Gender transition in the workplace

A guide for managers and transition support officers

Summary

This document aims to guide managers and transition support officers on how to support gender transition in the workplace. It outlines information and resources available to support employees through the transition process. The purpose of this document is to be a guide, respecting that each person’s journey is unique.

Terms¹

**Affirmed Gender** The process of adopting a way of life or body that matches a person’s sense of their gender.

**Gender** is part of a person’s personal and social identity. It refers to the way a person feels, presents and is recognised within the community. A person’s gender expression refers to outward social markers, including their name, outward appearance, mannerisms and dress.

"Sex" refers to a person's sexual characteristics and represents a complex relationship of hormones, genes, and anatomy.

**Transgender** (sometimes shortened to “trans”) is an umbrella term used to describe a wide range of gender identities that differ from the perceived norms aligned to biological sex. Transgender is a term that may be used to describe someone whose gender identity does not match their birth gender, someone who identifies as both genders, neither gender or a third gender. Common terminology includes Transwomen (M to F) referring to those who were born male but identify as female; although many will identify only as female (not transwomen). Transmen referring to those who were born female but whose gender identity is male (F to M); although many will only identify as male and not transmen. Some transgender people seek surgery or take hormones to bring their body into alignment with their gender identity; many do not. Some transgender people change their gender expression to match their affirmed gender, many do not.

**Cis or Cisgender** A term used to describe when a person’s gender identity matches social expectations for their sex assigned at birth; the opposite of transgender.

**Transition** Describes both a public act and a process. It involves the permanent and public adoption of the style and presentation of the gender opposite to that of a person’s birth-assigned sex. It usually includes a change of name, chosen style of address and pronouns, as well as adopting the dress and style of presentation of a person’s innate gender. It may also involve gender reassignment surgery and/or hormone replacement therapy (HRT). Not all who transition undergo medically assisted gender reassignment. Individuals may transition in different ways.

¹ The University of Western Australia, University Policy on: Transgender, 11/01/2016, Definitions
“Transition support officer” is a trusted colleague appointed by the employee transitioning to help guide them through the administrative processes involved with transitioning in the workplace. Their role is to work with the employee to ensure they feel safe, supported and valued before, during and following their transition. Ideally, this will be the transgender employee’s manager or HR representative.

**Non-binary Gender Identity** Someone with a gender identity other than a man or a woman; there are a diverse range of non-binary gender identities. Some intersex people and some transgender people have non-binary gender identities.

**Misgendering** Describing or addressing someone using language that does not match a person’s gender identity. For people with intersex variations, this may include a presumption that they have a non-binary gender identity, just as much as an assumption that they are a man, or a woman.

**Transphobia** A term used to describe the irrational fear, hatred, aversion to or discrimination against people who are transgender, or who are perceived to be transgender. Also can be termed ‘transprejudice’

**Consultation**

The following agencies were consulted during the development of this document:

- Pride in Diversity (ACON’s Pride Inclusion Program)
- Anti-Discrimination Commission Queensland (ADCQ)
- Queensland Public Service Commission
- Together, Queensland Union
Table of contents

Employee rights.................................................................................................................................................. 1
Where can I get more information? ........................................................................................................... 1
Pride in Diversity’s “Let’s Talk Gender Guide” ............................................................................................. 1
ADCQ guide for transitioning employees, their employers and colleagues................................................. 2
Appointing a transition support officer ...................................................................................................... 2
Transition plan................................................................................................................................................ 2
Developing a transition plan ......................................................................................................................... 3
Informing colleagues..................................................................................................................................... 4
Support services ........................................................................................................................................... 4
Complaint procedure.................................................................................................................................... 5
Appendix 1 - Developing a transition plan .................................................................................................... 6
Appendix 2 – Transition plan template.......................................................................................................... 8
Employee rights

The Queensland *Anti-Discrimination Act 1991* specifies that direct and/or indirect discrimination on the basis of gender identity is prohibited in the workplace.

All employees have the right to be treated with respect and given fair and equal opportunities in a safe and supportive environment.

The department has zero tolerance for discrimination and takes an active role in ensuring the workplace is a safe and supportive environment. Management is committed to supporting the rights of employees transitioning and ensuring the principles outlined in the Code of Conduct are upheld.

