

## Gender Transitioning in the Workplace Procedure

Applies to all Uniting

People

### Contents

|     |                                                  |    |
|-----|--------------------------------------------------|----|
| 1   | Purpose .....                                    | 2  |
| 2   | Legislation and standards .....                  | 2  |
| 3   | Procedures .....                                 | 2  |
| 3.1 | Support team procedure .....                     | 2  |
| 3.2 | Guidelines for staff who are transitioning ..... | 5  |
| 3.3 | Practicalities .....                             | 6  |
| 4   | Roles and responsibilities .....                 | 7  |
| 4.1 | Managers .....                                   | 7  |
| 4.2 | Transitioning staff member .....                 | 7  |
| 4.3 | All staff .....                                  | 8  |
| 5   | Definitions and terms used .....                 | 8  |
| 6   | References and resources .....                   | 9  |
| 7   | Related Uniting policies and documents .....     | 10 |
| 8   | Metadata .....                                   | 10 |
| 9   | Revision History .....                           | 10 |

## 1 Purpose

At Uniting, we actively promote a diverse and inclusive environment. We pride ourselves on our people, who come from various backgrounds and communities. Uniting is a safe place for all lesbian, gay, bisexual, transgender, intersex and heterosexual people.

Uniting requires that staff work alongside one another in a productive and harmonious environment free from discrimination, bullying and harassment. The Uniting *Code of Conduct* and the *Positive Workplace Behaviour Policy* include statements on discrimination, bullying and harassment with specific references to gender identity. All staff must be familiar with these policies.

This procedure document is intended to raise awareness, promote understanding, and provide guidance for stakeholders when a staff member chooses to transition from one gender to another whilst continuing employment with Uniting. The procedure is more specifically for the Uniting person who will be providing support and guidance to the person transitioning. Transitioning may or may not involve medical or surgical intervention, so there is not one clear pathway to completing transition. You will need to work with the staff member to establish how they intend on transitioning. Uniting is committed to working with the transitioning person, their managers, teams and clients to ensure everyone is supported throughout the process from start to end.

Being 'out' at work can be very difficult for some people. It can mean revealing a very private area of someone's life. All individuals are unique, as are all transitions, based on personal, social and health needs. When an individual chooses to transition, there will inevitably be circumstances that are not covered by these guidelines, and will need to be considered on a case by case basis.

For further assistance on any of the content raised in this document or to discuss a transgender-related issue, please visit the Uniting LGBTI SharePoint page on the intranet, to find the appropriate contacts to reach out to.

## 2 Legislation and standards

Sex Discrimination Act 1984

## 3 Procedures

### 3.1 Support team procedure

#### Provide assurance

- Affirm your support of the individual
- Clarify that they have rights as well as responsibilities that assist the process of support for transitioning
- Assure the person that the conversation is confidential to the extent possible, and that any information that should not be shared can be specified by the person transitioning
- Make note of any issues that need outside guidance.

## Pronouns and name

- Ask the person transitioning which pronoun (he, she, him, her, zee, they) and name they wish to be used when being referred to or talked to, and when they will want you to begin using the new name and pronoun
- The person transitioning will tell you which they identify with, do not assume.

## Solicit input

- Ask for suggestions on what you can do to help and discuss how you can assist during their transition
- Ask if they wish to inform their manager, co-workers and clients themselves, or prefer that this be done on their behalf by someone else
- Discuss and agree on uniform or dress code requirements. As Uniting does not specify gendered uniforms, staff can pick from any of the ranges (male, female or unisex) suitable to their role, and still adhere to the *Workplace Appearance and Uniform Policy*.
- The individual may feel more comfortable working in a different position during their transition. Discuss if there is a preference to remain in their current position or be redeployed, if possible.

## Develop a project plan

Discuss the expected timeline for transition at work. This will probably be the point of presenting consistently with their gender identity, including change of name, pronouns, dress, grooming, appearance and restroom use.

The project plan should include:

- When to inform various stakeholders such as colleagues.
- Anticipated time-off required, if known or needed. Explain that normal sick pay and leave policies will apply, but that they can access a combination of both sick and annual leave depending what is required. However, it should be noted that not all transitions require medical or surgical intervention, and the process will be unique to each person.
- Discuss if there is a preference to remain in their current position or be redeployed, if possible and wanted by the person transitioning. The individual may prefer to work in a different position during/after their transition.
- Confirm who will be the Uniting main point of contact (a manager, Human Resources team member, Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Working Party representative or other) to assist in making the required changes to systems and establish relevant processes within Uniting as a result of the transition, and to ensure the process is undertaken smoothly and with sensitivity.

