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This publication is for trans and gender diverse employees, their employers, managers and colleagues who are seeking guidance on issues associated with transitioning at work.

We suggest ways to:

- work together to achieve a successful transition in the workplace;
- · address pre-employment issues; and
- provide ongoing support to trans employees.

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# Discrimination and gender identity

Gender identity is a protected attribute under the Queensland *Anti-Discrimination Act 1991* and employers must not directly or indirectly discriminate against an employee because of their gender identity.

The Queensland Human Rights Commission helps resolve complaints about discrimination.

### Why is a trans inclusive workplace important?

#### For the employee:

- · staying in employment;
- · maintaining self-respect;
- · having financial security.

#### For the employer:

- improving staff satisfaction and retention through modern, inclusive workplace policies;
- · enhancing public image of the organisation;
- · reaching new client groups;
- · improving teamwork and increasing productivity;
- complying with state and federal discrimination legislation, including the *Anti-Discrimination Act 1991* (Qld).

# Purpose of this guide

We hope that this resource will assist employees and employers to navigate the challenging issues that trans or gender diverse employees sometimes face at work, particularly when they are transitioning gender.

This information is general in nature so that it is widely applicable. When supporting individual employees, it is vital that employers tailor support to the individual needs of the person, and within the context of that particular workplace.

## **Terminology**

We understand that terminology is important and we aim to be as inclusive as possible.

In this guide we use the terms trans and gender diverse to acknowledge that there are many identities in the gender diversity spectrum.

Trans is an umbrella term that includes all identities within the gender identity spectrum, including (but not limited to) people who identify as transgender, transsexual, gender queer, gender fluid, non-binary, sistagirl, brotherboy, transman or transwoman.

It is important to check with individual people what language they prefer. Language is always changing.

# Gender diversity basics

Gender is an abstract and complex idea that means something different to each person. Gender identity, gender expression and biological sex are all different concepts.

A trans or gender diverse person may not feel comfortable talking about their gender expression, identity or anatomy with work colleagues or managers. It is usually not necessary to know personal information to support a trans or gender diverse person in the workplace.

We have outlined the meaning of the terms you might encounter.

### Terms used

**Gender** is part of how a person understands themself. A person's gender does not necessarily mean that they have particular sex characteristics.

**Sex** refers to a person's biological and hormonal sex characteristics. Sex is different from gender.

**Gender identity** means a person's understanding of themself as male or female, both, or neither. It affects how they perceive themself, and what they call themself. Gender identity can be a fixed and unchanging characteristic for some, however it can also be fluid or evolving for others.

Note: For the purpose of unlawful discrimination, gender identity under the *Anti-Discrimination Act 1991* (Qld) is defined in the following terms: gender identity, in relation to a person, means that the person —

identifies, or has identified, as a member of the opposite sex by living or seeking to live as a member of that sex; or is of indeterminate sex and seeks to live as a member of a particular sex.

To be clear, the definition is based on self-identification rather than legal paperwork including identification documents.

**Gender expression** is the way in which a person communicates their gender identity to others through behaviour, clothing, appearance, voice, and other forms of presentation.

**Gender diverse** refers to people who do not prescribe to binary roles or normative standards of expressing gender. Other identifications that may be used are gender fluid, gender questioning, or genderqueer.

**Gender fluid** means that a person's gender identity is not fixed. Some gender fluid people feel very masculine on some days, and feminine on others, while some live free from definition entirely.

**Non-binary** is used to describe genders that do not fall into binary definitions of male or female.

**Affirming gender** means affirming the gender that matches a person's gender identity. For example, if a person was assigned male at birth and identifies as female, the person affirms their gender as female.

**Cisgender** is a term used to describe people whose gender is the same as that assigned to them at birth. 'Cis' is a Latin term meaning 'on the same side as'.

