

# AN INSTITUTION'S GUIDE TO:

## GENDER TRANSITION AND TRANSGENDER INCLUSION IN THE MUSEUM FIELD



**American  
Alliance of  
Museums**



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March 11th, 2019

Dear Trans and Allied Colleagues:

When we landed in Phoenix for AAM's 2018 Annual Meeting, we weren't sure how the LGBTQ Alliance would react to our requests for a trans-focused committee. The lack of resources up to that point was, after all, the result of an oversight of the trans community's needs even within specifically LGBTQ spaces. We had both experienced this lack first hand and were determined to make sure others wouldn't have to experience it in the future. Towards the end of the committee meeting, our Chair called for "additional business" and the rest, as they say, is history.

*Gender Transition and Transgender Inclusion in the Museum Workplace: A Toolkit for Trans Individuals, Institutions, and Coworkers* is the result of three teams of trans and allied museum professionals working across the country to create resources that are approachable even to those without any prior knowledge about the trans community. The *Toolkit* comes at a time when the transgender community is constantly under attack. The education and knowledge it provides can create a path for those interested in becoming allies and can foster a more inclusive atmosphere within the museum field. We hope that the *Toolkit* will prove useful to those who are transitioning or those who wish to improve the diversity and inclusion policies around them.

As Chairs, we are so proud of what the members of the Task Force have created. Watching so many transgender museum professionals and their allies come together to work on the *Toolkit* has been truly inspiring and reminds us what we can do together as a community. We owe an enormous debt of gratitude to: Lauren Griffin, who was consistently amazing and went above and beyond leading our third team; Jennifer Olive, who served as editor for this project; our outside readers, who took time out of their busy schedules to give us feedback; and AAM and the LGBTQ Alliance, who have been so open and eager to helping us correct the oversight that has existed this long. We still have a long ways to go towards equality; but, hopefully, the *Toolkit* can be a significant step in the right direction for the museum field.

If you ever have any questions about the *Toolkit* or about trans inclusion, please reach out to us via the LGBTQ Alliance.

Sincerely,



Alison Kennedy (they/them)  
Co-chair, Task Force for  
Transgender Inclusion



Anna Woten (she/her)  
Co-chair, Task Force for  
Transgender Inclusion

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March 11th, 2019

*Gender Transition and Transgender Inclusion in the Museum Workplace: A Toolkit for Trans Individuals, Institutions, and Coworkers*

Dear Colleagues and Friends:

At the May 2018 AAM Annual Meeting, the LGBTQ Alliance formed the Task Force for Transgender Inclusion in response to requests from members to provide support for institutions working to become more welcoming of transgender employees and visitors. Led by Alliance members Anna Woten and Alison Kennedy, a group of 22 museum professionals has worked in the intervening months to create *Gender Transition and Transgender Inclusion in the Museum Workplace: A Toolkit for Trans Individuals, Institutions, and Coworkers*. The *Toolkit* was collaboratively written and edited by the Task Force teams, as well as edited by outside consultants.

The *Toolkit* includes a set of three guides that provide targeted guidance for transitioning professionals, institutions, and coworkers. The Task Force expects that the *Toolkit* will most commonly be approached in one of two ways:

- 1) By the Transitioning Professional
  - We imagine this will be the most common
  - The transitioning professional will access the toolkit and provide their institution with *An Institution's Guide* and *A Coworker's Guide*
  - The transitioning professional will then use *A Transitioning Professional's Guide* while working with their institution
- 2) By the Institution who will use the *Toolkit* and maintain it on file
  - HR will make *A Transitioning Professional's Guide* and *A Coworker's Guide* available to staff
  - HR will then reference the institutional policies and guidelines recommended in *An Institution's Guide* while working with transitioning professionals

The mission of the LGTBQ Alliance is to provide a forum for communication and dialogue to advance diversity, equity, inclusion and inquiry with particular respect to sexual orientation and gender identity within museums. In these times of cultural challenges to acceptance of all people, I can think of no more important, timely, or needed guidance than the resources the Task Force has created.

On behalf of the LGBTQ Alliance, I thank them for everything they are doing to address the needs of all our colleagues. Their work is a model and inspiration.

Sincerely,



Mike Lesperance (he/him)  
Chairperson, LGBTQ Alliance

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March 11th, 2019

Dear Colleagues:

Diversity, equity, accessibility, and inclusion (DEAI) are essential values of museums and of the American Alliance of Museums. These principles are not only bedrocks of ethical and morally courageous museum work, but they are also guideposts for how museums can remain relevant and welcoming to an ever-diversifying population. Simply put, inclusion is central to the effectiveness and sustainability of museums – and we must work to welcome all.

This was one of the points in our recent report, *Facing Change: Insights from the American Alliance of Museums' Diversity, Equity, Accessibility, and Inclusion Working Group*. Another insight was that inclusive practice requires a careful and continuous examination of our biases and ongoing, conscious efforts to eradicate inequality throughout our institutions.

I am delighted to release *Gender Transition and Transgender Inclusion in the Museum Workplace: A Toolkit for Trans Individuals, Institutions and Coworkers*. I hope this resource will guide museums in welcoming transgender staff — and by extension, transgender audiences, volunteers, and leaders.

The Toolkit is the result of a lot of hard work by the Task Force for Transgender Inclusion. I am grateful to each of its twenty-two members, as well as for the leadership of the LGBTQ Alliance who recognized and addressed this need. I am confident the Toolkit will quickly spark awareness, dialogue, and much-needed action.

As always, I welcome your feedback on how we can do our work better together.

Sincerely,



Laura Lott (she/her)  
President & CEO  
American Alliance of Museums

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## INTRODUCTION

According to a 2015 study by GLAAD, 84% of Americans learn about transgender people through the media. Despite this high percentage, only 16% of people surveyed in 2015 reported knowing or working with a transgender person. This percentage goes down to 9% for people age 45+. Because the majority of people in the United States learn about transgender people without actually knowing any transgender people, it is “crucial that the media increase and improve the coverage of transgender issues, and that transgender people have the opportunity to tell their own stories about our lives and the issues we face.”<sup>1</sup> Museums have an excellent opportunity to share the stories of transgender people in all walks of life. In order to best welcome transgender visitors and tell the stories of transgender people, museums must work to support and welcome transgender staff.

For the majority of people, their gender identity matches the one assigned to them at birth. Transgender (trans) people, however, have gender identities that do not match those assigned to them at birth. “Many will undergo the process of aligning their life and physical identity to match their gender identity, a process called transitioning.”<sup>2</sup> Medical processes, such as hormone replacement therapy and surgical procedures, are not required to transition. Some people choose not to, or cannot, undergo any medical processes, but this doesn’t invalidate their gender.

Each transgender person views themselves and their experiences differently. Individuals will always have personal preferences in terms of the language that their employers use. In this document, we use the umbrella term “transgender”, which includes non-binary identities.<sup>3</sup> Because of this broad definition, we encourage you to use the language and identity terms indicated by your transitioning employee or co-worker.

Over 2018-19, a group of transgender and ally museum professionals formed the American Alliance of Museums LGBTQ Alliance's Task Force for Transgender Inclusion and worked to research and create *Gender Transition and Transgender Inclusion in the Museum Workplace: A Toolkit for Trans Individuals, Institutions, and Coworkers*. We collaboratively wrote and edited the toolkit, as well as received editorial advice from outside consultants, in an effort to provide support for institutions working to become more welcoming of transgender employees and visitors. We envisioned the Toolkit as a starting point and encourage you to adapt its contents for individual situations.

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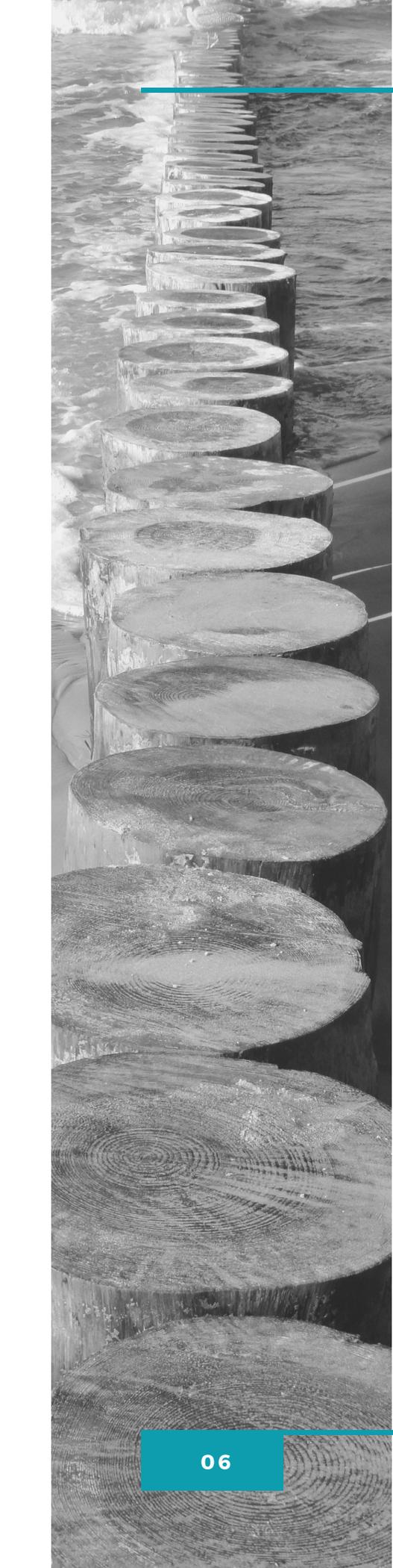
## AN INSTITUTION'S GUIDE

The Institutional Guidelines found here can be used by museum professionals at any level, but, ideally, institutional buy-in for transgender inclusion should come from top levels, including governing authority and executive support. Some aspects of these guidelines universally apply, and others institutions are encouraged to adapt to individual situations. For example, all institutions should designate a point person to help manage an employee's transition at work, but, this person will vary depending on the institution. A smaller institution may designate an executive director, but a larger institution may have specific human resources staff. Decisions regarding how to apply these guidelines will depend on various factors about your museum's size, infrastructure, and context; so, do what is best in your situation.

