

**HOW TO USE THIS REPORT:** This detailed overview is for human resources professionals, diversity and inclusion practitioners, transitioning professionals and their managers and colleagues, and business school students taking their first steps in building awareness on issues regarding gender identity, gender expression, and inclusion for transgender employees. This guide defines the basic gender identity issues and terms and explains why transgender inclusion is part of workplace diversity and how discrimination hurts transgender people. This document also helps employers create more inclusive workplaces for transgender employees—and thus, all employees.

## First Step: Gender Identity in the Workplace

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CATALYST INFORMATION CENTER

Societies and cultures around the world have historically associated gender with sex, sex with anatomy, and anatomy with identity. These long-standing and erroneous associations have been slow to change, but with exposure, awareness-raising, open-mindedness, and communication, people are gaining a greater understanding of gender identity both in and out of the workplace.

Even those who are accepting and inclusive have difficulty understanding the daily dilemmas faced by someone who possesses a gender identity that is not easily classified as “female” or “male.” Think about this: how often are you asked to select “male” or “female” on a standard form?

Gender identity refers to an individual's innate sense of being a woman or a man, regardless of her or his biological sex. Biological sex refers to the internal and external sex anatomy, chromosomes, and hormones.<sup>1</sup> People whose gender identity does not match their biological sex are transgender.<sup>2</sup> For a company to truly pay heed to all aspects of diversity, it must understand transgender issues and why and how to build an inclusive environment for transgender individuals.

No one knows exactly how many people are transgender. Representation is hard to determine because it is not always visibly evident when someone is transgender. It is also difficult to report exact numbers through surveys, and estimates could be vastly lower than actual numbers.

Study estimates for Western populations range from 1:11,900 to 1:45,000 for transgender women and 1:30,400 to 1:200,000 for transgender men.<sup>3</sup> In the Netherlands, the prevalence of transgender women is estimated to be 1:30,400 and 1:11,900 for transgender men.<sup>4</sup> In the United States, the prevalence of sexual reassignment surgery is 1: 240,000.<sup>5</sup>

There are 4,000 self-identified transgender people living in Iran<sup>6</sup> out of a total population of 80,840,713.<sup>7</sup> The prevalence of transgenderism in Singapore is 1:8,300 for female transgender individuals and 1:2,900 for male transgender individuals.<sup>8</sup> Estimates for the transgender population of Thailand vary widely, ranging from 10,000 to 100,000<sup>9</sup> out of a total population of 67,741,401.<sup>10</sup>

All of these numbers could be higher; such low estimates are most likely due to social stigmas attached to the non-conforming genders, small data sampling, and short-term review of data.<sup>11</sup> While these populations are quite small, employers must remember it is not just transgender individuals who face transgender inclusion issues. Family, friends, and colleagues of transgender people are also affected, and a workplace that does not support transgender people cannot be considered an inclusive workplace.

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## COMMON TERMS TO KNOW

*\*Note: There are different terms for different cultures, and which terms are preferable varies among cultures and communities.*

- **Gender** refers to the socially constructed and culturally specific behaviors, roles, and attributes (i.e., feminine or masculine) assigned to women and men, respectively, whereas **"sex"** refers to biological differences. The two terms are not interchangeable.<sup>12</sup>

- **Gender expression** refers to a combination of socially defined external characteristics and behaviors that are associated with masculinity or femininity. Gender expression usually manifests in dress, grooming, mannerisms, speech patterns, and social interactions. Gender norms vary from culture to culture, so what is accepted as masculine or feminine differs across cultures.<sup>13</sup>
- **Gender identity** refers to an individual's "personal sense of her or his gender" or inner sense of being a man or woman, regardless of biological sex.<sup>14</sup> Gender identity is not the same thing as sexual orientation.<sup>15</sup>
- **Gender identity disorder/gender dysphoria:** According to the American Psychiatric Association, this refers to the psychological diagnosis of severe distress and discomfort created by the conflict between one's gender identity and one's sex at birth. Not all transgender people experience gender identity disorder or gender dysphoria, and not all people with gender identity disorder/gender dysphoria are transgender.<sup>16</sup> This term is controversial because the "problem" is perceived to be the individual and not the rigid gender roles of our society.<sup>17</sup>
- **FTM** stands for female-to-male. The term refers to a person who was designated female at birth but identifies and expresses as a man. Some FTM people prefer the term "trans man."<sup>18</sup>
- **MTF** stands for male-to-female. The term refers to a person who was designated male at birth but identifies and expresses as a woman. Some MTF people prefer to be called "trans woman."<sup>19</sup>
- **Gender variance** refers to how much someone's gender expression, gender identity, or gender characteristics are different from cultural expectations. Someone who is a gender variant is a person whose gender characteristics are different enough for her or him to not fit in and be harassed or discriminated against.<sup>20</sup>
- **Hijra** is a South Asian term referring to those usually born physically male but who are known as a third gender because they identify as female—wearing women's clothing, living in closed societies, and banding together as protection against widespread discrimination. Most *hijra* cannot vote due to the fact that forms for voter registration and ration cards—documents also needed to rent property or open a bank account—require them to choose one of two genders.<sup>21</sup>
- **Intersex** refers to a person who is born with sex chromosomes, external genitalia, and/or an internal reproductive system that do not fit traditional definitions of female or male.<sup>22</sup> Intersex is a matter of biological sex; people who are intersex may or may not identify as transgender.<sup>23</sup> Formerly, such individuals were called hermaphrodites, but this word is now considered to be derogatory and is no longer an acceptable term to use.
- **Queer** is often considered an umbrella term for all lesbian, gay, bisexual, transgender (LGBT) individuals and is often embraced as a less-limited adjective.