**Gender dysphoria** is a recognised medical condition in which a person's sex assigned at birth does not match their gender identity or expression, resulting in impaired functioning in daily life. One treatment for gender dysphoria is for the person to undergo a transition. Not all trans and gender diverse people have gender dysphoria and of those who have dysphoria, for many it ceases with access to gender affirming health care.

**Transgender (or trans)** means that a person does not identify with the sex assigned at birth.

**Transitioning** is the process by which a person changes aspects of themselves to better match their gender identity.

A medical transition is the process by which a person changes their physical sex characteristics via hormonal intervention and/or surgery to more closely align with their gender identity.

A **social transition** is the process of making others aware of one's gender identity, changing name and pronoun in social settings, and changing gender expression.

Some people prefer the term 'affirmation' rather than 'transition'.

**Deadnaming** is where a person is called by the name they no longer use. It can be distressing to the person to use a former name as this may be perceived as denying their gender identity.

# Information for trans employees

### Transitioning at work

You have the right to be yourself at work. You also have a right to feel safe in your workplace. If you have decided it is time to transition, or want to start presenting as your affirmed gender at work, this guide will help you get started.

Good communication is essential to a successful transition at work. As difficult as it may be to have that first conversation with your manager or HR officer, you will need to involve these people for a successful transition.

Work with your manager as much as possible; be prepared to answer their questions, and provide your input into how the process will work best for you. Be aware that your manager and HR department probably have never assisted a transition process before. Most people are not well educated about trans and gender diversity issues, and so your colleagues may not have much knowledge to draw on.

#### Planning the transition

We recommend that, when you feel ready to transition at work, that you work out a plan with your manager or HR officer to make sure your expectations are considered and to support the process for you and your colleagues.

A poorly planned (or unplanned) transition can lead to communication breakdowns, misunderstandings and insensitive treatment of you by colleagues. If you don't explain your needs or concerns to anyone, they cannot be addressed.

If you are changing your name, it will mean that a new identity card, email address, computer logons, IT access and payroll details will have to be arranged. Usually your manager will be able to advise you on the best way to go about this. However, if you don't have a good relationship with your manager, consider asking for another person you are more comfortable with to manage your transition. You can also ask for a support person to be present for planning meetings.

### Support person or ally

It is good to find a support person or ally in your organisation who can help you through the transition process. Do you have a strong relationship with someone at work who you think will be open-minded and supportive when you come out as trans or gender diverse? If there is no one at work, you may be able to ask someone outside the organisation.

To prepare for your workplace transition, you could practise coming out to one person at work. You should make it clear to the person that you're not ready to make your transition known to everyone just yet, and they should keep it confidential.

### Names and pronouns (she, he, they)

Consider developing a standard response to say to people if they get your new name wrong, or use the wrong pronoun (such as using he instead of she). Be prepared for slipups, but also correct people if they keep getting it wrong. Complain to your manager if there are repeated and intentional incidents of misgendering or deadnaming.

### Toilets and change rooms

You have the right to use a toilet and/or change room facility that reflects and affirms your gender. Some trans people prefer initially, or even in the long term, to use a unisex/ accessible toilet. This is a personal choice, and you should not be told that you cannot use the toilet that matches your affirmed gender; and you shouldn't be required to use an accessible toilet.

Gender diverse (non-binary) employees are entitled to use toilet and change room facilities that they feel are appropriate and safe for them.

Be aware that toilet use can raise concerns for colleagues, so explain your needs to your manager. This is one of the messages that should be given to your colleagues up front and before you start using the toilet that matches your affirmed gender.

#### Uniform and dress standards

If your workplace has a uniform, you should be allowed to wear the uniform that reflects and affirms your gender. You should not be asked to continue dressing in a uniform that does not match your gender identity.

If your workplace requires a professional standard of dress, it is reasonable to expect you to dress appropriately in corporate clothing in line with what others of your affirmed gender wear. Similarly, if your workplace requires protective clothing, shoes etc., you will have to meet the expected standard for workplace health and safety in the way you dress. However, if there are different expectations on you compared with cisgender employees just because you are trans or gender diverse, this might be discrimination.