It is important for institutions to avoid tokenizing any minority staff member. While some transgender people want to educate others about gender identity, others do not. Museums must avoid putting the burden of work to create transgender-inclusive museums onto transgender staff. To avoid such issues, we suggest making the accompanying *A Coworker's Guide to Gender Transition and Transgender Inclusion in the Museum Field* available to all staff members as a resource for self-education. With everyone's help, your museum can take steps towards becoming a more inclusive place for your staff today and future staff and patrons tomorrow!

### PLEASE NOTE

Transitioning is a very personal choice, and only an individual can make the determination if coming out is a safe course of action depending on their location and employer. The content contained within *Gender Transition and Transgender Inclusion in the Museum Workplace: A Toolkit for Trans Individuals, Institutions, and Coworkers* is for informational and educational purposes only. It is **not** intended to be used as legal advice. Always research local, state, and national laws and consult with a lawyer before making any legal decisions regarding workplace transitions.



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## THE BASICS OF GENDER TRANSITIONS

The following are some of the practical considerations that an employer or manager and their organization may need to take into account as they support an employee transitioning or coming out in the workplace. Many of these considerations should be addressed in the employee's Transition Plan (see next section). *A Transitioning Professional's Guide to Gender Transition and Transgender Inclusion in the Museum Field* provides some things to consider from the perspective of transitioning employees.

Always remember to consult local, state, and federal laws when writing policies.

### What is Transitioning?

Many transgender people choose to transition, to align their outward gender with their internal gender identity, in some way. Not all transgender people will transition; many people will transition in some ways and not others. Transgender people may also transition in some situations--for example, going by one name and set of pronouns at work and with friends and by another name and set of pronouns with extended family. Transitioning can include one or more of the following:

#### **Social Transition**

Often the first step in transitioning, a social transition involves changing one's gender in social situations. This process may include using a different name, asking people to use different pronouns to refer to the person, changing gender expression (wearing more masculine or feminine clothing, etc.), and/or using a different bathroom.

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A social transition will likely require the most support from an employer to ensure that coworkers use the correct name and pronouns for the employee. A social transition is not dependent on medical or legal transition status. For example, an employer is encouraged to not require an employee to legally change their name before changing the person's name in the institution's internal systems, such as email and computer logins, where allowed.

### **Medical Transition**

A medical transition may involve medical procedures such as hormone therapy and/or surgery to change the outward gender characteristics of one's body. Aspects of a medical transition may be inaccessible (or only partially accessible) to some transgender people due to expense, availability of healthcare, and/or legal restrictions on certain procedures. Medical transition may require some support from an employer to provide time off for surgeries and medical care in accordance with the wider policy for medical/sick leave.

### **Legal Transition**

A legal transition may involve legal procedures at various levels of government such as changing one's legal name and/or legal gender marker on one or more documents. Aspects of a legal transition may be inaccessible (or only partially accessible) to some transgender people due to expense, time required to appear in court, and/or legal restrictions on certain changes.

## **INTERNAL POLICIES AND PRACTICES**

The following recommendations represent current best practices.

### **Employer-Employee Relationship**

How an employer chooses to handle an employee's transition will have a tremendous impact on the employee's relationship with their workplace. Be respectful of the employee, make changes at the pace they request (no matter how fast or slow it seems to you), and be proactive in ensuring the employee is not facing resistance from colleagues or clients. Maintaining the appropriate employer-employee relationship will ensure that an employee feels safe in their work environment.

### **Telling Colleagues**

The transitioning employee's Transition Plan provides an opportunity outline how and when to inform colleagues about a transition. The employee may wish to have HR send out an all-staff email announcement, sit down one-on-one with each of their coworkers, or request their manager to disseminate information about the transition. In all instances regarding the communication of information to colleagues, managers and HR should follow the employee's lead to maintain respect for the employee.

**"A social transition will likely require the most support from an employer and is not dependent on medical or legal transition status."**

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### **Harassment, Discrimination, and Bullying**

Managers and HR are encouraged to assume the responsibility of addressing disruptive behaviors, bullying, and/or insensitive comments/behavior. It should not be the responsibility of the transitioning employee to address colleagues' or clients' concerns regarding their transition.

When writing the Transition Plan, consider how the employee would like the institution to address any hypothetical behavior such as coworker misgendering or visitor questions. Another consideration may be holding a "grace period" of transition before enforcing, for example, the use of correct name and pronouns by coworkers; take the employee's lead on the preferred length of this "grace period." In all instances, managers and HR need to remember that the transitioning employee is part of the institution's team and work with them to ensure that their workplace environment is safe.

### **Appearance Standards**

Dress codes and appearance standards may be gender-specific at some institutions. Where possible, remove gender-specific dress code requirements from general policy as these policies regress our understanding of gender and professionalism. If gender-specific requirements must remain, transgender employees should follow the gender-specific requirements that feel most comfortable to them.

Especially at the beginning of a transition, the employee may be more comfortable with the dress code associated with their assigned sex at birth, not their gender identity, depending on various factors related to their transition.

Trust your employee and allow them to determine when they will transition to another dress code, and keep in mind that fully transitioning a wardrobe takes extensive time and money.

A transgender employee who is permitted to dress consistently with their gender identity is required to comply with the same standards of dress and appearance that apply to all other people in their workplace and similar position. Managers have the same right to review a transitioning individual's professional attire as they do any other individual's. If a transgender employee dresses inappropriately, address the situation in a manner consistent with any other employee. Address any concerns directly with the employee. Take care not to use personal opinions when judging a colleague's professional appearance. Instead, consider how this part of an employee's transition can maintain the respect required in all other aspects of their transition process.

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### **Restroom and Locker Room Access**

Best practice is to make all single-user restrooms gender-neutral and mark them as “all-gender” as a general policy. Regardless of the availability of gender-neutral restrooms, transgender employees (and visitors) should be allowed to use the restroom that feels most comfortable to them. Especially at the beginning of a transition, the employee may be more comfortable with the restroom or locker room associated with their assigned sex at birth, not their gender identity. Because of the various aspects related to an employee’s transition, trust employees to determine when and if a change in restrooms and/or locker rooms is necessary.

### **Name and Gender Changes**

Legal name and gender “marker” (i.e., “M” or “F” on legal identity documents) changes can sometimes take months or even years to get updated depending on the circumstances. Until then, best practice is to use the new name and gender marker on all documentation (e.g., email, phone directory, company identification card or access badge, name plate, etc.). Exceptions to this policy may include where records must match the person’s legal name, such as on payroll and insurance documents. In everyday written and oral communication, use the employee’s new name and pronouns when the individual is ready.

### **Pay, Tax Withholding, and Forms**

An employee’s name on payroll and tax forms must match their legal name. As with all employees, this information should be kept confidential. If a transgender employee chooses to change their legal name, the name change should be processed the same way as any other

legal name change, such as sometimes follows marriage or divorce. The employee will go through the process of updating their information with the Social Security Administration. Once completed, the employee will need to complete an updated W-4 form for the Internal Revenue Service, as the information on these tax forms must exactly match the information on the social security card.

At this time, update the employee’s name in any other payroll and human resources systems. When generating W-2’s, ensure that the employee’s new name matches as well.

### **Benefits and Leave**

Transitioning employees may require time off work for gender-affirming surgery, doctor’s appointments, and other transition care. Institutions are encouraged to treat transition-related healthcare the same way as any other medically-necessary healthcare, when possible.

### **Rights to Privacy**

A transgender employee’s former name and transgender status should be considered strictly confidential. Do not use an employee’s former name, and do not “out” the employee by disclosing their transgender status to anyone without the employee’s express permission. In the Transition Plan, the employee is responsible for identifying all stakeholders who need to be informed of the transition, including whether subsequent hires are to be notified after the fact.

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## WORKING WITH VISITORS

Transgender front-line employees, especially those who are non-binary or are transitioning, are likely to get misgendered (referred to with incorrect gendered language) by visitors. There are some ways to help mitigate these experiences:

### Institutional Policy

Create institutional policies and language surrounding how to address transphobic behaviors (such as, disrespectful language, misgendering, and disruptive behavior). Share these policies and this language with all staff. Be prepared to enforce these policies.

### Visual Clues

Best practice is to provide pronoun buttons for all front-line staff (not just transgender staff) to wear. Make these available for all staff, including administrative staff. Staff name tags can also include pronouns.

Create institutional language around the addition of pronoun buttons or pronouns on name tags. While your transgender staff may have the language to discuss these topics with visitors, others may not. Providing all employees with the tools to talk about these additions prevents the burden from falling on transgender staff and provides a coherent voice about your institution's policy.

### Transitioning Employee "Script"

If the employee comes to you for advice, work with them to establish a "script" they can use to politely respond when they are misgendered. These scripts may resemble colleague responses (see below).

