feel.*

# COMMON DEFINITIONS

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**TRANSGENDER:** An umbrella term for people whose gender identity or gender expression is different from the sex they were assigned at birth. People under the trans umbrella describe themselves using a wide variety of terms including transgender. Some transgender people decide to medically transition, see medical transition, but not all.

**CISGENDER OR CIS:** A term used to describe people whose gender identity or gender expression is the same from the sex they were assigned at birth. “Cis-” is a Latin prefix meaning “on the same side as,” and is therefore an opposite of “trans-.”

**TRANSGENDER WOMAN:** Commonly refers to a person assigned male at birth that identifies as female now. Many trans women use she, her, hers pronouns and may or may not wish to share their trans status.

**TRANSGENDER MAN:** Refers to a person assigned female at birth that identifies as male now. Many trans men use he, him, his pronouns and may or may not wish to share their trans status.

**SEX ASSIGNED AT BIRTH:** The “classification” of a person as male, female, or intersex. At birth, infants are assigned a sex, usually based on the appearance of their external anatomy. (This is what is written on the birth certificate at birth). However, a person’s sex is actually a combination of bodily characteristics including chromosomes, hormones, internal and external reproductive organs, and secondary sex characteristics.

**GENDER BINARY:** A system of viewing gender as consisting solely of two, opposite categories, termed “male and female”, in which no other possibilities for gender or anatomy are believed to exist. This system is oppressive to anyone who defies their sex assigned at birth, but particularly those who are gender-variant or do not fit neatly into one of the two standard categories.

**GENDER IDENTITY:** A person’s internal, deeply held sense of self. Most people have a gender identity of male or female. But, for some people, their gender identity does not fit neatly into one of those two choices. It’s also important to understand that one’s gender is not visible to others. Gender is often understood to be on a binary, or a one or the other concept, as in one is either male or female. However, there are many folks who don’t identify with either of those genders. These folks could identify as trans, non-binary, gender non-conforming, gender fluid, genderqueer, or a variety of other identities.

**GENDER EXPRESSION:** The physical manifestation of a person's gender identity through their external appearance to the world. A lot of things in our society are gendered, which leads us to make a lot of assumptions based on people gender expression. Your gender expression or the way that you “perform” your gender—often defined as “masculine” or “feminine” can be visible to people but isn't necessarily representative of the way that people identify. These can change over time and vary by culture.

### **Reminder:**

*We make a lot of assumptions in the world and they aren't always right and can be harmful. He and She are not male or female pronouns, just because you use them doesn't mean you identify on the binary.*

**SEXUALITY:** Who one is physically and/or emotionally attracted to.

**NON-BINARY:** An umbrella term for all genders that lay outside the gender binary. Not all non-binary people identify as trans and not all trans people identify as non-binary. Non-Binary people may identify as gender queer, demiboy, gender fluid, bigender, agender, and more. These are people that see their gender beyond the spectrum of a binary.

**TWO-SPIRIT:** An umbrella term for various indigenous gender identities in North America, encompassing spiritual, sexual, gender, and cultural identity and relates to an individuals' role in their tribe as well as contributions to their community. Often seen as wiser and more revered members of the community because of their ability to hold duality.

**SOCIAL TRANSITION:** Commonly thought of as the process of 'coming out'. This is a process where a trans person may tell their friends, family, and employers that they are transitioning and ask those around them to use a different name and/or pronouns. Not all trans people exist in safe environments to socially transition which is why this can be a very stressful undertaking.

**MEDICAL TRANSITION:** When someone seeks medical intervention to align themselves with their gender identity. This can be through hormone replacement therapy, surgery, voice therapy, etc. Often these services are seen as elective and unnecessary, which means that people must often pay for them out of pocket. Someone's medical transition is their own personal information and would be similar to sharing about someone else's medical condition.

**GENDER DYSPHORIA:** The intense emotional and physical distress experienced when your sex assigned at birth does not reflect your deeply held personal sense of gender.

**MISGENDERING:** Intentionally or unintentionally using the wrong pronouns. This is often seen as referring to trans people as the sex they were assigned at birth, not their gender identity.