Examples of discrimination based on gender identity include:

- Repeated unreasonable behaviour that is victimising, humiliating, intimidating or threatening. Example: continually using incorrect names or pronouns.
- Invasive, inappropriate questioning about a person’s physical characteristics or their sex life (this may also constitute sexual harassment).
- Any form of harassment or bullying, including ridiculing or ignoring someone because of their gender identity.
- Denying someone training and promotion opportunities because of their gender identity.
- Changing the nature of the employee’s job, such as taking them off customer service duties, because of their gender identity.
- It is unlawful to discriminate against a person on the basis of their gender identity.

Where can I get more information?

The Australian Human Rights Commission has prepared a more detailed update on the changes to the *Sex Discrimination Act 1984 (Cth)* (SDA):

- Queensland *Anti-Discrimination Act 1991*
- ADCQ website
- code of conduct and ethical decision making and discrimination section on the department’s intranet

Pride in Diversity’s “Let’s Talk Gender Guide”

Pride in Diversity is Australia’s first and only national not-for-profit employer support program for all aspects of LGBTI workplace inclusion. A social inclusion initiative of ACON, Pride in Diversity are specialists in HR, organisational change and workplace diversity dedicated to improving the health and wellbeing of LGBTI people by reducing exclusion, invisibility, homophobia and stigma in the workplace.

Pride in Diversity’s *Let’s Talk Gender Guide* is a publication that has been developed for LGBTI inclusive workplaces seeking to better understand the complexities of gender and supporting an employee in transition at work. It has been designed to challenge us on our definition of gender diversity and pose questions that will make us question the way we design our forms, our processes and our diversity practice.

This publication will be particularly useful for HR Managers, Diversity Leaders and LGBTI employee networks.

---

ADCQ guide for transitioning employees, their employers and colleagues

ADCQ has developed a TRANS*@WORK guide to assist with understanding the issues associated with gender transition in the workplace. The guide has three sections. Section one provides relevant information for the employee who is transitioning; section two provides information for their employer; and section three offers information for colleagues.

The guide outlines how to manage common concerns such as:

- privacy and confidentiality
- discrimination based on gender identity
- uniform and dress standards
- use of toilets and facilities
- updating name/gender on records, logins and email accounts
- leave options/entitlements
- colleague reactions
- psychological support

It is recommended that managers and transition support officers read the TRANS*@WORK guide.

Appointing a transition support officer

It is important that transgender employees feel safe, supported and valued in the workplace before, during and following their transition. It is the responsibility of management, in collaboration with Human Resources (HR), to assist the employee to navigate through the administrative processes in consultation with our partners, Pride in Diversity.

The employee may choose to elect a transition support officer to help them develop a workplace transition plan. This can be colleague, manager, HR officer or anyone they feel comfortable with, who works in the department.

Transition plan

A transition plan outlines the needs and wishes of the employee to guide a safe and supportive transition. The plan will include clear communication strategies for informing colleagues. The employee can choose what information is included in the document. It can be as brief or detailed as they choose.

A transition plan is optional so it is important that the employee’s manager or transition support officer confirm with the employee if they would like to develop a plan – this is a process Pride in Diversity will facilitate with the transgender employee and their support team.

See appendix 1 for information to provide the employee transitioning

See appendix 2 for an example transition plan template.
Developing a transition plan³

A transition plan is coordinated by the employee’s manager or transition support officer (if appointed).

When developing a transition plan it is important to work to a timeframe and speed that the employee is comfortable with. Below is a list of steps you may consider following (these are a guide only).

a) Manager/transition support officer meets with the employee

The manager/transition support officer to schedule time to discuss the needs and wishes of the employee and how the department can support them. This conversation may take a number of meetings over a period of time to allow the employee time to consider questions before responding. Consider supplying a copy of the questions to the employee prior to the meeting.

Ask the employee if they would like anyone else to attend the meetings with them. They may choose to have their doctor, a representative from an external organisation, a friend or family member present.

b) Manager/transition support officer drafts transition plan

The manager/transition support officer drafts a transition plan using the information gathered from the meeting/s with the employee.

c) Transition support officer meets with manager/supervisor

Only applicable if a transition support officer developing the transition plan and the manager was not present at the initial meeting.

The transition support officer is to meet with the employee’s manager/supervisor to discuss the draft transition plan and explain the role they will play in the process.

d) Manager/transition support officer meets with HR

Note: if the transition support officer is a HR Officer, they should only participate in this process in the capacity of a transition support officer. Therefore, another HR representative should be engaged to participate in the capacity of a HR representative.

