



Workplace Guidelines for Transgender/Transitioning Employees

I. Purpose

These guidelines address the needs and issues that arise when transgender employees transition on the job in the workplace.

II. Policy Statement

City of Hope is an equal opportunity employer and does not discriminate on the basis of gender, gender identity, gender expression or any other characteristic that is protected under federal or state law. City of Hope has been and continues to be an advocate for diversity and maintains a workplace environment that embraces and fosters creativity and innovation. Fairness and equity are defining characteristics of our workplace environment.

City of Hope treats all employees with dignity and respect and strives to educate, foster dialogue, and create and maintain a safe, supportive, productive and inclusive environment. We recognize that employees who can be honest about who they are can put their full energy into their job—and that we all benefit as a result.

III. Procedures

All information regarding an employee's transition will be held in the strictest confidence unless and until the transitioning employee approves the release of the information.

Due to the unique nature of each gender transition, all transitions and related transition plans will be handled and developed on a case-by-case basis.

A. Getting Started

Transitioning employees have the right to express themselves in the manner in which they self-identify and may express their gender identity without fear of consequence. This includes using the restroom that corresponds with their gender

identity; dressing in accordance with their gender identity, and being addressed by their preferred name and pronoun.

At the earliest opportunity, transitioning employees and their supervisors are encouraged to contact the Diversity & Inclusion Department with any questions or concerns regarding gender transition in the workplace. Further information is available on the Diversity and Inclusion page of iHope, our intranet. Questions can also be directed by email to diversityandinclusion@coh.org.

B. Responsibilities of the Transitioning Employee

If you are the transitioning employee, you have the right to express your gender identity without fear of consequence. It is important, however, that you discuss your transition with key personnel, such your immediate supervisor or a Human Resources representative. If you are uncomfortable speaking with your supervisor or Human Resources, contact the Pride in the City Diversity Resource Group. Pride in the City members can help you decide how to communicate about your transition. Regardless of how you choose to initiate the discussion about your transition, it is important that at some point your immediate supervisor become part of your support team.

When you decide who to involve in the discussion about your transition, explain to that person your intentions, needs and concerns. Remember you are protected under our *Equal Opportunity Employment Policy* and our *Harassment, Discrimination, and Retaliation Policy*. But also understand that your manager and others may not be educated about transgender issues and may not understand clearly your needs and concerns. You should be prepared to spend some time educating people. In addition, be prepared to work with Human Resources and your supervisor to develop a workplace transition plan.

C. Responsibilities of Supervisors and Managers

If you supervise or manage an employee who is transitioning, your support of the transition process is critical and it is important that you demonstrate an understanding and sensitive approach to the employee's needs and concerns. If you are not familiar with transgender issues, allow the employee to educate you. Be open-minded and discuss with the employee his or her needs and concerns. Make it clear that your conversation⁶ will be held in the strictest confidence. You should also take the opportunity to explain any concerns you might have and ask the employee's opinion regarding the best method and time for informing co-workers about their transition process. This process of informing co-workers can take various forms (frequently employed methods include writing a disclosure letter to co-workers and meetings with co-workers to explain the situation and

answer questions). Human Resources will provide relevant resources to assist in any communications, such as employee training upon request, active involvement of Employee Relations personnel, and referrals to the Employee Assistance Program. You may contact the Diversity Consultant and request guidance about the process and assistance with resolving any concerns.

During the early stages of an employee's transition, few if any accommodations may be required on your part. However, at some point you will have to be involved in the resolution of issues relating to changes in the employee's physical appearance, attire, and name, as well as use of restroom facilities and locker rooms. There are also important considerations for employees who are involved in direct patient care. Human Resources will partner with you on addressing all of these issues.

D. Right to Privacy

City of Hope is committed to respecting the privacy rights of its employees. All information disclosed relating to an employee's gender identity and expression will be treated as confidential and will only be disclosed with the employee's prior consent. Exceptions to this policy may be made only when there is a serious concern about a threat to the safety or life of the employee or when disclosure is otherwise required by law. In order to meet this commitment to privacy, City of Hope staff must take all necessary precautions to ensure the safekeeping and accuracy of all records containing personal information. Where information is recorded or shared in connection with a workplace transition plan, the terminology used must be respectful.

E. Appearance Standards

A transitioning individual's attire should remain professional and appropriate to the office and the job in which he or she works. The dress codes and rules for behavior applicable to all City of Hope employees will continue to apply to transgender employees at all times.

F. Name Changes

Employees with a legal or preferred name change should notify Diversity & Inclusion who will notify HR Information Management (HRIM) via an email to HRIM@coh.org. Upon notification of a legal or preferred name change, HRIM will update Peoplesoft accordingly.

Once HRIM confirms that Peoplesoft has been updated with the new name, Diversity & Inclusion will contact the help desk to complete the following:

- Request an open ticket to update the employee directory and email address to reflect the new preferred name.
- Include in the ticket the legal name and the requested preferred name.
- Ask Help desk to assign the ticket to Salesforce Support/Development
- Contact Security to arrange for a new badge with the preferred or legal name.

Note that an employee's preferred name will be used for all internal records and communications except where use of a legal name is required (e.g., payroll, insurance). For legal name changes, the employee requesting the change will need to provide Human Resources with proof of the legal name change prior to City of Hope taking any action.