**TRANSPHOBIA:** the fear, hatred, disbelief, or mistrust of trans folks and gender diverse individuals.

**TRANSMISOGYNY:** The combination of transphobia and sexism that include the combination of negative attitudes, hate, and discrimination of transgender and gender nonconforming people who present femininely, particularly transgender women.

**DIVERSITY:** The presence of difference within a group, often looked at through gender, sexual orientation, class, race, immigration status, education, disability lenses.

**INCLUSION:** The ability to welcome and embrace other peoples' cultures or needs in a holistic way that is also reflected in policy.

**SUPPLIER DIVERSITY:** Refers to a company's supply chain that incorporate businesses owned by diverse communities.

**ALLYSHIP:** The use of one's privileged positions to leverage outcomes for a more marginalized or oppressed group.

**EMPLOYEE RESOURCE GROUP (ERG'S):** A subset group within a company of employees that hold, or are in allyship with, a marginalized identity ie: LGBTQ, Women, Veteran, etc.

**CORPORATE SOCIAL RESPONSIBILITY (CSR):** An evolving business model that centers investing in sustainable business practices based around positive impacts socially, economically, and environmentally.

**INTERSECTIONALITY:** is a term coined by Kimberlé Crenshaw, a civil rights activist and legal scholar, in 1989. In a paper that she wrote the University of Chicago Legal Forum, Crenshaw wrote that traditional feminist ideas and antiracist policies exclude black women because they face overlapping discrimination unique to them. "Because the intersectional experience is greater than the sum of racism and sexism, any analysis that does not take intersectionality into account cannot sufficiently address the particular manner in which Black women are subordinated," she wrote in the paper.

**MICROAGGRESSION:** The everyday verbal, nonverbal, and environmental slights, snubs, or insults (whether intentional or unintentional) that communicate hostile, derogatory, or negative messages to target persons based solely on their marginalized group membership.

**UNCONSCIOUS BIASES:** Our internal attitudes, beliefs, and stereotypes of another group that affects our understanding, actions, and decisions in primarily negative unconscious way.

**EQUITY:** Equality is making sure everyone has the same amount, equity is making sure everyone has sufficient amount for themselves.

**Additional Resources Included:**

*Equaldex: International Policy Map for the LGBTQ+ Community* to show context of where we are at in the world with trans + gender non-conforming policies.

*Movement Advancement Project: Mapping Transgender Equality in the United States.*

*Trans Legal Mapping Report: latest edition (Sept. 2020):* The International Lesbian, Gay, Bisexual, Trans, and Intersex Association.

**Resources & Tools****Trainings & Technical Assistance**

- Local Non-Profits & Community Leaders
- Trans Families
- Gender Justice League
- Gay City
- GSBA

**Informational Resources for Employees and Supervisors**

- [Gender and Pronoun Guide](#)
- [Gender Specific and Gender-Neutral Pronouns Infographic](#)
- [Pronoun stickers template](#)
- [Business Cards, Email Signatures and name badges](#)
- [Practice with Pronouns](#)
- [Being a supportive Peer or Coworker](#)
- [Being a Trans Ally](#)
- [Guide for White Allies](#)
- [LGBTQ Book Recommendations](#)

# EMPLOYER SELF-ASSESSMENT

**The first step in this work is recognizing and identifying where you currently are as an organization. Taking a self-assessment to gain awareness of your current gaps is key.** Typically, a [Human Resources Manager](#) or persons responsible for HR related matters within an organization/company should have all the information needed to collect for the assessment. For those who have already done work around gender equity within your organization, this assessment can be used as a structured way to review existing relevant policies, forms, and other supports put in place to measure their effectiveness and identify areas of improvement. For those who are just beginning, this assessment will help to highlight areas for your organization to focus your gender equity efforts. Reviewing your policies and protocols on a semi frequent basis (once or twice a year) will ensure that your policies are up to date.