## Addressing concerns of colleagues and clients

A lack of knowledge about transgender issues has the potential for creating misunderstanding and tension in the workplace. While Uniting requires all staff to conduct themselves in accordance with our policies, Code of Conduct and values, we must also ensure that a forum is made available for individuals to ask questions and learn about transitioning.

## Learning about transitioning

Online and face to face training and team discussion are all to be encouraged and facilitated by the manager, or an external expert (such as ACON or the Gender Centre), **with the transitioning staff member's approval**. Training and briefing sessions are ideally completed to align with the transition timeframes to avoid inappropriate staff behaviours. Establishing a common level of knowledge about transitioning strengthens the support that can be provided to the person transitioning and to team members generally.

Anyone who has a concern about their work or work environment should refer to the *Raising and Resolving Issues Policy*, the *Employee Concerns Resolution Procedure*, or a relevant contact person such as the manager or a member of the LGBTI Working Group. This can include the person undergoing the transition or other staff.

If Uniting people express concerns or have questions regarding a **colleague's** transition or if would like to be better informed, the manager of the person transitioning or the transitioning **employee's person of choice**, (such as the relevant Human Resources team member) may meet with team members individually to inform them of the change and to answer questions. The person transitioning is given every opportunity to participate and discuss their story, if they wish to.

## Appropriate action

We all need to work cooperatively with our colleagues, regardless of their gender identity or gender expression. Failure to do so could result in Uniting taking action including, but not limited to, reasonable corrective action and providing employees and staff with appropriate counselling and resources.

Breaches such as discrimination, bullying and harassment may be regarded as serious misconduct and may result in disciplinary action up to and including dismissal.

Internal and external resources are available to help build awareness and understanding. Each of us sets a tone that may impact our colleagues during the transition process. While every person has the right to personal beliefs, Uniting promotes an environment where partners and staff work alongside one another in a productive and harmonious environment free from discrimination, bullying and harassment.

## 3.2 Guidelines for staff who are transitioning

### Introduction

Transitioning experts recommend the creation of an engagement plan to help create a smooth transition process, reduce uncertainties and provide everyone involved with a common road map from which to work. We share the guidelines below based on advice from Pride in Diversity, a member-based organisation which specialises in LGBTI issues, as a starting point for you. If you need further details you can contact Pride in Diversity whose contact details are listed in the References and Resources section of this document.

Creating a support team will make the transitioning at work process easier. Try to involve your manager, local HR team and/or other supportive colleagues to work together to develop an engagement plan that is appropriate for you and Uniting. The list below is a suggested list of things to consider and discuss with your support team.

### Develop a stakeholder list

- Who are all the people in Uniting you may need to engage at some point during the transition?
- When do they need to be engaged?
- Are there any specific issues that need to be addressed sooner rather than later?

Some suggested people to include are:

- Direct line manager – update on the process, timing, leave requirements, concerns, advising other staff (if desired), concerns about other’s behaviours, new uniform and name badges and so on.
- HR representative – updating name and gender on HR systems, leave requests, concerns about **other’s** behaviours, criminal record check process.
- Work team – notifying colleagues of the change, when and why, answering questions.
- Payroll team – update bank accounts, superannuation details and so on.

### Create a timeline: prior to target transition date

#### Milestones

- Block out dates such as legal name change, transition milestones and other events.
- Review the stakeholder list and develop the program to allow time for education.

#### Things to consider

- How would you like your team to find out about your transition? For example, a letter, a face-to-face meeting, individual discussions, your manager explaining, or do you not wish to make an announcement?
- Will you need workspace changes to be made during the transition?
- How long do certain internal functions take? For example, legal name changes on the Intranet, Uniting directories and so on.

- How do you think your clients should be informed?
- When will you need to process any necessary changes to professional licenses?

## Identity document updates

Brainstorm the types and ways of updating gender identify and name. For example:

- List all the things that a new employee must do during the first week of employment— getting a security badge photo, payroll and superannuation paperwork, insurance paperwork and so on. How long do these normally take?
- Talk to IT about a new login once your name is updated within the HR systems.
- Do a search for your name on **Uniting's** external website and intranet to see how many times it appears. How many of these pages will need to be altered or removed?
- Is there any signage within your service that has your name on it?