### Colleague Assistance

Ask the employee if they would like their coworkers to correct visitors who misgender them. If so, provide guidance for coworkers around how to respond. Allow the employee to contribute to this guidance if desired. Sample responses include:

*"[Name] uses \_\_\_\_ pronouns." (e.g. "Mac uses they/them pronouns.")*

Using the employee's correct pronouns immediately after the misgendering:

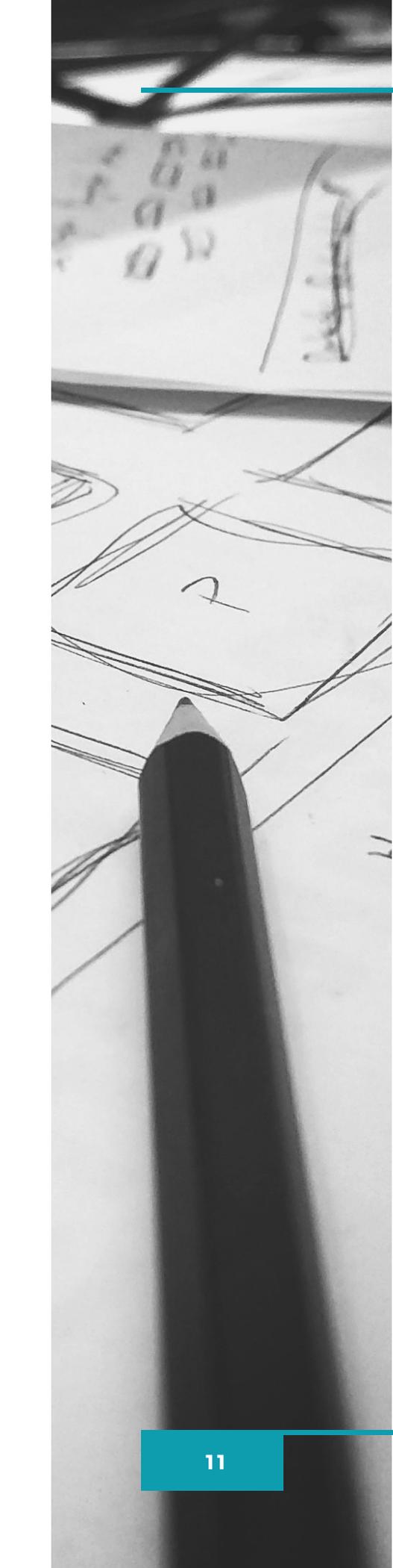
Visitor: *"She helped me find this."*

Staff: *"Yes, he's very helpful."*

Naming the employee's gender:

*"Gwen is actually a woman."*

**"Transgender front-line employees are likely to get misgendered by visitors. Work proactively to help mitigate these experiences."**



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## CREATING A WORKPLACE TRANSITION PLAN

A WORKPLACE TRANSITION PLAN CAN HELP FACILITATE A SMOOTH TRANSITION PROCESS.

Transitioning employees and their supervisors are encouraged to collaboratively create the transition plan, which can then be used as a resource throughout the employee's transition process.

The following section lists potential items of consideration for a transitioning employee's supervisor and human resources. Not all transgender people will follow the same transition "steps," and the "steps" may occur in any order. Each transgender individual's situation will determine the details of the Workplace Transition Plan. The steps outlined here are suggestions and can be changed to fit any situation. A copy of the transition plan should be kept by both the institution and the transitioning professional. Create a Workplace Transition Plan by following these steps:

### **Transition Plan: Employee Name**

Be sure that the name listed on the plan is the one that the employee has asked you to use.

### **Designate a Primary Point of Contact**

Designate one person as the transitioning employee's primary point of contact. This person will likely be the employee's direct supervisor or a human resources officer, and would ideally have experience working with transgender staff or would be willing to self-educate.

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## Develop a Stakeholder List

Who needs to know about the employee's transition?

- *Internal stakeholders:* Manager, human resources, coworkers, colleagues in other departments, any other people with whom the employee has regular contact
- *External stakeholders:* Community partners, consultants, any other people with whom the employee has regular contact

NOTE: this list of stakeholders only applies to stakeholders who had contact with the employee prior to transition. Unless otherwise noted by the employee, new contacts do not need to know about the transition.

For each stakeholder (or group of stakeholders), identify how and when the employee would like that person (or group of people) to be informed of the transition. Also, if the employee would prefer that some information be disclosed to certain stakeholders and not to others, note this information in the transition plan to prevent any miscommunication during the process.

Consider specific issues that may need to be addressed sooner rather than later:

- Informing direct supervisors
- Informing coworkers with whom the employee interacts daily
- Potential issues related to restroom or locker room use

**"Identify how and when the employee would like that person...to be informed of the transition. If the employee would prefer that some information be disclosed to certain stakeholders and not others, note this information in the transition plan."**

## Name change

Would the employee like to start going by a new name? When do they want the name to change in company records, ID badge, email, etc.? List all places where the institution needs to change the employee's name in both internal-facing and external-facing documents.

## Guidelines Review

Provide an opportunity for the primary point of contact to meet with all applicable coworkers (and possibly external stakeholders) to review the institution's gender transition guidelines. This meeting can serve as a reminder of expected norms of conduct during the transition. We recommend that the transitioning employee not be present at the meeting to allow attendees to ask questions openly. The point of contact should maintain the utmost confidentiality with regard to the employee's personal information during the meeting. The employee may wish to provide the point of contact with talking points regarding the transition.

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## Practical Considerations

Discuss how the employee would like to handle the following:

- Restroom and locker room use: Would the employee like to use a different restroom/locker room than the one they are currently using? When do they want to use the new facilities?
- Dress code: If the institution has gender-specific dress code requirements, when will the employee begin abiding by a different dress code from the one they are currently using?

## Complaint Procedures

Employee concerns or complaints about gender transition, including those of the transitioning employee, coworkers, managers, vendors, customers, or others, are to be referred to the designated point of contact, not to the employee. If someone voices complaints or concerns to the employee, the employee can refer the person to the designated point of contact and notify the point of contact. Depending on the situation, the employee may choose to notify Human Resources, in addition to the point of contact.

You may wish to come up with a plan for how to address issues, such as coworkers consistently using the wrong name or pronouns for the transitioning employee.

## Transition Milestones

If the employee expects transition milestones such as legal name/gender change, surgery dates, etc., you may wish to list these in the transition plan as well. These dates should be kept confidential.

## Additional Institutional Resources

If applicable, list any additional points of contact for the employee, such as the head of an LGBTQ employee group, the chair of a diversity council, an Employee Assistance Program contact, etc.

## Other Considerations

- When will the employee need to process any necessary changes to other items, such as professional licenses, publications, degrees, credentials, etc?
- Does the employee require any documentation or support from the institution?
- Will updated information cause any unintended consequences? For example, a new subscriber ID from the insurance company may result in cancellation of pending claims, pre-authorization approvals, dependent claims, and/or selection of a primary care physician.
- Do a search for the employee's current name in various institution web pages for group rosters and other references. How many of these pages will need to be altered or removed?

On the next page, you'll find a sample Workplace Transition Worksheet containing all of the elements listed in the prior section. Use this worksheet to help create your own institutional template for Transition Plans. A completed sample Transition Plan can be found in Appendix C.

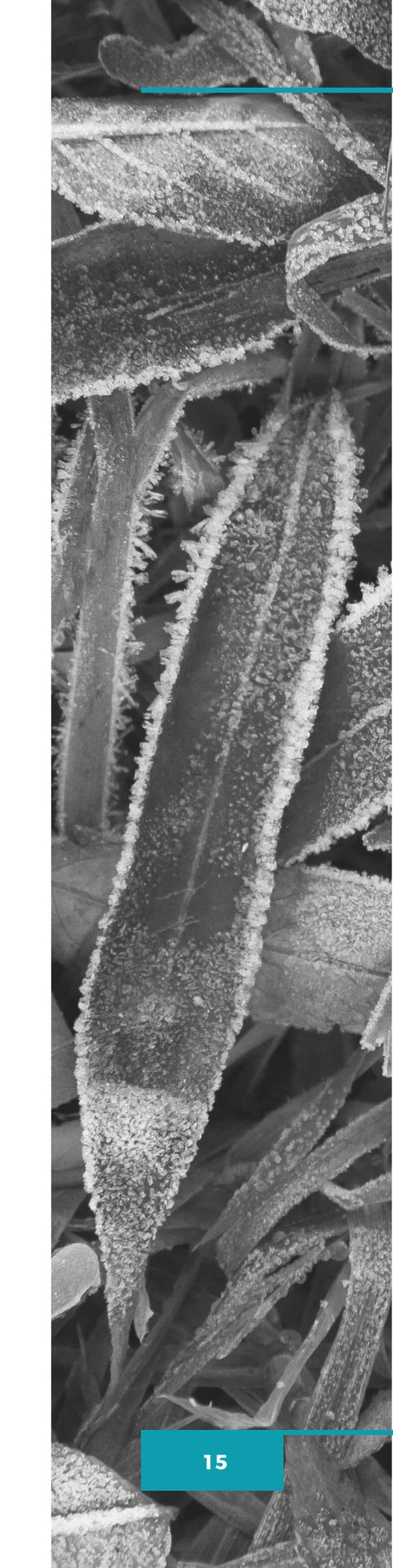
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## TRANSITION PLAN WORKSHEET

<b>Employee Name (preferred)</b>		<b>Expected Name Change Date</b>
<b>Places Where Name to be Updated</b>		<b>Pronouns</b>
<b>Primary Point of Contact</b>		
<b>Stakeholders List and Timeline</b>	<b>Guideline Review and Staff Training</b>	
<b>Transition Milestones</b>	<b>Practical Considerations</b>	
<b>Additional Institutional Resources</b>		
<b>Complaint Procedures</b>		
<b>Other Considerations</b>		

*The information listed here should be kept confidential.*

*A copy of this plan should be kept by both the institution and the individual.*



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## INSTITUTIONAL TRANSITION GUIDELINES

WE RECOMMEND INSTITUTIONS BE PROACTIVE AND HAVE READILY AVAILABLE GUIDELINES FOR TRANSITIONING EMPLOYEES.