*Please complete the checklist below.*

*This is by no means an exhaustive list to measure an organization's overall equity and inclusion. However, it can provide a place to start.*

*Go through each section and check the boxes if the statement(s) is true.*

## **Workplace Demographics**

- The demographics of this workplace as a whole are equal to or more diverse than the demographics of the overall population of the county we are located in.
- The demographics of our management teams are equal to or more diverse than the demographics of the overall population of the county we are located in.
- Bonuses, commissions, tips, etc. are distributed in accordance with local, state, and federal law and are equitable across demographic groups.

## **Hiring Practices:**

- The demographics of our applicant pools for all positions are equal to or more diverse than the demographics of the overall population of the county we are located in.
- The demographics of applicants hired for all positions are equal to or more diverse than the demographics of the overall population of the county we are located in.



- Our job listings include an Equal Employment Opportunity statement specific language for gender identity and/or expression. Sample EEO Statement: \_\_\_\_\_ is an equal opportunity employer. \_\_\_\_\_ does not discriminate on the basis of race, ethnicity, color, gender identity or presentation, sex, marital status, sexual orientation, age, religion, immigration status, and the presence of any sensory, mental or physical disability in employment, volunteer opportunities or services rendered.
- Transgender, gender nonconforming, gender diverse, intersex and two-spirit people, Black, Indigenous, People of Color, and veterans are specifically encouraged to apply
- Compensation (including average actual pay, if variable) and benefits are specifically enumerated in the posting.
- Applicants are invited to share the name they would like to be addressed by in lieu of their legal name in their application materials.
- Job postings focus on required and desired skills and qualifications rather than specific education and experience, when possible. This communicates to applicants who have strong skills but have been deprived of access to higher education or have experienced prior employment discrimination that they are welcome.
- Job postings are affirmatively provided to professional or community organizations that serve LGBTQ+ or BIPOC communities.
- Desired application materials are clearly stated, non-duplicative, and accessible to provide. If your review committee will look favorably upon a candidate that provides a writing sample, it is important to state that up front. Do not assume that an applicant will know they can provide one.
- There is an opportunity during the interview process for someone to disclose a preferred name.
  - Explain process: Interviewers screen applicants for potential bias against folks of color and trans or non-binary people. We file applications under preferred name. We require applicants to disclose anything related to their gender identity on our job applications (sex/gender/ preferred pronouns, etc.).
- We do not perform unnecessary background checks, if we do we follow the following process:
  - We disclose that we will be performing a background check, what information we will consider disqualifying, and what relationship that information has to the job requirements.
  - When performing a background check, we do not disqualify an applicant based on non-congruence of name or gender marker.
  - If disqualifying information is found during a background check, we communicate what the disqualifying information was, provide a copy to the applicant, and allow them an opportunity to dispute the information.

- Interview questions are provided to applicants prior to the job interview, and the number of people who will be participating in the interview is communicated ahead of time. Other expectations, such as recommended dress, are also communicated clearly. Remember, an interview is not a pop quiz!
- Interviewers provide their names, pronouns, and roles, and clearly identify the timeline for decision making, whether to expect a second interview, and whom to contact with questions.

***New Hire Orientation:***

- Orientation for new hires clearly states and outlines the organization’s nondiscrimination policy which includes race, ability, gender identity and gender expression.
- Orientation provides examples of discrimination with respect to racism, ableism, homophobia, sexism and transphobia and opportunities for new hires to ask clarifying questions.
- Include below or attach documentation that outlines the curriculum and content.
- On-boarding staff: New employees are notified of the workplace’s commitment to Transgender and Non-Binary access. We are explicit about the process to report an incident of transphobia, homophobia, or racism, what happens afterward, and what the policy is with respect to confidentiality.

- On-boarding process includes opportunities to note a person’s preferred name vs. legal name on: Email address and other ID logins Employee/staff directory Business card order form, Employee name tag(s). Explain when a legal name is required during your onboarding process:

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***Employment Benefits:***

- Employee benefits are equitable for Transgender and Non-Binary employees and their families.
- Our Healthcare Benefits meet the requirement to be considered trans and non-binary Inclusive (see definition on page 20).