Name changes on licenses require special attention. Many of our City of Hope employees are required by law to have a current and valid license to function in their role. If a transitioning employee who works under a license changes his or her name, managers need to be aware of the discrepancy between the name on the employee's license and his or her new legal name. In this situation, the transitioning employee should continue in his or her role during the time it may take to convert the license to his or her new legal name.

G. Restroom and Locker Room Access

Restroom access issues need to be handled with sensitivity both to rights of the transitioning employee and to the potentially emotional responses of co-workers. Gender-neutral restrooms help address this issue. Where gender-neutral restrooms are not available, the transitioning employee should use the facility associated with his or her current gender presentation. Co-workers who have personal concerns about sharing a restroom or locker room with a transgender employee should be referred to the Employee Assistance Program.

H. Patient Contact

Transgender employees who interact with patients are held to the same uniform appearance and behavior standards as other employees. Patient or co-worker preference is not a reason to deny a transitioning individual the right to dress in a manner consistent with his or her gender identity.

I. Using the Appropriate Pronoun

Employees who are uncertain about how to refer to a transitioning employee should be advised that in most instances it is appropriate to ask the transitioning employee, in a respectful manner, which pronouns (he/him, she/her) should be used.

In general, it is considered insensitive to refer to someone by the wrong pronoun once you have established what the individual prefers. Transitioning employees should also be prepared to understand honest mistakes and help educate their co-workers as necessary.

Continued and prolonged use of the incorrect name and/or pronouns to refer to a colleague can be considered harassment and will be addressed under City of Hope's *Harassment, Discrimination and Retaliation Policy* and *Code of Conduct*.

J. Leave Benefits for Employees

Transitioning employees must be provided sufficient flexibility to attend to any medical needs, including appointments. Leave for medical appointments and procedures associated with a gender transition is to be granted on the same basis as for any other scheduled medical appointments and procedures. Please refer to City of Hope's *Leave of Absence Policies* for additional guidance.

K. Ensuring Long-Term Success: Monitoring over Time

Everyone involved in a transition should understand that tensions between co-workers may not arise immediately, or even soon after a transition. Co-workers may express bias or resentment toward the transgender employee months or years after the transition takes place (often due to a lack of knowledge). They may express these feelings in a number of overt ways, including by refusing to use the employee's preferred/new name and correct pronouns, by verbally harassing the employee, or by refusing to work with the employee.

Sometimes, co-workers may express their bias in more subtle ways, such as isolating the transgender employee from meal periods or group activities, engaging in workplace gossip, or telling inappropriate jokes. The transgender employee may not report such behavior out of fear that doing so will make the situation worse or result in retaliation.

To ensure that issues like those described above are addressed in a timely manner, managers must be proactive in monitoring behavior toward the transgender employee and make clear to the employee that he or she can report any concerns without fear of repercussion. Co-workers who raise concerns about working with a transgender employee should be coached to differentiate personal beliefs from appropriate workplace behaviors where necessary. The bottom line is that all employees are expected to work cooperatively with their co-workers regardless of their gender identity and failure to do so could result in disciplinary action.

M. HR Representative Role

HR representatives need to ensure that managers are supported throughout the entire transitioning process. Regular check-ins not only with the manager and the transitioning employee are important.

HR representatives also need to be proactive about monitoring the business unit to ensure there are no negative issues in the workplace that are not being addressed.

Finally, because issues may surface after the initial focus on the transition has passed, HR representatives are advised to check-in over the long term.

IV. Definitions

Gender Identity is a person's internal, deeply held sense of their gender. Transgender individuals believe that their own internal gender identity does not match the sex they were assigned at birth. Additionally, while most people have a gender identity of male or female, others may believe that their gender identity does not fit neatly into one of those two choices. Unlike gender expression (see below) gender identity is not visible to others.

Gender Expression is the external manifestations of gender, expressed through a person's name, pronouns, clothing, haircut, behavior, voice, and/or body characteristics. Society identifies these cues as masculine and feminine, although what is considered masculine or feminine changes over time and varies by culture. Typically, transgender people seek to align their gender expression with their gender identity, rather than the sex they were assigned at birth.

Transsexual is an older term that originated in the medical and psychological communities. It is still preferred by some people who have permanently changed – or seek to change – their bodies through medical interventions, including but not limited to hormones and/or surgeries. Unlike the term transgender, transsexual is not an umbrella term. Many transgender people do not identify as transsexual and prefer the word transgender. It is always best to ask which term a person prefers. If this term is preferred, it should be used as an adjective (transsexual woman or transsexual man) rather than a noun.

Gender Transition is the process that some transgender individuals go through in changing from one gender to another. The process can include beginning to go by a new first name, using a new pronoun (e.g., "she" instead of "he" and vice versa), and changing one's appearance to conform to expectations for the new gender. For some people, gender transition includes medical treatment such as hormone therapy and/or surgeries. Avoid the phrase "sex change."

V. References

Policies

Code of Conduct

Harassment, Discrimination and Retaliation

Leave of Absence: Discretionary Leave

Leave of Absence: Family and Medical Leave Act (FMLA)

Other

Employee Assistance Program

Pride in the City Diversity Resource Group