## 3.3 Practicalities

### Planning ahead for leave

Uniting offers all staff a variety of paid and unpaid leave options. Any Uniting employee intending to transition gender may wish to access their accrued leave including *sick leave, personal leave, annual leave and long service leave*. Please refer to Uniting leave policies for more information.

Managers should endeavour to also provide sufficient flexibility to meet the needs of the individual who is transitioning. Time off for transitioning is to be treated the same as other scheduled procedures. Refer to **Uniting's Employee Leave Procedure** for more information. Uniting may also consider a request for a flexible work arrangement.

### Surgeries

The process of transitioning may include one or more surgeries. Uniting recognises that a transitioning individual may or may not have these surgeries for any number of personal reasons, and that surgery in and of itself is not the goal of a gender transition.

As with other aspects of a transition, plans for leave should be discussed and communicated only with affected parties in order to minimise disruption to the business. Medical information, including surgery plans communicated by an individual, will be treated confidentially.

### Toilets and change rooms

Everyone has the right to use a toilet that matches their affirmed gender. This is one of the messages that should be given to teams early to avoid confusion.

### Uniforms

The Uniting dress standards do not specify gendered uniforms however the Uniform provider does have ranges that are designated male, female or unisex. You are able to choose from any of the ranges at any point. The person who orders your uniforms can make these selections for you, or ask your manager for assistance if privacy is required.

## Confidentiality

For practical reasons, colleagues present around the time of the transition will become aware of the transition. However, after the transition there is no good reason for a new employee to be told about the employee's trans status. Should staff be found to be breaching this confidentiality it can result in disciplinary action as per the *Diversity and Inclusion Policy*.

## Emotional support

Uniting has an employee assistance program open to all staff including those transitioning, those they work with and for managers in supporting someone transitioning. Please reiterate that this resource is available and free and specialists in the EAP program with transitioning experience can be requested.

Other external support groups can be found at the end of the document.

## 4 Roles and responsibilities

### 4.1 Managers

- Work to ensure a safe environment for the person transitioning. This cultural safety includes physical, mental and spiritual safety.
- Support the person transitioning and meet regularly, if required, to provide a confidential opportunity to discuss concerns.
- Let the staff member bring a support person with them to these meetings.
- Support the team and client group (if relevant) to ask questions and find answers.
- Maintain staff compliance with Uniting people policies.
- Act on any concerns about cultural safety either raised or observed within the work environment.
- Engage with the LGBTI business partner within Human Resources if support or advice is required for the person transitioning or the team.
- Work with the transitioning staff member to support them through temporary role changes and/or leave and flexible work arrangements wherever requested and practical.

### 4.2 Transitioning staff member

- Ensure that you make Uniting aware of any leave plans and articulate your requirements from Uniting to support your transition, at the earliest possible time.
- Nominate a support person to assist in planning your transition within Uniting, if required.
- Report any concerns about your cultural safety to your manager or support person.

- Provide any updated documentation in a timely manner.

### 4.3 All staff

- Maintain the privacy and confidentiality of staff member transitioning, both to other staff, service users and visitors.
- Use the name and pronouns that the staff member has nominated, not their previous name or pronoun.
- Report any incidents of inappropriate behaviour, breaches of confidentiality, bullying or harassment to management immediately.
- Adhere to the Code of Conduct, Positive Workplace Behaviour and Diversity and Inclusion policies.

## 5 Definitions and terms used

### Gender expression

Gender expression “shows” your gender and can include an individual’s characteristics and behaviours (such as appearance, dress, mannerisms, speech patterns, and social interactions).

An individual’s gender expression is on a spectrum from masculine to feminine and can include the following: masculine, androgynous, feminine, gender fluid, gender neutral and so on. It is possible for individuals to identify with more than one gender expression at one time, or move within the gender spectrum.

### Gender identity

Gender identity means a person’s deeply felt sense of being man, woman, both, in between, or something other. Some may identify as one gender in one setting and a different gender in another. This may or may not be aligned with the person’s assigned sex at birth.

### LGBTI

An abbreviation that refers to lesbian, gay, bisexual, transgender or intersex.

### Sex/biological gender

The biological attributes that define people as either male, female, a combination of female and male, or neither female nor male. These biological attributes include chromosomes, hormones and physical anatomy.