#### Co-worker reactions

Be prepared for co-worker reactions to your transition — whether good or bad. Most people are not well educated about trans and gender diverse people, and although it is not your role to educate others, you may need to set some clear boundaries with people about what is not okay, and what is acceptable to you. It is important to tell people if they are making you feel uncomfortable or crossing a line with their comments, questions or actions towards you. If there are persistent issues, discuss them with your manager.

You can use the Information for colleagues section of this guide as a handout, or as the basis for a talk with colleagues.

### Records, logins and email address

If you are changing your name, think about what changes you will need to make for ID cards, work badges, email addresses and computer access, and discuss the date you would like these changes to be made. You may also like to request to change your gender on personnel files.

You should not be required to formally change your gender with the Registry of Births, Deaths and Marriages prior to system changes being made.

# Information for employers: trans staff

### Why is getting it right so important?

For many trans and gender diverse people, affirming their gender and presenting as themselves at work can be the final frontier.

In many cases the person transitioning will have presented as their gender in non-work situations, such as in their private lives with friends and family.

Work is a major part of a person's life. It is not only about livelihood, but influences a person's feeling of self-worth. After transitioning, the reality is that trans and gender diverse people often face prejudice when trying to get work, particularly at the interview stage. For this reason many trans and gender diverse people prefer to stay in their existing jobs; but even so, may still be fearful of losing that employment.

The employee may have real fears about the process ahead, and may look to you for support and guidance.

### Recruitment issues

### Visible inclusion policies

Trans and gender diverse employees may seek out employers who promote themselves as inclusive employers. Many company or organisation websites have inclusive hiring statements, but not all include statements about equal opportunity for people of diverse genders and gender identities. Consider adding a few words to your company's equal opportunity hiring policy and non-discrimination policy.

Gender identity can be specifically included in anti-discrimination policies to make it clear to other employees what the expectations of them are. Gender identity is a protected attribute under Queensland Anti-Discrimination Act 1991 and also under the federal Sex Discrimination Act 1984. You may be able to simply add the words gender identity and gender expression to your existing list of protected attributes, if they are not already there.

Here are some suggestions for text that you could include in your policy:

[Organisation name] fosters diversity, inclusion and respect in the workplace.

We recognise, appreciate and utilise the unique insights, perspectives and backgrounds of each staff member, including gender diverse employees.

[Organisation name] promotes equal opportunity for all staff, including gender diverse employees.

We hire and promote staff based on their ability, and not because of a person's attributes (such as age, race, sex, impairment, religion, sexuality, family responsibilities, gender identity, political beliefs etc.)

[Organisation name] cares about treating people with dignity and respect in ways that acknowledge and engage diverse backgrounds and ideas.

Our policies, practices and behaviours foster a safe and inclusive workplace, and promote equitable and collaborative relationships.

At [Organisation name] we hire diverse staff who will contribute to this mission, including people who identify as LGBTIQ+.

#### Inclusive forms

For cisgender people, filling in a form with only male or female tick box options is uncomplicated.

However, having only the male and female binary options is confronting and frustrating for gender diverse people. It also reflects badly on the organisation, and may create the impression that it is not an inclusive employer.

You may also question the reason for asking a person's sex or gender, and whether the information is necessary. If it is being asked for a legitimate reason, such as to record demographic details of the staff to promote diversity and inclusion it is important to explain that is why the information is being sought. It could be an optional question, or you could have an open text box for individual responses, for example.

| Another term | <br>(please specify) |
|--------------|----------------------|
| Non-binary   |                      |
| Female       |                      |
| Male         |                      |

#### Job interviews

If you are unsure about how a person being interviewed would like to be addressed (that is, as he, she or they), it is okay to ask the person which they use. If the person corrects you, use the pronoun they have specified.