Manager/transition support officer meets with HR to discuss the draft transition plan and explain the role HR will play in the process.

e) Manager/transition support officer meets with the employee and HR

Manager/transition support officer meets with the employee and HR to discuss any changes and finalise details.

f) Manager/transition support officer finalises transition plan

Manager/transition support officer finalises the transition plan. Remember this document is flexible and the employee can make changes to the details and/or timeframes anytime they wish.

g) Manager/transition support officer coordinates the implementation of the transition plan

Once the transition plan has been agreed upon, the manager/transition support officer commences the administrative and communication processes as outlined in the plan. Remember

the importance of providing support at all times throughout this process to assist in a safe and smooth transition.

**Informing colleagues**

Colleagues who work on a regular basis with the employee may require basic information about the changes that will occur. Who is informed and how they are informed is entirely up to the employee.

It is recommended that colleagues are informed in person. How this occurs and what information is disclosed is at the discretion of the employee transitioning. They may prefer to inform colleagues themselves or ask the transition support officer or manager to do this on their behalf. They may choose to inform colleagues individually or as a group at a team meeting or information session. Whichever delivery method is chosen it is important for management to have a strong message of support.

**Holding an information session**

Consider including information about the following (as agreed by the employee transitioning):

- the transition process and changes that will occur
- the commitment of support from management
- what gender identity discrimination means and reference the Queensland *Anti-discrimination Act 1991*
- the obligations of employees to comply with the Code of Conduct
- the guiding principles (particularly ‘respect’)
- respecting privacy and confidentiality
- how to be supportive – expectations around behaviour
- benefits of diversity and inclusion
- how to raise appropriate questions
- support services available
- Queensland Public Service *Inclusion and Diversity Strategy 2015-2020*
- LGBTIQ support network
- rainbow lanyards (contact HR for information about these)
- where to go for more information, support and training

Consider inviting the following people for additional support (as agreed by the employee transitioning):

- friend or medical professional of the employee’s choice
- representative from the Employee Assistance Service
- representative from ADCQ
- representative from Relationships Australia’s Rainbow Program

**Support services**

There are a number of support services available to employees.

- Employee Assistance Service
- Support for young people who identify as LGBTIQ
- Queensland Public Sector LGBTIQ Network
• Relationships Australia Queensland Rainbow Program

Additional services are listed in the 'where to go for help' section of the TRANS*@WORK guide.

**Complaint procedure**

There are a number of resources available on departmental intranet sites which can assist you when dealing with complaints:

- Code of Conduct
- discrimination
- bullying and workplace harassment
- sexual harassment
- employee complaints

It is also recommended you read the following sections in the ADCQ’s TRANS*@WORK guide

- co-worker reactions
- common issues

Should you require further assistance; the ADCQ can help you resolve complaints. Please see the complaints section on the ADCQ website for further information.
Appendix 1 - Developing a transition plan

This is a guide only and you may need to customise the below template, by adding or removing sections of the plan template that are not relevant to the person’s specific needs. The employee transitioning may also prefer a copy to be emailed to them prior to meeting with you to allow them time to consider each section.

It is important that the employee knows they are not obliged to answer questions they are not comfortable answering or are unable to answer, and that they understand their rights under the Queensland Anti-Discrimination Act 1991.

INFORMATION TO PROVIDE EMPLOYEE

We are committed to ensuring our employees feel valued, safe, and supported.

Why develop a transition plan

A transition plan outlines your needs and wishes with a timeframe that suits you and includes clear communication strategies to ensure a safe and supportive transition. It can be as brief or detailed as you choose.

Important to know

- a transition plan is optional and completely at your discretion
- the template is a guide only and you can choose what information you include in your plan
- you can make changes to the details and/or timeframes anytime
- your transition plan will be kept confidential and will remain with your manager, Pride in Diversity and your support team.

Your rights

All employees are protected by law. The Queensland Anti-Discrimination Act 1991 specifies that direct and/or indirect discrimination on the basis of gender identity is prohibited in the workplace.

All employees have the right to be treated with respect and given fair and equal opportunities in a safe and supportive environment.

The ADCQ have developed a TRANS*@WORK guide to assist with understanding the administrative processes associated with gender transition in the workplace.

Employee assistance

There are a number of support services available to employees.

- Employee Assistance Service
- Support for young people who identify as LGBTIQ
- Queensland Public Sector LGBTIQ Network
- Relationships Australia Queensland Rainbow Program

Additional services are listed in the 'where to go for help' section of the TRANS*@WORK guide.
Appendix 2 – Transition plan template

The transition plan will outline details as agreed by the employee transitioning and the employer to guide a safe transition. It is flexible and the employee may wish to change any of the details or timelines at any time. The plan will be kept confidential and will remain with the employee’s manager.

