

# Sample Gender Identity and Transition Policy

*[This sample Workplace Transition Plan addresses some of the processes that may occur at your company during an employee transition. This sample plan should be customised to fit your company's staffing structure and procedures, and should be modified individually with each transitioning employee to meet their individual needs.]*

## 1.0 Purpose

Research shows that people who have transitioned genders or who express their identity in untraditional ways often find the workplace unwelcoming or a place where they cannot freely be themselves as they go about their work. The purpose of this policy is to ensure that all employees and contractors recognise the need to treat everyone with respect and inclusion, and to lay out the principles by which this is achieved.

## 2.0 Policy

[company name] is committed to providing a safe, welcoming and inclusive workplace for all people, regardless of their gender identity and expression.

[company name] does not tolerate or condone discrimination in any form against anyone on these grounds.

## 3.0 Scope

This policy applies to all employees, contractors, interns and students throughout [company name].

This policy applies to all relationships with clients and customers.

## 4.0 Legislation

Human Rights Act 1993

## 5.0 Principles

[company name] regards discrimination on the grounds of gender identity towards any employee, contractor, intern, student or client as unacceptable and reserves the right to take such actions as are necessary to prevent the occurrence or reoccurrence of any such discrimination.

Employees are required to maintain a workplace environment that is free of discrimination and bullying.

This includes acknowledging and including all partners and families in the way that ensures everyone's significant relationships and whānau are recognised.

This includes using the titles, names and pronouns of choice of transgender people. We also strongly recommend the option for no title to be used.

## 6.0 Obligations

To ensure this policy is enacted, [company name] is committed to providing appropriate and regular training for its employees.

## Procedure for Staff Transitioning Gender while at Work

Note: No actions should be taken without the explicit agreement of the person transitioning gender.

This procedure is based on the assumption that the staff member will either continue working or return to work after any agreed period needed. This procedure is based on the assumption that the employee transitioning will be consulted and included in all areas of decision making and that they will set the bounds of what is and is not made public.

There is no one correct way for a person to transition. There are a number of variations of medical, social and surgical interventions that people might choose to employ. Some might take things in slower stages, some might wish to proceed more swiftly. This is entirely at the discretion of the person transitioning.

The employee will be able to provide an estimate of how much leave (if any) will be required. It is up to them to decide how much of this will be taken as sick leave, holiday leave, leave without pay etc.

### Before the Workplace Transition Begins:

1. The transitioning employee should get together with their selected first point of contact to make them aware of the employee's upcoming transition – this is usually HR or their manager.
2. If the point of contact is not in HR, then the transitioning employee should be referred to HR. Make sure the employee knows about the company's transgender-related policies.
3. If the transitioning employee's manager was not the first point of contact, a meeting between the transitioning employee and the employee's manager – and others, if desired by the transitioning employee – should be scheduled to ensure the manager knows of the employee's planned transition. Note: Management beyond the transitioning employee's manager should be made aware of the employee's planned transition so that leaders can express their support when the employee's transition is made known to the employee's work team.
4. The transitioning employee and their initial point person should meet to discuss all of the individuals who will need to be included in the workplace transition plan. This should include the employee, the employee's immediate supervisor, and someone from HR. It can also be

useful to include a representative from the company's LGBTQI+ employee resource group. All members of this transition team should familiarise themselves with the company's policies and any other relevant resources that provide educational information about transgender issues. Keep in mind that a timeframe would be helpful for when each person needs to become involved in the employee's transition process, as it is likely not all individuals of the transition team need to be brought on board at once. Also recognise that certain stages of the workplace transition process will require more lead time than others. Set a timeline that attempts to realistically and accurately predict how long each step should take.

5. Create the Workplace Transition Plan. Make sure it addresses all of the following areas:

- i. The date when the transition will officially and formally occur. This means the date that the employee will change their gender expression, name, and pronouns. The transitioning employee may choose to begin using the restroom and locker room associated with their gender identity on this date as well. The transitioning employee will know best when this should occur as they will be able to determine all relevant factors to be considered when choosing this date.
- ii. Decide how, and in what format, the transitioning employee's co-workers should be made aware of the employee's transition. It is up to the transitioning employee to decide if they would like to make some co-workers aware of their transition on a one-on-one basis before it is officially announced.
- iii. Decide what, if any, training will be given to co-workers.
- iv. Determine what updates should be made to the transitioning employee's records, and when they will be made.
- v. Determine dates of any leave that may be needed for pre-scheduled medical procedures.
- vi. Ensure that all name changes and photographs are updated in advance so that they can go live on the transition day. This includes email addresses. Make sure to keep in mind that name changes within certain processes could take longer than in others. Figure this into your Transition Plan timeline.

### The Day the Transition Will Be Made Known to the Work Team:

1. Have a work team transition meeting that includes the transitioning employee, the employee's manager, the employee's co-workers, and any other team or regional leadership if they are able to attend live. Otherwise, remote conference any members of the transition team or the employee's work team that cannot be there live. It's important to have this meeting in person if at all possible. If the employee thinks it would be helpful, a handout about transgender issues can be provided at this meeting. It is up to the employee whether they feel comfortable attending or would prefer not to be there.

2. The head of the employee's work team should announce the transition, along with any other high level management who are there in order to show solidarity for the transitioning employee. The speaking manager must:

- i. Emphasise the transitioning employee's importance at the company and the management's complete support of the employee's transition.
- ii. Remind everyone of the company's relevant nondiscrimination/inclusiveness/anti-harassment policies.
- iii. Indicate that the transitioning employee will be presenting themselves in accordance with their gender identity and this should be respected. The manager should also advise co-workers about the transitioning employee's new name and preferred pronoun.
- iv. Be a behavioural model by using the transitioning employee's new name and pronoun in all communication – written and oral, formal and informal.
- v. Make a point that the transition will not change the workplace and that everything should go on as it did previously.
- vi. Solicit any questions. Refer questions the manager cannot answer to HR.
- vii. If training is going to occur, the date should be announced at this meeting. If possible, the training should occur before the date of the employee's official workplace transition.

### The First Day of the Employee's Official Workplace Transition:

The transitioning employee's manager should be clear that all elements are in place, in the same way the supervisor would for a new hire or transferred employee. These elements include:

1. Making sure that the transitioning employee has a new ID badge and photo if necessary.
2. Ensuring all work documents have the appropriate name and gender and checking that these have been changed in all of the places an employee's name may appear.

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**If you have any questions or would like to know more please contact the GenderTick team at [contact@akywca.org.nz](mailto:contact@akywca.org.nz)**