**Organization Wide Competency:**

- Our actions are preemptive and not responsive (before a problem occurs and not in response to a crisis or problem).
- There is an explicit workplace commitment to workforce equity and inclusion, in both policy and practice.
- Our DEI trainings and materials use an intersectional lens of gender, race, and ability.
- Our workplace supports employee caucusing or affinity groups.
- We have asked our employees, both quantitative and qualitatively, how they feel in their work environment and culture and taken this information to influence organizational guidance.
- We have defined our mission, vision, and values as an organization, and their day-to-day application is a performance criteria for supervisors and managers.
- We have clarified what our mission and goals are in our diversity & inclusion initiative.
- We have implemented received feedback, given credit, and implemented new policies and procedures based on input from our employees or DEI teams.
- Managers and supervisors participate in trainings that spend a significant portion or all of the training on understanding racial bias/ racism and/or white supremacy.
- Managers and supervisors participate in trainings that spend a significant portion or all of the training on gender identity, gender expression, gender based bias and mitigating transphobia in the workplace.
- Include below or attach documentation that outlines the curriculum and content.
- We provide professional development and leadership training, and include opportunities to learn about diversity as it relates to gender identity and expression.
- Include below or attach documentation that outlines the curriculum and content.

**Built Environment of the Workplace:**

What values are conveyed by the workplace's facilities?

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- We have a commitment to Transgender and Non-Binary Access reflected in the built environment.
- Our building includes an equal amount of all gender spaces (restrooms, locker rooms, etc.) as it does gendered spaces.
- Our workplace is equitably accommodating people of all genders.
- We currently have a plan to address physical access needs for people with disabilities.
- We currently have a plan to address the physical or emotional access needs of people who have experienced trauma.
- Our workplace is accessible for people who use wheelchairs, canes, or walkers.
- Our workplace is accessible for people with neurodiversities (e.g., workspaces can be either private or collaborative, offer quiet or background noise, and workplace systems can be adjusted to account for different types of executive functioning).
- Our workplace is accessible by public transportation.
- Our workplace includes an accessibility access statement of needs on our website for external people who access the space.
- Our workplace layout does not reinforce hierarchies.

Our current accommodations policy for potential or current employees is:

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**Bonus:** What might be other kinds of physical or geographic barriers to Transgender and Non-binary peoples accessing your organization?

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**Gender Transition Guidelines:**

- We have a documented gender transition guideline.

Please list where staff have access to gender transition guidelines: Employee handbook – pg

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- HR specific resources. Please describe:

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- Other. Please describe:

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**Guideline Specifics:**

- Is clear and flexible to an employee's desired type of transition.
- Outlines specific role(s) and person(s) responsible for supporting the management of an employee's workplace transition
- Outlines the role of a transitioning employee's direct supervisor/manager within workplace transition, which includes the duty of proactively addressing expectations for coworkers and other managers.
- Outlines confidentiality and privacy expectations with regards to an employee's transition plan
- Outlines expectations for other staff, the transitioning employee, and supporting bodies such as LGBT or trans and/or non-binary specific affinity groups, and includes information about where to direct questions about the employee's transition.

- Outlines an implementation plan for a workplace transition including any changes and adjustments that need to be made by supervisors, administrative staff, or HR
- Outlines a communication strategy to be used for coworkers and clients which does not rely on the transitioning employee to communicate or enforce expectations regarding appropriate treatment.
- Includes a glossary of terms along with educational resources for staff
- Answers questions around gendered aspects of the work environment. For example, restroom/locker room access, dress codes, etc.
- Attach or link to a copy of documented gender transition guidelines.

***Congratulations on completing your assessment!***  
*Hopefully this process has been illuminating where your organization still has room to grow and where you are already thriving.*

*If you have problems checking any of the boxes, use Section 3 as a guide to fill in the gaps.*

# ALLY SELF-ASSESSMENT

An ally sees people of marginalized groups as unique individuals and doesn't classify them solely by their sexual orientation or gender identity, racial/ethnic identity, etc. An ally is an individual who speaks out and stands up for a person or group of people that are being targeted or discriminated against. **An ally works to end oppression by supporting and advocating for people who are stigmatized, discriminated against, or treated unfairly.** An ally confronts inappropriate language and behaviors, and intentionally uses inclusive language. An ally asks questions and takes initiative to educate oneself and transform this knowledge into action to educate others (understands that the oppressed should not have to teach the oppressor).