EMPLOYEE DETAILS

<table>
<thead>
<tr>
<th>Name:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Position title:</td>
<td></td>
</tr>
<tr>
<td>Business unit:</td>
<td></td>
</tr>
<tr>
<td>Region:</td>
<td></td>
</tr>
<tr>
<td>Employee number:</td>
<td></td>
</tr>
<tr>
<td>Phone:</td>
<td></td>
</tr>
<tr>
<td>Email:</td>
<td></td>
</tr>
</tbody>
</table>

SUPPORT PERSON DETAILS:

<table>
<thead>
<tr>
<th>Name:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Position title:</td>
<td></td>
</tr>
<tr>
<td>Business unit:</td>
<td></td>
</tr>
<tr>
<td>Region:</td>
<td></td>
</tr>
<tr>
<td>Employee number:</td>
<td></td>
</tr>
<tr>
<td>Phone:</td>
<td></td>
</tr>
<tr>
<td>Email:</td>
<td></td>
</tr>
</tbody>
</table>

TRANSITION PLAN DETAILS:

<table>
<thead>
<tr>
<th>Start Date:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Leave Dates (if applicable):</td>
<td></td>
</tr>
</tbody>
</table>
| Changes to appearance: | □ No (continue to next heading)  
□ Yes – action required |

<table>
<thead>
<tr>
<th>UPDATE PHOTO</th>
<th>ACTION DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>ID Card</td>
<td></td>
</tr>
<tr>
<td>1Contact</td>
<td></td>
</tr>
<tr>
<td>Yammer</td>
<td></td>
</tr>
<tr>
<td>Other (specify)</td>
<td></td>
</tr>
</tbody>
</table>

Gender transition in the workplace - developed by Department of Energy and Water Supply, 2017 8
NAME CHANGE:

<table>
<thead>
<tr>
<th>Name:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Title:</td>
<td>(Ms, Mrs, Miss, Mr, Mx)</td>
</tr>
<tr>
<td>Preferred pronouns:</td>
<td>(she, her, he, him, they)</td>
</tr>
</tbody>
</table>

Date to commence use:

<table>
<thead>
<tr>
<th>ACTION REQUIRED</th>
<th>ACTION DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Update name details on:</td>
<td></td>
</tr>
<tr>
<td>Employee records – Payroll</td>
<td></td>
</tr>
<tr>
<td>Email account and signature block</td>
<td></td>
</tr>
<tr>
<td>Phone display name</td>
<td></td>
</tr>
<tr>
<td>Computer login and profile</td>
<td></td>
</tr>
<tr>
<td>ID and access cards</td>
<td></td>
</tr>
<tr>
<td>Superannuation</td>
<td></td>
</tr>
<tr>
<td>1Contact</td>
<td></td>
</tr>
<tr>
<td>Govnet</td>
<td></td>
</tr>
<tr>
<td>Linkedin</td>
<td></td>
</tr>
<tr>
<td>Internal lists</td>
<td></td>
</tr>
<tr>
<td>Other (specify)</td>
<td></td>
</tr>
</tbody>
</table>

INFORMING COLLEAGUES:

Note: Colleagues who work on a regular basis with the employee may require basic information about the changes that will occur. Who is informed and how they are informed is entirely up to the employee.

Session 1: *(add additional sessions if required)*

<table>
<thead>
<tr>
<th>Date:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Location:</td>
<td></td>
</tr>
<tr>
<td>Format:</td>
<td><em>(team meeting, information session)</em></td>
</tr>
<tr>
<td>Attendees:</td>
<td><em>(teams)</em></td>
</tr>
<tr>
<td>Guests:</td>
<td></td>
</tr>
</tbody>
</table>
| Topics to cover: (suggested topics, please add or remove as appropriate – any topics to be discussed must be agreed to by the employee transitioning) | Transition process and changes that will occur  
Commitment of support from management  
Obligations of employees to comply with the Code of conduct  
Guiding principles (particularly ‘respect’)  
Respecting privacy and confidentiality  
How to be supportive – expectations around behaviour  
Benefits of diversity and inclusion  
How to raise appropriate questions  
Support services available  
Queensland Public Service Inclusion and Diversity Strategy  
Inclusion Champions of Change  
LGBTIQ support network  
Rainbow lanyards  
Where to go for more information, support and training |

**OTHER MATTERS:** (if applicable)

| Action required: |  |