To help make the transition process as smooth as possible at work and to show support for trans employees, we recommend institutions be proactive and have readily available guidelines for transitioning employees. Institutions can put these guidelines in place whether or not the institution has any transitioning or openly transgender employees. If your institution does not have guidelines or is looking to update its guidelines, the sample guidelines found in Appendix B can provide a starting point for creating guidelines for your own institutions. According to the Human Rights Campaign,<sup>4</sup> at minimum, these guidelines should address:

- 1) Expectations for transitioning employees
- 2) Expectations for management
- 3) Expectations for human resources, if applicable
- 3) Expectations for other staff
- 4) General procedure for implementing transition-related workplace changes, such as adjusting personnel and administrative records and a communication plan for coworkers and clients
- 5) Answers to frequently asked questions, including but not limited to questions about dress codes and restroom use.

When creating your institution's transition guidelines, it may be helpful to seek guidance from local transgender community organizations as they may be able to provide you with resources and highlight particular issues specific to your area.

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## WHERE TO MAKE TRANSITION GUIDELINES AVAILABLE

We recommend that the guidelines be made accessible for employees, supervisors, and human resources professionals. The Human<sup>5</sup> Rights Campaign suggests that employers share an institution's transition guidelines via any and all appropriate institutional channels, including but not limited to:

- Employee Handbook
- Institutional Policies & Procedures
- Human resources website
- Staff resources website

With these suggestions in mind, consider what is the most appropriate and convenient ways for staff to access these guidelines. Above all, an employee should be able to access these guidelines without outing themselves to any other staff members.

## RESEARCHING LEGISLATION

Federal, state, and local legislation regulates what employers **must** do to support transgender and transitioning employees. However, these regulations often offer only the bare minimum of support. No laws restrict employers from providing additional support beyond the legally necessary actions, and it shows your employees that you support them and want to make their workplace a safe environment. Because legislative regulations are fairly minimal, a transgender employee whose institution follows only the legally required guidelines may still perceive their workplace to be an unwelcoming environment. Following the law represents the

bare minimum an institution can do to support their employees. Institutions can also work proactively to further support their employees.

When writing institutional transition guidelines, take time to research the current laws affecting transgender employees. There may be specific local or state legislation that must be followed.

Several organizations monitor the state of transgender legal equality in the United States. Some of these focus only on the transgender community while others track equality more generally. The research published by these organizations can provide a starting point for professionals seeking additional information.

- Transgender Law Center  
(<https://transgenderlawcenter.org/>)
- National Center for Transgender Equality  
(<https://transequality.org/>)
- GLAAD  
(<https://www.glaad.org/transgender/resources>)
- National LGBTQ Task Force  
(<http://www.thetaskforce.org/>)
- Human Rights Campaign  
(<https://www.hrc.org/resources/workplace-gender-transition-guidelines>)
- American Civil Liberties Union  
(<https://www.aclu.org/know-your-rights/transgender-people-and-law>)

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In addition to federal law, there may be more legislative information at the state and local levels that you will need to consider while determining what needs to be in your institution's guidelines. The Human Rights Campaign provides a interactive map of the United States that provides in-depth information on legislation in each state on a variety of topics. The Transgender Law Center also provides information on legislation in each state, organized into a map and a chart. The National Conference of State Legislatures provides a chart on State Public Accommodation legislation. In addition to identifying legislation, local transgender equality organizations can provide resources and support about specific legislation on a state and city level. Together, these resources can help you identify some of these state and local laws and better inform the creation of your institution's guidelines.

In addition to information about legislation, you may also need some help crafting language for your guidelines. The Movement Advancement Project (MAP) created *Talking about Transgender-Inclusive Non-Discrimination Laws: An Ally's Guide*, which provides specific language for allies to use when discussing transgender-inclusive non-discrimination laws. This language may be useful when advocating for transgender-inclusive institutional policies.

## POLICIES

The following are suggested best practices that every institution can aim for when developing policies to be more inclusive of transgender individuals. Implementing changes towards these best practices may take time.

### **Records and Confidentiality**

Any personal information such as legal name, legal gender, and gender identity should be kept confidential.

### **Changing Names**

Where possible, employee databases such as email addresses should not be required to be linked to employee's legal names.

### **Discrimination, Harassment, and Bullying**

Gender identity should be expressly covered by anti-discrimination/harassment/bullying policies.

### **Health Insurance**

Where possible, institutions that provide health insurance to employees should ensure that the insurance plan covers gender-related healthcare and does not include any blanket exclusions.

**"No laws restrict employers from providing additional supports beyond the legally necessary actions."**

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### **Absence Management**

Absences related to gender transition should be expressly included in policies related to medical/sick leave, time off, etc. Gender transition care (including therapy, surgery, doctor's appointments, etc.) should be considered "medically necessary" by the institution even if it is not considered "medically necessary" by law or by insurance policy. Employees are not required to divulge medical details, except where required by law. If a doctor's note is needed, it should be treated like any other note and should always remain confidential. Institutions should follow their own policies equally for both transgender and cisgender staff. See *A Coworker's Guide* for examples of inappropriate questions.

### **Recruitment and Interviews**

Transgender applicants should be held to the same standards as cisgender applicants and should not be penalized for presenting as their gender. Efforts should be made by the hiring committee to use the applicant's correct name and pronouns. The applicant's legal name and transgender status should remain confidential.

### **Benefits**

Transgender employees should receive the same benefits as their cisgender coworkers, including leave.



# GENDER STUDIES AND TRANS TERMINOLOGY 101

GENDER STUDIES IS A HUGE FIELD OF ACADEMIC STUDY.

The intricacies of this field cannot be fully explained in a few pages, but we've distilled the most important information into an easy-to-understand guide. In this section, you'll find a guide to exploring gender as a concept and different gender identities. You'll also find some easy-to-reference charts that include updated language and terms. Please keep in mind that the information in this section is meant to help you better understand how to conceptualize and talk about gender, gender identity, sex, and gender expression. In a workplace context, these characteristics have no bearing on the qualifications of an individual, whether they are cisgender, intersex, or transgender.

## BASIC VOCABULARY AND DEFINITIONS

**Gender** is the social state of being a man, woman, or non-binary person. Some cultures, also include third, fourth or more gender states. We don't really know what causes humans to have a gender; scientists are still figuring it out. Our best guess is that gender is a combination of chromosomes, anatomy, genetics, hormones, neurology, epigenetic causes (what you were exposed to in utero), and socialization. There is no one equation, sign, or diagnosis that indicates a person's gender, no single symptom of what a person's gender is or should be. Gender is not equivalent to a person's genitals and is a lot more complicated than just "boys have penises and girls have vaginas."

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The American Academy of Pediatrics tells us that a person's sense of gender is innate. Most children can recognize and express their gender by age four. For many people, we identify with the gender that we are assigned when we were born, and we don't think about it much. If you identify with the gender you were assigned at birth, you are cisgender. Some people do not identify with the gender they were assigned at birth. These people are transgender.

If you are cisgender, it may be hard to imagine why someone would be uncomfortable with the gender they were assigned at birth. A good way to think about gender, is to consider your relationship to your appendix. If your appendix is working fine, you probably don't think about it all that much. It doesn't bother you; it just exists. If something goes wrong with your appendix, however, you would notice. You may choose to ignore the first twinges of pain, but as time goes on, the pain would be impossible to ignore. You would either need to address the issue with medical attention or die of appendicitis. Similarly, most of us don't really think about our gender, unless there is an issue with the gender we were assigned at birth. Ignoring an issue with your assigned gender just gets more painful and urgent as time goes on. Transitioning (living as your true gender) is, according to medical science, the best way to relieve that pain.

Unlike appendicitis, surgery isn't necessarily needed for a gender transition. Whether or not a trans individual needs surgery is personal and does not affect the validity of their gender.

**Sex** is the scientific classification of a person as male or female at birth based on a combination of physical factors such as external genitalia, secondary sex characteristics, and hormones. About 1 in 1,000 people are physically or genetically intersex. Typically, when this happens, doctors will make an assessment based on the predominant appearance of the baby's genitals into a male or female category and will assign the baby a gender role in which to live. Sex doesn't really tell us a person's gender; sex only tells us a person's physical characteristics. Sex can also be changed by the transition process through either surgery or hormone replacement therapy.

As scientists learn more about sex, the more we understand that sex is not a binary of "male" and "female" based on physical characteristics, hormone levels, reproductive ability, or chromosomes. Many thousands of sex variations exist. Very few of us have our chromosomes tested or our genomes sequenced; you could be intersex and not even know it!

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A recent article in Nature magazine states that “The idea that science can make definitive conclusions about a person’s sex or gender is fundamentally flawed.”<sup>6</sup> As such, the best option that we have of accurately determining a person’s sex and gender is to trust the individual in question.

