

MODEL POLICY FOR EMPLOYEE TRANSITION



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definitions

‘Transgender’, ‘Gender Diverse’ & ‘Transition’

Transgender is generally considered an umbrella term for people who express their gender differently from how they were assigned at birth. Transgender usually refers to crossing from male to female, or female to male. Gender Diverse usually refers to people who do not conform to typically accepted gender roles for the sex they were assigned at birth. The term ‘gender diverse’ also encompasses, under a broad definition, a person who presents or behaves ambiguously in relation to masculine/feminine gender expectations. Being transgender often means living and identifying differently from how you were assigned at birth. This doesn't necessarily mean pursuing medical interventions as part of the process.

These physical alterations are collectively referred to as gender reassignment therapy and may include oestrogen or testosterone hormone replacement therapy, and various surgical procedures. The entire process of switching from one physical sex and socially accepted gender presentation to another is often referred to as transition, and usually takes several years, however, from a workplace perspective, ‘transition’ will probably be perceived as the day on which the employee presents in their new gender role.

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workplace policy

Most organisations will have in place a policy to ensure that equity is maintained in the workplace.

Such policies might ideally include equal and fair opportunity for all prospective and existing employees in terms of: employment, promotion, transfer, training and conditions of service: regardless of race, colour, religion, sex, transgender status, nationality, age, family responsibility/parenthood, pregnancy, political affiliation, criminal record, marital status, lifestyle or sexual preference, physical or intellectual disability/impairment and H.I.V. status. The application of such a policy should aim to recognise and encourage employees solely on the basis of their abilities, aptitudes, performance, qualifications and skills.

employees in transition

Where an employee of your organisation advises you of their intention to transition, the following guidelines will assist in providing a safe and supportive environment for the individual concerned and all other staff members. (Note: the employee may or may not have canvassed their decision with some staff members before approaching management.)

suggested procedure

Once advised of an employee's intention to transition, management should discuss the situation in full with the employee to become aware of their issues and concerns. It is then advisable to seek expert advice and information. The Gender Centre can assist with questions relating to gender issues and the Anti-Discrimination Board of N.S.W. can provide legal advice. (Training Workshops can be arranged through both organisations).

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Discussions with the employee should not be seen as an opportunity to attempt to dissuade them from their decision. Whilst management may find the disclosure surprising and even unexpected it is important to be aware that the employee will probably have spent a number of years arriving at their decision.

Once management are fully conversant with the situation they should organise with the employee appropriate time frames leading up to the transition. These should be adequate to allow the implementation of a staff awareness program to inform all staff members for the transition.

It is often useful to set the date of transition for the employee at the point of return from a period of leave. This helps to reduce any levels of confrontation that staff may experience on first meeting the "transitioned" person.

Management should notify all staff members (and relevant union organisations through delegates or the joint consultative committee) in writing of the employee's intended transition. This document should be prepared sensitively, reflecting the Workplace Policy and clearly indicating management's support. The best way to achieve this is to approach the issue matter-of-factly with a clear emphasis on management policy to treat all employees with respect and dignity.

The document (see example below) should also include advice on how to appropriately treat and address the individual concerned. These should include:

- New name under which the employee will be known;
- Use of appropriate gender references. ('she', 'her' etc if transitioning to female; 'him', 'he' etc. if transitioning to male. Emphasis should be placed on the unacceptability of offensive references such as 'it'.);
- Access to appropriate facilities (toilets / change rooms of preferred gender);

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- To be generally treated in the same way as all other members of staff belonging to his/her chosen gender (In no way should they be subject to harassment or vilification.);
- Open lines of communication between management and staff, including the transitioning individual, should be maintained. Staff should be encouraged to discuss with management any issues of concern that may arise. If there are concerns it is easier to resolve them if they are addressed promptly; and

Where management succeeds in addressing all aspects of transition matter-of-factly and with a minimum of fuss, impact on the organisation's operations should prove negligible.

aims of the policy

- That the workplace transition process has minimal impact on all concerned;
- That the workplace transition process has minimal impact on workplace efficiency;
- That the transitioning employee is treated with respect and dignity;
- That any staff concerns are addressed;
- That the workplace remains free of harassment or unfair treatment;
- And That staff will quickly adjust to employing correct name and gender references.

Post transition phase

It is advisable to conduct a review of the process within three months of the original transition date, to ensure that aims have been met. If not, further training or reminder memos may assist in rectifying any continuing issues.

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It is also worth noting that people transitioning will always be pre-operative (i.e. they will not have had surgical intervention though they will probably be undergoing hormone treatment). The option to have Gender Reassignment Surgery (GRS) remains the decision of each individual and does not affect their transgender status. However, if the employee elects to have surgery and this becomes known to others, it can possibly raise some emotive issues for other staff members. This may be the case even if the original transition phase was comfortably handled. Management should be aware of the possibility of this outcome eventuating and be prepared for further consultation or training if this occurs.

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HIV and Hep C testing (DBS)

The Gender Centre is committed to developing and providing services and activities in NSW which enhance the ability of people exploring their gender identity to make informed choices. We offer a wide range of services to gender explorers, their partners, family and friends in NSW. We provide:

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