- Do you use all-gender language when addressing a group of people?
- Do you introduce yourself using your pronouns and proactively include your pronouns on name tags, email signatures, and staff directories?
- Do you interrupt or correct coworkers when you hear someone use incorrect pronouns or names?
- Do you make assumptions about people's gender or pronouns?
- When a mistake is made, do you acknowledge the mistake, apologize, and move on?
- Do you continue to educate yourself on communities that you are less familiar with and how to be culturally respectful to them on an individual and systemic level?

## ***Did you check all 6?***

*Being an ally is a lifetime commitment to learning, listening, and growing. Below are few more helpful tips to show your allyship.*

### ***Include your pronouns!***

- Name tags
- Phone trees
- Email signatures

### ***Go one step further, want to take action for LGBTQ inclusion?***

- Create a welcoming space
- Listen. Empathize. Reflect.
- Creating Visible Support
- Pride isn't just in June

### ***How to utilize gender-inclusive language***

- Instead of saying 'Good Evening Ladies and Gentlemen' try 'Good evening distinguished guests' or 'Good evening, everyone'
- Instead of saying 'The man in the yellow shirt over there' try 'the person wearing yellow over there'.
- Instead of 'Hey you guys, how are you feeling' try 'Hello everyone, how are you feeling?'

# PRACTICE SCENARIOS FOR EMPLOYEES & TEAMS

Everyone in your workplace, from top management to frontline employees, needs to have the education, tools, and support to promote, participate in, and experience an inclusive and welcoming workplace. But, it is equally necessary for leaders in the workplace to have confidence in carrying out the inclusivity measures the employer implements. Managers and supervisors: How are you building trust and appropriate skills in your employees to speak on behalf of the organization? Where do you need more support?

## **SCENARIO #1:**

*You are sitting in your break room with a coworker. You overhear the table next to you having a loud conversation about how they think that trans people are just trying to be trendy and get attention. They go on to say that trans people clearly have a mental disorder.*

### **What do you do?**

#### ***A couple of considerations:***

*Power: What is your power within this situation? Is it safe for you to directly speak up to the people making these statements? If yes, here are some examples of ways to address them:*

- ***Make it about you:*** “Hey, can we please not talk like that about trans people? It actually makes me feel really uncomfortable.”
- ***Make it about the work:*** “You have a right to your opinions and beliefs, but I don’t feel that it is appropriate to talk that way at work.” or “Those type of statements do not align with our company values, please keep those conversations outside of work.”
- ***Ask questions:*** “What makes you feel that way?”, “Where did you learn that?”, “Do you know any trans people? Have you asked them about their experience?”
- ***Educate:*** “You know it is true that trans people do experience disproportionate rates of depression, anxiety, and suicidality. Unfortunately, the cause of these mental health challenges is actually a climate of transphobia. Rates of depression, anxiety, and suicidality decrease significantly when trans people are surrounded by a supportive environment, have access to culturally competent healthcare. Etc.”

*If you do not feel comfortable speaking up in that moment, who is someone you could go to to discuss your concerns? Can you advocate for a cultural competency training? An awareness raising campaign? An internal memo about company values and expectations regarding the inclusion of transgender people?*



## **SCENARIO #2:**

*You enter the restroom at work and see a person entering a stall who doesn't look they 'belong' in the restroom you just entered.*

### **What do you do?**

- Mind your own business and just use the restroom.
- **Safety:** Is the person doing something in the restroom other than using it? Are they engaging in behavior, other than being in the restroom, that appears unsafe or threatening? If any of those things are happening, leave the restroom immediately and get help. If not, but you're still not sure, come back in ten minutes.