**Gender Identity** is our inner sense of gender. Everyone has a gender identity, even if you are not trans. Some of us identify with the gender we were assigned at birth, making our gender identity either cisgender man or cisgender woman. Some of us do not identify with the gender we were assigned at birth. Such a person is a transgender man, woman, or non-binary person. Gender identity is different from gender expression, sex, and sexual orientation. On the following pages, you’ll find a chart that defines what some different gender identities are.

As a note, the phrase “gender identity” was developed by cisgender people to talk about transgender people in a medical context. The phrase “gender identity” has been deployed in popular discourse in negative ways to invalidate the genders of trans people. An example of this is if someone who is looking to invalidate someone else’s gender identity says, “Well, if that person can say they ‘identify’ as a woman, I get to ‘identify’ as a pineapple.”

**"Language is constantly changing as humans adapt to different situations."**

For this reason, you should consider the phrase “gender identity” as medical term, and it should really only be used in the context of a doctor visit. If you are referring to a person’s gender, whether trans or cis, just use the word “gender.”

**Gender Expression** is the way we communicate our gender to others through our choices. Many people think of gender expression as a binary with feminine being at one end and masculine on the other. Along this binary, we tend to think that men need to be masculine and women need to be feminine. Our world is rigidly gendered according to this arbitrary boundary through activities, preferences, clothes, toys, etc. People, regardless of gender identity, feel pressure to conform to expectations of gender expression.

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For example, it can be hard in our society to be a boy who likes to sew or a girl who likes to fix motorcycles. Our society teaches us that the transgression of the gender binary is often negative and will damage us. Often time, though, the damage comes from those who want to enforce the arbitrary line of the gender binary and punish others for transgressing it, not from the expressions themselves. The problem with enforcing a binary of gender expression is the fact that none of the choices we make are inherently belonging to any one gender.

One way in which we can see this fluidity in gender expression is the way that societal norms of gender expression change over time. Fifty years ago, most women did not wear pants on a daily basis as pants were associated with work, and work was considered to be masculine. Now, pants are an unremarkable item in the wardrobe of most women. Sometimes, it can feel hard to keep up with what is “manly” or “womanly” in our society, and the pressure to behave in traditionally gendered ways can feel intense.

A person may be a woman (cis or trans) and like things that are typically coded feminine like makeup, cooking, and dresses. A person may be a woman and

like masculine things like short hair, baseball, and beer. A person may be a woman and like a mix of masculine and feminine things! Just because a person likes or behaves in ways usually associated with a different gender does not invalidate their gender identity.

**Sexual Orientation** is the gender(s) a person has sexual or romantic attraction to. People can be gay (same-gender attracted), straight (opposite-gender attracted, usually associated with male and female gender identities), bisexual (attracted to multiple genders), pansexual (attracted to all genders), etc. Sexual orientation is not the same as gender identity. For example, a person can be a transgender woman, and also be gay (attracted to other women).

**"In order to make everyone feel respected...it is important to employ inclusive language. Using inclusive language in the workplace is especially critical to a trans-friendly environment."**

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## Common Gender Identities

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Identity

Description

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**Agender**

Someone who does not have a gender

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**Bigender**

Someone who has two or more genders

Can be in addition to other gender identities

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**Cisgender  
Cis**

Someone who is a gender that is the same as the gender assigned to them at birth

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**Dyadic**

Someone who is born with anatomy that matches the (biological) sex binary

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**Gender Non-Binary  
NB  
Enby**

Someone who is not a binary gender. They may identify between male and female or outside of the male/female spectrum.

Can be in addition to other gender identities

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## Common Gender Identities

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Identity

Description

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**Gender Fluid**

Someone who is not a binary gender and sometimes changes between different genders and expressions

Can be in addition to other gender identities

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**Genderqueer**

Someone who is not a binary gender

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**Intersex**

Someone who is born with anatomy that does not match the (biological) sex binary

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**Polygender**

Someone who has multiple genders

Can be in addition to other gender identities

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**Questioning**

Someone who is not certain of their gender

Can be in addition to other gender identities

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## Common Gender Identities

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Identity

Description

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**Transgender  
Trans**

Someone who is a gender that is not the same as the gender assigned to them at birth

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**Trigender**

Someone who has three or more genders  
Can be in addition to other gender identities

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**Two-Spirit**

An umbrella term for an array of non-binary Indigenous North American genders with specific terms varying between Indigenous groups

Should only be used by Native North American people who self-identify as Two-Spirit

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## TRANS-FRIENDLY LANGUAGE

Language is constantly changing as humans adapt to different situations. Most of the time, words simply become “old” and are replaced with more modern terms. In many cases, this change is necessary because the old idea associated with the term is no longer valid or acceptable. When it comes to terms related to gender or sex, many are used in a derogatory way by straight or cisgender people in order to disrespect trans people. It is important to use accurate language in order to make others feel respected. Using modern language also demonstrates that you are trying to understand and learn about your coworker and their identity.

It can be difficult to keep up with all of the changes and you may even find outdated terminology in articles and documents from just a few years ago. For this reason, we have included a chart on the following pages that shows terms or phrases that are either outdated or offensive. We’ve included an explanation for the change and then a suggestion for more sensitive or inclusive terminology. Please keep in mind that even the language used in this chart may change over time. In the resources section, we’ve included some websites that have the most up-to-date terminology.

You may notice that your coworker uses some of the terms deemed offensive or outdated in the chart, or they may consume media such as tv shows and movies that use outdated language. It is okay for people who have been victims of certain language at one point in history to use that language in colloquial ways. This kind of usage is called language reclamation and is a defensive technique that changes the power of an oppressor's language into the language of power for the oppressed.

Often, trans people may use these terms ironically or in a joking manner. It is okay for trans people to use offensive or outdated words because they have been oppressed by that language. It is not okay for cisgender people to use offensive or outdated words because they are the ones who were, and are, the oppressors whether through direct or indirect action.

Please note, some of the language included in the following chart may not be work appropriate, no matter who says it. Be considerate of who you are speaking to, and what you are speaking about. For example, it may be perfectly acceptable to reference a gender-affirming surgery of a trans person, provided they are an historical figure, you're working on an exhibition label, and the detail that they've had surgery is directly relevant to the narrative (not just an added fact). However, it would be grossly inappropriate for you to ask your colleague if their recent absence was for gender-affirming surgery. Use your best judgement.

## Updated Language Chart 1: Offensive or Outdated Words

Word	Definition	Explanation	Modern Alternative
<b>Cross-dresser</b>	A person who wears clothing of the opposite gender	This term is often conflated with being transgender. A person who cross-dresses is not the same as a trans person.	If you are referring to a trans person, use transgender.
<b>Drag Queen/King</b>	Someone who dresses up as an exaggerated feminine/masculine character for performance	Some people conflate doing drag with being trans and use the terms interchangeably. Some drag queens/kings are trans or non-binary; but, some are cis.	Use this word only to refer to people who perform drag.
<b>Dyke</b>	A word that refers to a masculine woman or lesbians often used as a slur by non-queer people	A trans woman may describe herself as a dyke if her gender expression is masculine, but this usage is a form of reclaiming language as discussed in the opening to this section.	Use their true gender identity.
<b>Faggot/fag</b>	A word that refers to a non-masculine man often used as a slur by non-queer people	A trans man may describe himself as a faggot if his gender expression is feminine, but this usage is a form of reclaiming language as discussed in the opening to this section.	Use their true gender identity.

## Updated Language Chart 1: Offensive or Outdated Words

Word	Definition	Explanation	Modern Alternative
<b>Gender Identity Disorder</b>	Someone uncomfortable with their gender assigned at birth	An outdated diagnostic word used in a medical context to describe a trans person	Gender Dysphoria
<b>Hermaphrodite</b>	People born with anatomy that does not match the (biological) sex binary	An outdated term used to identify an intersex person	Intersex
<b>Passing/passible</b>	Perceived by others to be cisgender and not visibly trans; often used in a complimentary way	These terms are deeply problematic as they imply that trans people engage in deception by “passing” as a gender not assigned to them. They also imply that being visibly trans is bad.	These words shouldn’t be used by anyone cis, except in an academic setting. Passibility isn’t the ultimate goal of transitioning.
<b>Pre-op</b>	A slur referring to someone who has not had genital surgery	Correlates gender with a person’s genitals	There is no current word to replace this term as people realize it’s rude to focus on the status of another person’s genitals.