It can include any individual who identifies as outside of societal norms of gender or sexuality.<sup>24</sup> It was originally considered a derogatory term but has now been widely embraced, primarily by younger people.<sup>25</sup>

- **Sex** is the classification of female or male based on biological characteristics including hormones, chromosomes, internal reproductive organs, and genitalia.<sup>26</sup>
- **Transgender** refers to people whose gender identity, expression, or behavior is different from those typically associated with their assigned sex at birth.<sup>27</sup> Transgender individuals might express their gender identity by physically changing their sex through surgeries or the use of hormones, though not all transgender people do.<sup>28</sup>
- **Transition** refers to the process of socially adapting to a gender different than the one assigned at one's birth. It is a multifaceted process that takes a long time and may or may not include legal aspects (changing name or gender marker), personal adjustments (dress, name changes, psychological support, telling family), and medical changes through the use of hormones and surgeries. Many transgender people do not seek complete sex reassignment surgery (often incorrectly equated with transition), which can be quite costly; sex reassignment surgery is only one aspect of transition.<sup>29</sup>
- **Transsexual** refers to people who have changed or seek to change their biological sex to match their internal gender identity. This is an older term, originating in psychological and medical communities. Because many people do not prefer this term, it is best to ask before using.<sup>30</sup>
- **Transvestite** is an outdated, pejorative term used to refer to people who cross-dress.<sup>31</sup>
- **Two-spirit** refers to people who consider their individual spirit to be a blend of both female and male spirits. It is a term primarily used in indigenous North American cultures. *Two-spirit* can be seen as an alternative term to LGBT.<sup>32</sup>
- **Cisgender** (or **cis**) refers to a person whose self-identity conforms with the gender that corresponds to their biological sex.<sup>33</sup>

## TRANSGENDER INCLUSION IS PART OF WORKPLACE DIVERSITY

A truly effective diversity policy includes all aspects of diversity, including gender identity and gender expression. The sooner organizations recognize the importance of gender identity and gender expression as a workplace issue, the more inclusive the workplace can become. When companies support and hire transgender workers, they not only improve the recruitment and retention of transgender employees, but also of "fair-minded employees."<sup>34</sup>

With predicted shortages of talented workers, employers must ensure that policies are inclusive to recruit and retain the best workers—no matter what their gender identity or expression.<sup>35</sup> When employees cannot be their full selves at work, they are not as productive.<sup>36</sup>

## DISCRIMINATION HURTS TRANSGENDER WORKERS

Transgender employees experience discrimination that sometimes leads to job loss, promotion denial, or harassment.<sup>37</sup>

One study found that 90% of transgender individuals had experienced harassment or mistreatment on the job or had taken steps to avoid it. Of those individuals, 47% had been fired or denied a job or promotion due to being transgender or gender non-conforming.<sup>38</sup>

There are no legal protections for transgender people in many places. European Union laws refer specifically to “gender reassignment,” resulting in about half of all transgender people being unprotected legally because they cannot or do not want to undergo medical gender reassignment.<sup>39</sup> In 32 states in the United States, people can be fired for being transgender.<sup>40</sup>

It is in a company’s best interest to hire and retain the most talented employees rather than only provide opportunities to certain types of individuals.

## TRANSGENDER INCLUSION BEGINS WITH GENDER IDENTITY-INCLUSIVE NON-DISCRIMINATION POLICIES

Companies can take many steps toward creating more inclusive workplaces for their employees. The very first step and one that sends a big message: add gender identity and gender expression to the list of characteristics included in the organizational non-discrimination policy.<sup>41</sup>

According to [Ben Hladilek](#), Vice President, Human Resources at JP Morgan Chase in New York:

*What we have found in our recruiting efforts is that individuals will often look for signals about what a culture is like; having gender identity protection signals we are a diversity leader and are serious about providing an inclusive environment.<sup>42</sup>*

Of Fortune 500 companies, 66% include gender identity in their non-discrimination policies.<sup>43</sup>

## COMPANIES CAN AND SHOULD CREATE INCLUSIVE ENVIRONMENTS FOR TRANSGENDER EMPLOYEES

Inclusion is more than just updating policies. Focusing on employees' day-to-day experiences can be a powerful indicator of organizational support and a mechanism to keep engagement levels up.