## **SCENARIO #3:**

*You have recently hired a new employee at your workplace. You walk your new employee over to the HR department to complete the final steps of their new hire paperwork. As you're about to leave your new employee with HR, the HR representative says, "Great, I'll take care of her!" You know that your new employee uses they/them pronouns.*

### **What do you do?**

#### **Things to consider:**

*Have you discussed with the new employee how they would like to be supported in instances of misgendering? If not, it is best to leave the misgendering in that moment, because if you are not positive the new employee is out in all workplace instances, you may be outing them without their consent. Instead, you can ask the new employee how they would like you to support them in a private moment later.*

#### **You can offer options such as:**

- "I'm worried that our efforts to share your pronouns have not reached everyone yet. Would you like me to send a reminder email to all staff?"
- "I'm happy to gently correct in the moment when misgendering occurs. Would you be okay with that, or would you prefer to do it yourself?"
- "I may hear people misgender you outside your presence. I plan to correct them regardless of whether you are present. Is that okay with you?"
- "I'm hoping everyone has this down in the next week or so. Please bring it to me right away if you're still experiencing misgendering by your second week and we can take additional steps. And certainly if anyone is malicious, let me know right away. This is not your job to handle alone."

*Ideally, HR will have been made aware of the new employee's pronouns during the application and hiring process. However, sometimes people miss the information, or forget. Possible in the moment actions:*

- “Great! \_\_\_\_\_ uses they/them pronouns. Thanks for helping them get settled in.”
- “\_\_\_\_\_ is going to be a great addition to the team! I’m so grateful to have them!”
- OR you can have a follow up conversation/email with the HR manager.

**It is important to correct misgendering quickly, in the moment when possible, and to do it in all instances, including (and especially) when the individual is not present.** This is both because you and others will only become more comfortable/routine with the correct pronoun if they practice, and because it is important to convey in all instances that you support the individual. This is an effective way to create a standardized culture of appropriate treatment and ensure your workplace policies are followed.

### **SCENARIO #4:**

*You hear a customer remarking about how many ‘fags and dykes’ work at your organization.*

#### **What do you do?**

*It is helpful if your workplace has a policy and a suggested script for front-line employees to follow. This will reduce confusion and uncertainty, and maintain consistent application of your policy.*

#### **Some suggested responses:**

- “That language is offensive and not welcome here.”
- “We at [Employer] value all of our employees and team members, and they are entitled to your respect while they meet your needs.”
- “We don’t allow anyone to treat our team members that way. Please leave.”

### **SCENARIO #5:**

*A coworker that you are close with comes out to you as trans and says that they want to begin socially transitioning.*

#### **What do you do?**

#### **Important things to say:**

- “Thank you! I’m honored you shared your full self with me!”
- “That’s great, who else have you come out to and how can I support you?”
- “Congratulations! What name and pronouns would you like me to use at work/with various coworkers/offices?”
- “Are you worried about your workplace relationships? How can I help advocate for you so that you get the respect you deserve?”

**Things NOT to do:**

- Ask invasive questions (i.e. about hormones, surgery, other aspects of medical transition)
- Make the trans person educate you about trans identities. You can google questions on your own – and, every trans person’s identity is different and entirely their own (just like yours!) Remember that they are the same person you knew before – but now they can be their full self.

**SCENARIO #6:**

*A customer approaches you saying that there is a man in the women’s restroom.*

**What do you do?**

*It is helpful if your workplace has a policy and a suggested script for front-line employees to follow. This will reduce confusion and uncertainty and maintain consistent application of your policy.*

**Some suggested responses:**

- “Our customers are free to use the restroom that fits their identity best and where they feel most comfortable. It is our policy and also Washington law.”
- “We allow all people to use our facilities, If you are uncomfortable with that, you can go somewhere else”

**SCENARIO #7:**

*You are with your coworkers when a supervisor addresses your group as “ladies” you know that not everyone in the group identifies that way.*

**What do you do?**

**Model behavior for suggestions that are gender neutral:**

- “Well, I don’t know about the ladies, but our team is ready” or “everyone here is ready to go”
- Gently correct and encourage gender-neutral language.
- “Ladies isn’t very inclusive and could make people that don’t identify as women feel uncomfortable. Can we try to use ‘folks’ or non-gendered language instead?”
- If you receive dismissal or hostility in response, consider contacting your HR department.