## Updated Language Chart 1: Offensive or Outdated Words

Word	Definition	Explanation	Modern Alternative
<b>Queer</b>	An umbrella term referring to someone who is not heterosexual and/or cisgender. Sometimes a slur when used by non-queer people.	Whether the term is appropriate or not depends on the context of its use. If unsure, it is best to ask or avoid it. It is an acceptable word in certain academic settings (Queer Studies, etc.).	An alternative would be their gender identity or sexual orientation when known and acceptable or LGBTQ+
<b>Sex Change Operation</b>	A surgery that changes a person's gender	An outdated term as people are their stated gender regardless of surgical intervention or level of medical transition.	If a trans person chooses to have a transition-related surgery, those procedures are called gender-confirming or gender-affirming surgeries because they affirm gender rather than change gender.
<b>Shemale/he-she</b>	A transgender person	A slur derived from a misunderstanding of transgender people and their genders and identities	Transgender person
<b>Transgendered</b>	A transgender person	An inappropriate term that suggests that being transgender is an outcome of surgery or other event rather than an identity	Transgender person

## Updated Language Chart 1: Offensive or Outdated Words

Word	Definition	Explanation	Modern Alternative
<b>Transvestite/ Transsexual</b>	A transgender person	Outdated word based on a misunderstanding of transgender people and their genders and identities	Transgender person
<b>Tranny</b>	A transgender person	A derogatory slur referring to transgender people	Trans or Transgender

## GENDER-INCLUSIVE LANGUAGE

In order to make everyone feel respected, safe, and accepted in the workplace, it is important to employ language that is inclusive of all genders. Using inclusive language in the workplace is especially critical to a trans-friendly environment. Many common phrases in workplace language are not inclusive of transgender and non-binary people. Using gender-inclusive language may be difficult at first because it requires you to rethink your typical speech behaviors and patterns. But, like everything else, practice makes perfect. The following is a chart including common non-inclusive phrases or terms paired with an explanation of and alternative for the phrase or terms.

### Updated Language Chart 2: Gender-Inclusive Language

Non-Inclusive Language	Explanation	Inclusive Alternative
<b>“Are your mom and dad here?” when speaking with children</b>	Not inclusive of all families	“Is there an adult here with you?”  “Can you tell me where your grown-up is?”
<b>“Chairman/woman,” or any other title with “man,” or “woman,” suffixed</b>	Not inclusive of non-binary genders	“Chairperson” or title with “person,” suffixed instead
<b>“Handyman,” “Lineman,” “Mankind,” “Middleman,” “or any other word with “man” prefixed or suffixed</b>  <i>“Human,” “man,” or “woman” do not fall under this category.</i>	Not inclusive of women or non-binary genders	Replace “man” with “person,” or other synonym

## Updated Language Chart 2: Gender Inclusive Language

Non-Inclusive Language	Explanation	Inclusive Alternative
<b>“Hello boys and girls!” when greeting children</b>	Not inclusive of non-binary genders and further encourages children to think in a gender binary rather than spectrum	“Hello museum explorers!” “Hello Children!”
<b>“Hello Mr./Ms....”</b>	Not inclusive of non-binary genders	“Hello, name of person...” or “Hello, Mx. (micks)...”
<b>“Hey, boy/girl!” when greeting friends or coworkers</b>	Not inclusive of non-binary genders	“Hey, friend!”
<b>“Is this your... father/mother brother/sister grandma/grandpa boyfriend/girlfriend etc.?”</b>	Not gender or family inclusive  Can be triggering  Can make others feel awkward if incorrect	Introduce yourself directly, “Hello, I am... how do you know...?” or ask “Who is this with you?”
<b>“Ladies and gentlemen...”</b>	Not inclusive of non-binary genders	“Hello, distinguished guests...”

## Updated Language Chart 2: Gender Inclusive Language

Non-Inclusive Language	Explanation	Inclusive Alternative
<b>“My dude...” or “My man...” when contradicting someone or greeting someone</b>	Originally masculine terms that can be offensive to some people of non-masculine genders if used to refer to them	“Actually...” or “Well...” (when contradicting); “My friend...” (when greeting)
<b>“When you were a boy/girl...”</b>	Suggests that the listener was once one gender and is now another gender  It is not inclusive of non-binary genders	“When you were a kid...”
<b>“Woman!” when arguing with someone</b>	Harsh tone in combination with the term can be triggering for some people	“No!” or “name of person!”
<b>“You guys...”</b>	Denotes objectification of feminine genders by masculine subjects. Not inclusive of women or non-binary people	“Everyone,” “Folks,” “People,” “Y’all”

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## END NOTES

- <sup>1</sup> “Number of Americans who report knowing a transgender person doubles in seven years, according to new GLAAD survey,” GLAAD, September 17, 2015, accessed January 8, 2019, <https://www.glaad.org/releases/number-americans-who-report-knowing-transgender-person-doubles-seven-years-according-new>
- <sup>2</sup> “Transitioning in the Workplace,” IBEC for Irish Business, accessed January 8, 2019, [http://www.ibec.ie/IBEC/ES.nsf/vPages/HR\\_best\\_practice~Diversity\\_and\\_the\\_integrated\\_workplace~transitioning-in-the-workplace-20-03-2017/\\$file/Workplace\\_Gender\\_Identity\\_Expression\\_and\\_Transition\\_Guidelines\\_Ver\\_2.pdf](http://www.ibec.ie/IBEC/ES.nsf/vPages/HR_best_practice~Diversity_and_the_integrated_workplace~transitioning-in-the-workplace-20-03-2017/$file/Workplace_Gender_Identity_Expression_and_Transition_Guidelines_Ver_2.pdf)
- <sup>3</sup> *ibid.*
- <sup>4</sup> “Workplace Gender Transition Guidelines,” Human Rights Campaign, accessed January 8th, 2019, <https://www.hrc.org/resources/workplace-gender-transition-guidelines>
- <sup>5</sup> *ibid.*
- <sup>6</sup> “US Proposal for Defining Gender Has No Basis in Science,” Nature News, October 30, 2018, accessed January 08, 2019, <https://www.nature.com/articles/d41586-018-07238-8>.

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## APPENDIX A: GLOSSARY

In this section, you will find some of the words you have encountered throughout this document, or through conversation with other people. There are, of course, no exact definitions for these words or directions for how and when to use them. Instead, as in so many other situations, it is important to be respectful of the person to whom you are talking, or talking about, and check with them about what words they would like you to use. Please note that the terms used throughout these Guides may be defined more narrowly than elsewhere for the purpose of discussing gender transitions.

Note: Words marked as adjectives (adj) should **not** be used as nouns (e.g. “a transgender person” **not** “a transgender”).

**Assigned Sex/Gender at Birth:** the doctor-determined sex of a child as a boy or girl when a baby is born. A commonly encountered acronym for this is AFAB (assigned female at birth) or AMAB (assigned male at birth).

**Being Outed:** having someone else reveal your gender identity or sexual orientation, usually without your consent.

**Cisgender** (adj) (abbreviation: cis): someone who is a gender that is the same as the gender assigned to them at birth. The term was created to challenge the assumption that cisgender people (as opposed to transgender people) are always the standard in discussions about gender or sex. It is not a derogatory term or a slur.

**Coming Out:** ongoing process of becoming aware of one’s sexual orientation or gender identity, accepting it, acting on it, and sharing it with others

**Crossdressing** (adj) / **Transvestite:** people who dress, either occasionally or more regularly, in clothes associated with a gender other than their own, as defined by socially acceptable norms. Crossdressing people are generally happy with the gender that they were assigned at birth and usually do not want to permanently alter the physical characteristics of their bodies or change their legal gender. This is not a synonym for transgender identities and should not be used to describe anyone without their express request.

**FTM** (female to male): refers to someone who was assigned female at birth but who is transitioning, or has transitioned, to male.

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**Gender:** umbrella term often used as shorthand to refer to one of, or a mixture of, gender identity, gender roles, or gender expression. When used for gender roles or expressions, it includes the range of socially constructed characteristics assigned to and differentiating between the masculine and feminine. These constructs differ from society to society and can change over time. Traditionally thought of as a binary with male and female as opposing forces, gender is more accurately described as a spectrum.

**Gender Affirmation / Gender Confirmation Surgery:** refers to the many varied procedures that a transgender individual might undergo to better align their physical body with their gender identity. A transgender person does not need to undergo any procedures for their transition to be complete.

**Gender Expression:** external appearance of one's gender identity, usually expressed through behavior, clothing, haircut, or voice, and which may or may not conform to what is socially defined as typically associated with being either masculine or feminine.

**Gender Identity:** an inner, innate sense of self as male, female, somewhere in between, or outside the gender spectrum. Everybody has a gender identity, not just transgender people. Since gender identity is internal, one's gender identity is not necessarily visible to others. Sometimes, this inner sense of gender can be different than the gender assigned to a person at birth.

**Gender-neutral** (adj.): words or phrases that are free of reference to a particular gender.

**Gender Non-conforming** (adj.): broad term referring to people who do not behave in a way that conforms to the traditional expectations of their gender, or whose gender expression does not fit neatly into a category.

**Genderqueer** (adj.): a non-binary gender identity; may be both male and female, neither male nor female, or fall completely outside or somewhere between the gender binary.

**Gender Roles:** expected behaviors, thoughts, and emotions of a specific gender based upon the views of a particular society or culture.

**Intersex** (adj.): a person who is born with external genitalia, chromosomes, internal reproductive systems, or other biological markers that are not traditionally associated with the (biological) sex binary.

**In the Closet:** keeping one's sexual orientation or gender identity secret. A person may be "out" in some social situations, and "closeted" in others.

**Male-female/Sex/Gender Binary:** the idea that all people must either be male or female.

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**MTF (male to female):** refers to someone who was assigned male at birth but who is transitioning, or has transitioned, to female.

**Non-binary Gender:** refers to people whose gender does not conform to the traditional Western gender binary model. They may be both male and female, neither male nor female, or fall completely outside or somewhere between the gender binary. Examples of labels people may use to describe their non-binary gender include androgyne, polygender, genderqueer, demigirl, or demiboy. These are only a handful of labels that fall under the non-binary umbrella, and some people may use no label at all.

**Passing:** when used by transgender people, it refers to being perceived as their actual gender (as opposed to the gender assigned to them at birth). When used by LGB people, it refers to being perceived as heterosexual or “straight.” In general, it should not be used in these ways by non-LGBTQ people.