Employers should allow their transgender employees to indicate and require others to use their preferred name and choice of pronoun (i.e., "he," "she").<sup>44</sup> Dress codes should avoid stereotypes (such as mandating makeup, dresses, and stockings for women), and transgender employees should be permitted to dress according to their presenting gender.<sup>45</sup>

Employers should ensure that transgender employees have access to an appropriate restroom and other traditionally sex-segregated facilities. Employees should be able to use a restroom that matches their presenting gender, or if they prefer, a gender-neutral restroom.<sup>46</sup> Other employees who feel uncomfortable with a transgender employee's bathroom choice should use another designated bathroom.<sup>47</sup> Companies need to support *all* of their employees. Organizations that champion and advocate for transgender employees send a strong message of their commitment to diversity.

Employers should create official protocols for gender transitions, which should help to delineate the responsibilities and expectations not only of the transitioning employees, but also of their managers, colleagues, subordinates, and other staff. In the case of a transition from one gender to another, in-person training with the employee's managers, colleagues, and subordinates will provide education on transgender issues and help reinforce fairness for all employees.<sup>48</sup> Senior sponsors can act in the transition process to assist both the transitioning employee and other staff.<sup>49</sup> Diversity and anti-discrimination trainings should also address gender identity issues.<sup>50</sup>

Employers should establish transgender-inclusive health benefits. The World Professional Association for Transgender Health's Standards of Care established certain procedures and treatments that should be covered for transgender individuals.<sup>51</sup> Employers should also treat leaves of absence for sexual reassignment procedures as they do other medical procedures.<sup>52</sup> Employers that do not provide transgender-inclusive healthcare place a high burden and additional stress on transgender employees and their families.<sup>53</sup>

More organizations are providing access to transgender-inclusive healthcare benefits, including 25% of Fortune 100 companies, 8% of Fortune 500 companies, 4% of Fortune 1000 companies, and 13% of Am Law 200 firms.<sup>54</sup>

Additionally, some countries are leading the way in providing inclusive benefits. In Argentina, a gender identity law now stipulates that those who want sexual reassignment surgery or hormone therapy will be able to receive it as part of their public or private healthcare.<sup>55</sup>

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## PRACTICES

*The Chubb Corporation—Lesbian, Gay, Bisexual, and Transgender (LGBT) Inclusion at Chubb*

With a lack of transgender employee visibility at Chubb, the organization has a tough time expanding its focus to include policies, education, and training on transgender inclusion. However, by inviting a transgender spokeswoman from the financial services industry, Chubb was able to put a face on the issue, which resonated with the audience and convinced management to revise policies to include protection for gender identity and gender expression.<sup>56</sup>

*Kodak—LGBT Pride at Kodak: Creating an Inclusive Culture for All Employees—A Journey for Transgender Employees*

Kodak has worked hard to create an inclusive, safe, and equitable work environment for transgender employees through a variety of mechanisms. Established policies and needs assessments, education and training, benchmarking, and continual improvements are all core to Kodak's trans-friendly environment.<sup>57</sup>

*McKinsey & Company—Global LGBT Inclusion*

McKinsey's policies include:

- Expanded non-discrimination policy to include sexual orientation and gender identity.
- Broad transgender health benefits for employees across the globe, ensuring no exclusions for any and all medically necessary healthcare.<sup>58</sup>

*Toronto Dominion Bank Group—Creating Leaders and Unlocking Human Potential: LGTB Inclusion at TD*

TD's policies include:

- Fully covered sexual reassignment surgeries in North America.
- Created TD Workplace Gender Transition Guidelines, a detailed, ten-page document available company-wide, which intends to help ease the transition process for employees who have made the decision to transition in the workplace—and to help their coworkers understand their transitioning process.<sup>59</sup>

*Transgender Inclusion in the Workplace: Recommended Policies and Practices*

Human Rights Campaign has a list of various practices companies can follow to create more inclusive workplaces.<sup>60</sup>

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## Additional Resources

Department of Labour (New Zealand), [Transgender People at Work](#) (June 2011).

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<sup>14</sup> Human Rights Campaign, [Transgender-Inclusive Health Care Coverage and the Corporate Equality Index](#) (2012).

<sup>15</sup> Human Rights Campaign, ["Transgender FAQ."](#)

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