### Transgender (aka Trans)

Transgender is an umbrella term used to describe a wide range of identities including a person whose gender identity or expression is different from that assigned at birth or those who sit outside the gender binary.

The terms male-to-female and female-to-male may be used to refer to individuals who are undergoing or have undergone a process of gender affirmation. Using terms such as “Transgender” or “Trans” only are now seen as less inclusive than “Trans and gender diverse”.

Some transgender people seek surgery or take hormones to bring their body into alignment with their gender identity, others do not. Some Trans people **don't identify** with being Trans at all as this is a process not necessarily their affirmed gender, but a period of transition, and thus a part of their history not their gender.

## Transitioning

Transitioning is a personal process initiated by an individual who seeks to transition from one gender identity to another, or to no gender at all (gender neutral). There are many different ways to transition. For some people, it is a complex process that takes place over a long period of time, while for others it is a one- or two-step process that happens more quickly. Transition may include “coming out” (telling family, friends, and co-workers), changing the name and/or sex recorded on legal documents and, for many transgender people, changing one's physical appearance (gender expression), accessing medical treatment such as hormones and surgery.

## 6 References and resources

Resources are available to help build awareness and understanding. Uniting resources can be found on the Learning Campus Resources and Toolbox Talks. The tone that each of us sets may impact our colleagues during the transition process.

### Uniting LGBTI resources

Uniting has a variety of resources available for staff and clients on a range of LGBTI topics including transitioning.

[uniting.sharepoint.com/sites/LGBTIGroup](https://uniting.sharepoint.com/sites/LGBTIGroup)

Trans in the workplace resource:

### Pride In Diversity

Australia's workplace program that measures employers' degree of inclusion and staff LGBTI inclusivity as a sign of success. [www.prideindiversity.com.au](http://www.prideindiversity.com.au)

### Australian Government

The Australian Government Guidelines on the Recognition of Sex and Gender standardise the evidence required for a person to establish or change their sex or gender in personal records held by Australian Government departments and agencies.

### The Gender Centre

A support and information centre for transgender and gender diverse people to make informed choices. The Gender Centre website contains resources for the public about the needs of transgender and gender diverse people.

<http://www.gendercentre.org.au/>

## Uniting Employee Assistance Program

Benestar EAP  
 Freecall: 1300 360 364  
 Or visit [www.benestar.com](http://www.benestar.com)

### 7 Related Uniting policies and documents

- Code of Conduct
- Diversity and Inclusion Policy
- Employee Concerns Resolution Procedure
- Employee Leave Procedure
- Leave and Flexible Working Arrangements Policy
- Positive Workplace Behaviour Policy
- Raising and Resolving Issues Policy
- Response to Disclosure of Sexual Orientation or Gender Identity Procedure
- Workplace Appearance and Uniform Policy

### 8 Metadata

|                                                                        |                                                                                      |                    |                 |
|------------------------------------------------------------------------|--------------------------------------------------------------------------------------|--------------------|-----------------|
| Publication date                                                       | November 2018                                                                        | Review date        | November 2021   |
| Replaces                                                               | Gender Transitioning in the Workplace Procedure V1.0                                 |                    |                 |
| Version number                                                         | V1.1                                                                                 |                    |                 |
| Applies to                                                             | All Uniting                                                                          | People and Systems | Choose an item. |
| Responsible Review Officer                                             | Claire Allen - LGBTI Project Officer                                                 |                    |                 |
| Practice Area or Service                                               | People                                                                               | Choose an item.    | Choose an item. |
| Keywords                                                               | LGBTI, Transitioning, Trans, Transgender, Gender                                     |                    |                 |
| Office use only                                                        |                                                                                      |                    |                 |
| Executive Approval                                                     | [Date]                                                                               | Staff Committee    | [Date]          |
| Approved by:                                                           | "[Digital Signature]"                                                                |                    |                 |
| Linda Justin<br>Director of Practice and Quality, Uniting<br>Novr 2018 |  |                    |                 |
| Staff Newsletter                                                       | [Date]                                                                               |                    |                 |

### 9 Revision history

| Version | Revision Description/Reason                          | Revised By    | Date        |
|---------|------------------------------------------------------|---------------|-------------|
| 1.1     | Added LGBTI SharePoint link and updated EAP details. | Claire Allen  | 07-Nov-2018 |
| 1.0     | New procedure.                                       | Vicki Collins | 09-Apr-2018 |