**Personal Gender Pronouns (PGP):** the pronoun or set of pronouns that an individual would like others to use when talking to or about that individual. Everybody has personal gender pronouns, not just transgender people. You should always use the pronouns that a person requests.

**Questioning (adj):** a person who is questioning their sexual orientation and/or gender identity. They should not be referred to as “confused.”

**Sex:** the scientific classification of a person as male or female at birth based on a combination of physical factors such as external genitalia, secondary sex characteristics, and hormones. Sex and gender are not interchangeable terms although the two are often conflated. Sex refers solely to physical characteristics, which can be affected and/or changed by transitioning.

**Stealth (adj):** a trans person who chooses not to disclose their gender history. This status may be used for a number of deeply personal reasons, which can include fear of repercussions such as loss of employment, damage to personal relationships, and the threat of anti-trans violence if one’s gender history is discovered.

**Transgender / trans (adj):** someone who is a gender that is not the same as the gender assigned to them at birth. Being transgender is separate from a person’s sexual orientation and gender expression, and these terms should not be conflated to include being transgender.

**Transitioning:** the social, medical, and/or legal process of aligning one’s life and physical characteristics to match their gender identity.

**Transphobia:** refers to the hatred or fear of transgender people. Discrimination based on a person’s transgender identity.

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## APPENDIX B: SAMPLE INSTITUTION GUIDELINES

The following are transition guidelines created by the Tacoma Art Museum. The guidelines are included here with permission.

### **Introduction**

Tacoma Art Museum is an advocate for diversity and equal employment opportunities for all qualified candidates. We do not discriminate on the basis of gender identity or expression. We believe that providing a work environment based on respect, trust, and collaboration creates an exceptional employee experience where employees can bring their whole selves to work and thrive in their careers.

These guidelines are intended for TAM's transgender and gender non-conforming employees, their coworkers, managers, human resource professionals, LGBT employee group leaders and others who may be involved in a workplace gender transition. It covers best practices for employees and managers as well as how to address visitors, volunteers, and external stakeholders.

### **Expectations for Transitioning Employees**

If you are the transitioning individual, you have the right to openly be who you are. This means that while still maintaining professional expectations, you may express your gender identity, characteristics or expression without fear of consequences. With this right, however, also comes the expectation that you will work with others to ensure they understand your needs and you understand the expectations of you. As part of a team, it is important for you to do your part to make the transition successful and one of the first steps is to inform key personnel who can assist you.

Your first point of contact may be: your immediate manager, the Human Resources coordinator, a member of TAMs Employee Assistance Program, or a member of the Gay TeAM affinity group. It is important that at some point your immediate manager or HR coordinator becomes part of your support team. You will work with your first point of contact to develop a transition plan detailing how information about your transition will be communicated to other TAM employees and stakeholders as necessary.

Remember, as with all employees, you are covered under TAM's non-discrimination policy; however, TAM must be aware of your situation in order to provide support.

### **Expectations for Managers**

TAM is committed to and supports diversity. If someone who reports to you informs you of their desire to transition or if an individual in your team is currently in the transition process, your support is critical.

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**If you are unfamiliar or uncomfortable with the transition process, Allow the transitioning individual to educate you (if they are willing). Additional education and support is available from the Employee Assistance Program, the Gay TeAM affinity group, and the HR coordinator.**

Listen carefully to what the individual is telling you about how they'd like to be treated. For example, do they want to keep their transition as quiet as possible or do they wish to celebrate publicly?

Be open-minded and discuss the transitioning individual's needs and concerns.

If you oversee, manage, or lead an employee who is transitioning, it is important that you demonstrate an understanding, and use a sensitive approach to their needs and concerns.

Based on past experiences of bias, it may be quite stressful and frightening for the employee to make themselves vulnerable to a person upon whom their job depends. It is important that you make it clear that your conversation will be held in confidence. Also ask their permission to talk to the HR coordinator for further assistance.

Transitioning employees will develop a Transition Plan in collaboration with their point of contact (who may be you, the HR coordinator, or another person).

Not only do the specific steps of transition and their timing vary, individuals also differ in how public they want to be as they transition. Some individuals prefer that very few people know they are about to transition and hope that after the transition they can quietly blend in as members of their gender. Others are committed to educating the public about transitioning and are eager to answer questions, and continue to talk openly about being transgender long after transition.

Work situations vary, too. The type of workforce; the nature of work being done; the amount of interaction the individual employee has with peers and visitors all have a bearing on how the transition should be handled. For all these reasons, there is no single formula for managing transitions in the workplace.

It is important to work closely with the employee to ensure we respect their privacy and their preference on the amount of information that should be shared with the rest of the employees. It is essential that open and honest communication be established to build trust for each party. With each right, also comes a responsibility or an expectation. A successful transition in the workplace can only occur with commitment and understanding of each involved party.

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Control over the flow of information is very important in managing the transition process. The manner in which co-workers and clients are informed about the employee's change and the timing of this disclosure are critical in making the transition progress smoothly. Therefore, confidentiality should be a primary concern in the early stages of transition planning.

### **Expectations for Human Resources Coordinator**

In addition to ensuring these best practices for managers are followed, the HR coordinator needs to ensure that the employee's manager is supported throughout the entire transitioning process.

Regular check-ins with the manager and the transitioning employee are important. The HR coordinator needs to work closely with the manager and the transitioning employee to ensure individual and team meetings are scheduled appropriately and the proper external support is being leveraged. The HR coordinator also needs to keep a close 'pulse' on the museum to ensure there are no negative issues in the workplace that are not being addressed.

Lastly, the HR coordinator is advised to check-in over the long term and not just during the initial transition process. Some issues may not surface until some time has passed and the initial focus on transition is over.

### **Expectations for Staff**

TAM is committed to and supports diversity. All staff are expected to treat co-workers with respect and dignity.

The Gay TeAM affinity group is available to provide additional support and resources for the transitioning employee, their manager, and any other staff who request it.

If a co-worker is transitioning and you are not certain which pronouns to use, it is appropriate to respectfully ask their name and which pronouns you should use. In general, it's considered insensitive to refer to someone by the wrong pronoun once you have established what the person prefers.

Transitioning individuals 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 TAM's Harassment, Discrimination, and Workplace Violence policy.

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## **Transition-related Changes**

### *Name and gender change*

Legal name and gender “marker” (i.e., “M” or “F” on legal identity documents) changes can sometimes take months or even years to get updated depending on the circumstances. Until then, every effort will be made to use the new name and gender marker on all documentation. (e.g. email, phone directory, company identification card or access badge, name plate, etc.) The only exception is where records must match the person’s legal name, such as on payroll and insurance documents.

Employees with a legal change of name and/or gender marker should notify HR via email. This change should update all internal and benefits-related systems. In everyday written and oral communication, the new name and pronouns will be used when the individual is ready, in accordance with their Transition Plan.

### *Email*

TAM’s email system is not linked to the employee’s legal name. To change your name in the email system, contact the IT and Facilities Manager.

The transitioning employee should change the name and pronouns in their email signature in accordance with their Transition Plan.

### *Communication*

The employee’s Transition Plan will detail how and when co-workers and other stakeholders will be informed of the transition.

## **Frequently Asked Questions**

### *How should a transgender employee dress?*

A transgender employee is permitted to dress consistently with their gender identity and is required to comply with the same standards of dress and appearance that apply to all other people in their workplace and similar position. Managers have the same right to review a transitioning individual’s professional attire as they do any other individual. If a transgender employee dresses inappropriately, this should be addressed in a manner consistent with any other employee. Any concerns should be addressed with the employee directly. Take care not to use personal opinions to judge a colleague’s

professional appearance. If the individual dresses or behaves inappropriately according to the dress code, this issue should be dealt with in the same manner it would be addressed with any other individual.

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Which restroom should a transgender employee use?

TAM's staff restrooms are all-gender.

Our policy is that all employees are permitted to use the facilities that correspond with their gender identity. For example, a person who identifies as a man is permitted to use men's restrooms, and a person who identifies as a woman is permitted to use women's restrooms. All employees should determine the most appropriate and safest option for themselves.

*What if an employee needs to take time off for transition-related healthcare?*

Managers should provide sufficient flexibility to meet the individual's needs for appointments. Time off for medical appointments and procedures is to be granted on the same basis as for any other scheduled medical appointments and procedures.

Employees (and covered dependents) in the process of transitioning may wish to have appropriate medical care to support their transition including treatments such as hormone replacement therapy and/or gender reassignment surgery. TAM's health insurance provides coverage for transgender care as follows:

[summary of benefits]

As with other aspects of a transition, plans should be discussed and communicated only with affected parties in order to manage expectations and to minimize disruption. Medical information, including surgery plans communicated by an individual, should be treated confidentially.

*What if a co-worker has a concern about an employee's gender transition?*

A diverse workplace means that employees must be able to work with all kinds of people. It is not required that they "believe in" or accept an individual's right to be transgender. All employees are entitled to their beliefs, but everyone should be required to treat the transitioning employee and every other employee, with respect and without bias.

A lack of knowledge about transgender issues has the potential for creating misunderstanding and tension in the workplace. While everyone is expected to conduct themselves in accordance with Company's Harassment, Discrimination & Violence in the Workplace Policy, we must also ensure that a forum is made available for individuals to express their concerns, ask questions and learn about transitioning in the workplace. The Gay TeAM affinity group is available to help answer questions or secure outside resources for education as needed.

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## APPENDIX C: SAMPLE TRANSITION PLAN

### Transition Plan: Avery

**Primary Point of Contact:** Zhou (direct supervisor)

#### Stakeholders and Plan:

*Bonnie (HR Director):* Avery to meet one-on-one with Bonnie before 3/18.

*Luka (Education Director):* Avery and Zhou to meet privately with Luka by 3/20.

*Ben (IT Manager):* Zhou to meet with Ben as soon as possible after 3/18 to discuss necessary steps for changing name in email and other institutional technology.

*Education Team:* Avery to inform education team at team meeting on 3/25.

*Entire Museum:* Bonnie to send out all-staff email on 3/27. Bonnie to draft email by 3/25 for Avery's review and revision.

*Volunteers:* Cy (volunteer coordinator) to send out email to all volunteers who work with Avery on 3/27. Bonnie to share text of all-staff email with Cy after Avery's revisions; Karen will use the same language for the volunteer email.

#### Name Change:

Avery will begin going by Avery and using they/them pronouns on 3/27. All of the following instances of Avery's former name will be changed on 3/27 or as soon as possible thereafter:

- Email address and signature (IT department to manage)
- Security badge (Avery to get new badge on 3/27)
- Name tag (Avery to complete paperwork for new nametag by 3/30 for next order)
- Business cards (Avery to complete paperwork for new business cards by 3/30 for next order)

Avery will get their legal name changed within the next six months. Legal documentation will be changed as soon as the court order goes through and, for items such as payroll, as soon as changes are made with the Social Security Administration.

#### Guidelines Review:

Zhou will conduct a Guidelines Review session with the education team during the regularly scheduled team meeting on 4/1. This meeting will be mandatory for all members of the team except Avery.

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Bonnie will conduct a Guidelines Review session with all management staff on 4/3. All staff will receive a copy of A Coworker's Guide to Gender Transition and Transgender Inclusion in the Museum Field.

**Practical Considerations:**

Restrooms: In the absence of all-gender restroom facilities, Avery has chosen to continue using the women's restroom and locker room.

**Complaint Procedures:**

Any concerns or complaints about Avery's transition are to be referred to Zhou. If complaints or concerns are voiced to Avery, they will refer the person to Zhou and notify her.

Members of the education team are expected to help hold each other accountable for using Avery's correct name and pronouns. A period of adjustment is expected, but efforts to use the correct name and pronouns should begin immediately on 3/27. If colleagues continue to use the incorrect name or pronouns, Zhou and Bonnie will work together to take corrective action.

**Transition Milestones:**

Avery will require time off for gender affirmation surgery in or around November. Avery and Zhou will coordinate exact dates as more details from healthcare providers are known.

**Additional Resources:**

Fatima (chair of Education's Diversity Taskforce) [contact info]

Karl (EAP contact) [contact info]

**Other Considerations:**

Avery to contact the National Association for Interpretation regarding name change on CIG certification. If additional steps are needed, Avery will communicate needs to Zhou.

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## APPENDIX D: FURTHER RESOURCES

### Museum Specific Resources:

Coleman, Laura-Edythe. *Understanding and Implementing Inclusion in Museums*. Rowman & Littlefield Publishers, 2018.

Ferentinos, Sue. *Interpreting LGBT History at Museums and Historic Sites*. Rowman & Littlefield Publishers, 2014.

Levin, Amy K. (Ed.). *Gender, Sexuality and Museums: A Routledge Reader*. Routledge, 2010.

Sandell, Richard; Nightingale, Eithne (Eds.). *Museums, Equality, and Social Justice*. Routledge, 2012.

### Books:

Gibson, Sarah; Fernandez, J. *Gender Diversity and Non-Binary Inclusion in the Workplace*. Jessica Kingsley Publishers, 2018.

Kermode, Jennie. *Transgender Employees in the Workplace: A Guide for Employers*. Jessica Kingsley Publishers, 2017.

Sheridan, Vanessa. *The Complete Guide to Transgender in the Workplace*. Praeger, 2009.

Weiss, Jillian T. *Transgender Workplace Diversity: Policy Tools, Training Issues and Communication Strategies for HR and Legal Professionals*. BookSurge Publishing, 2007.

Zheng, Lily; Ash Fogarty, Alison. *Gender Ambiguity in the Workplace: Transgender and Gender-Diverse Discrimination*. Praeger, 2018.

### Journal Articles:

Bailey, Matthew. "Transgender Workplace Discrimination in the Age of Gender Dysphoria and Enda." *Law & Psychology Review*. March 2014: No. 38.

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- Baillie, Pat; Gedro, Julie. "Perspective on Out & Equal Workplace Advocates Building Bridges Model: A Retrospect of the Past, Present, and Future of Training Impacting Lesbian, Gay, Bisexual, and Transgender Employees in the Workplace." *New Horizons in Adult Education & Human Resource Development*. 2014: No. 23(2).
- Beauregard, T. Alexandra; Arevshatian, Lilith; Booth, Jonathan E.; Whittle, Stephen. "Listen Carefully: Transgender Voices in the Workplace." *International Journal of Human Resource Management*. 2018: No. 29(5).
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- Connell, Catherine. "Troublin the Gendered Organization: The Possibilities of Transgender for Workplace Equality." Conference Papers--American Sociological Association. 2007.
- DeSouza, Eros R.; Wesselmann, Eric D.; Ispas, Dan. "Workplace Discrimination against Sexual Minorities: Subtle and Not-so-Subtle." *Canadian Journal of Administrative Sciences (John Wiley & Sons, Inc.)*. 2017: No. 34(2).
- Dietert, Michelle; Dentice, Dianne. "Gender Identity Issues and Workplace Discrimination: The Transgender Experience." *Journal of Workplace Rights*. 2009: No. 14(1).
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- Kermode, Jennie. "How to Support Transgender Employees." *People Management*. 2018.
- McNickles, Joyce. "Transgender Workplace Diversity: Policy Tools, Training Issues and Communication Strategies for HR and Legal Professionals." *New Horizons in Adult Education and Human Resource Development*. 2009: No. 23(3).
- Oswald, R.S.; Scher, D. "Trans-cendental: Applying existing law to protect transgender people in the workplace." *Empty Closet*. 2015: 494.
- Sawyer, Katina B.; Thai, Jayden L.; Martinez, Larry R.; Smith, Nicolas A.; Discont, Steve. "Trans Issues in the Workplace 101." *TIP: The Industrial-Organizational Psychologist*. 2016: No. 54(1).
- Schilt, Kristen. "Gender Discrimination in Transgender Workplace Transitions." *Conference Papers--American Sociological Association*. 2006: 1.
- Schilt, Kristen; Connell, Catherine. "Do Workplace Gender Transitions Make Gender Trouble?" *Gender, Work & Organization*. 2007: No. 14(6).
- Sheridan, Vanessa. "Transgender in the Workplace: The Last Inclusion Frontier?" *Echelon Magazine*. 2010: October.

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Thoroughgood, Christian; Sawyer, Katina. "Research: Why Employer Support is So Important for Transgender Employees." *Harvard Business Review Digital Articles*. 2017: October.

Wilson, Danielle. "Trans'-Cending Stereotypes: Tackling Transgender Bias in the Workplace." *HR Specialist: New Jersey Employment Law*. 2011: No. 6(6).

Zheng, Lily; Fogarty, Alison Ash. "Want to Create a Trans-Inclusive Company? Invest in These Two Things." *Leadership Excellence Essentials*. 2018: No. 35(5).

**Websites:**

American Civil Liberties Union. Know Your Rights: Transgender People and the Law. <https://www.aclu.org/know-your-rights/transgender-people-and-law>. Accessed December 4, 2018.

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National Center for Transgender Equality. Know Your Rights: Employment (General). <https://transequality.org/know-your-rights/employment-general>. Accessed December 4, 2018.

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## CONTRIBUTORS AND PARTICIPANTS

Marian Bechtel (they/them)

Kaden Borseth (they/them), *Fernbank Museum of Natural History*

Mac Buff (they/them), *Tacoma Art Museum*

Paul Carriere (he/him), *Atlanta History Center*

Robin Savannah Carver (she/her), *Institute for Policy Studies*

Barbara Cohen-Stratyner (she/her), *Outsidethemuseumblog*

Blair Denniberg (she/her), *Oregon Museum of Science and Industry (OMSI)*

Lauren H. Griffin (she/her), *American Alliance of Museums*

Erica Hague (she/her), *Atlanta History Center*

Alison Kennedy (they/them), *Franklin Park Conservatory and Botanical Gardens*

Michael Lesperance (he/him), *The Design Minds, Inc.*

Alexander Lussenhop (he/him), *Museum of Science, Boston*

Jennifer Olive (she/they), *Georgia State University*

Deidre Hamlar Stephens, J.D. (she/her), *Columbus Museum of Art*

Jessica Vanlanduyt (she/her), *Atlanta History Center*

Logan Ward (he/him), *The Ohio State University*

Anna Woten (she/her), *Atlanta History Center*

We would also like to acknowledge our 11 members who are stealth, or who chose not to be listed by name for personal or safety reasons. While some in the museum field are making progress towards better inclusion of transgender staff, volunteers, and patrons, many institutions do not have policies in place to protect the transgender community. As such, it is not always safe for trans individuals to reveal their identity or trans status, even if they have already transitioned. We greatly appreciate the risk they took to help the *Toolkit* become a reality and we hope that this will make the museum field a safer place for everyone.