Questions about a person's gender identity or expression during an interview are unwise if they don't relate to the person's ability to do the job. If a person has been asked about their gender identity during an interview and doesn't get the job, they may feel that the reason behind the decision was their gender identity, rather than merit.

### Managing a workplace transition

If an employee advises you that they are undergoing a gender transition or affirmation, this section will provide you with advice and practical tools to ensure a successful transition at work.

### Appointing a case manager

We recommend that you have a case manager in charge of managing a workplace transition or affirmation. This person will be the primary contact for the transitioning employee, and give colleagues someone to talk to on a confidential basis, if any issues arise.

The right person for the job is someone who is open, compassionate and sensitive. They should also be an effective communicator who is prepared to listen to all employee needs. The case manager should also be confident to deal with any conflict that may arise with colleagues about issues such as use of toilets and change rooms.

### Support person or ally

Ask the transitioning employee if they would like someone to be a support person or ally during the process. This could be a colleague that they have a close relationship with, or

an external person such as a partner, friend or family member. They could also be another trans or gender diverse person or someone from the LGBTIQ+ ally network, if you have one.

#### Questions to ask

Ask the trans or gender diverse person what their preferences and intentions are. The person may have firm views about their transition or affirmation, or they may be unsure what exactly they want to happen. Before coming to any conclusions about the best way forward, have open discussions about options and consider what will work best for everyone.

Does the person want to set a date from which they will start presenting as their gender, or would they prefer it to happen over time? Does the date give enough time for practical measures to be put in place?

Will the person have a new name and/or pronoun? What will these be, and when should managers and staff start using them?

Does the person want to announce their transition to colleagues themself? Would they like the news to be shared by email, or would they like a meeting to be held in their absence where the news is provided to staff?

Are there any resources about trans and gender diversity issues that could be made available to staff?

How should questions from staff be addressed? Should staff be directed to the trans or gender diverse person themself, to HR, or a case manager? (This might depend on what the issue is)

What are the specific no go topics that should be avoided? (See the Inappropriate questions section of the *Information for colleagues* section of this guide.)

#### Options to discuss

Here are some options to discuss with the transitioning employee. Consider the pros and cons of each option together. the transitioning employee informs each staff member themself on a one-on-one basis (Note: this may be more practical in a small workplace.) the transitioning employee informs only some trusted staff individually a staff meeting where the transitioning employee announces and discusses their transition with the group a staff meeting (with or without the transitioning employee present) where a manager, HR person or other person of authority informs staff an email notification to staff and relevant stakeholders to be sent by the employer or transitioning employee a video presentation made by the transitioning employee introducing themself as their affirmed gender a presentation from an external presenter (such as the Queensland Human Rights Commission) or a member of the trans or gender diverse community who has personal experience. For more information about training offered by the QHRC,

email training@qhrc.qld.gov.au or call 1300 130 670.

#### Common issues

#### Toilets and change rooms

A trans employee should be allowed to use a toilet or change room that reflects and affirms their gender.

They may express a preference to use a unisex or accessible toilet, but should not be required to use one. Cisgender employees are not required to use a unisex toilet, so neither should a trans or gender diverse employee.

Also, do not direct a trans staff member to only use a toilet on another floor, or a toilet outside the office space. If the trans person is treated differently from others, there is a risk that this may be direct discrimination.

Ask the staff member at what point they would like to start using the toilet of their choice, or whether they would prefer to use a unisex toilet in the short or long term.

#### Uniform and dress standards

If the workplace has a uniform, a trans employee may need a new uniform. They should not be expected to continue dressing in a uniform that does not match their gender identity.

If you require a professional standard of dress in the workplace, it is reasonable to expect the transitioning employee to wear appropriate corporate clothing in line with what other people of their affirmed gender wear at work.

If you require protective clothing, shoes etc., the transitioning employee will also have to meet the expected standard for workplace health and safety in the way they dress. However, make sure that there are not different standards or expectations for a trans or gender diverse employee compared with the cisgender employees.

Transitioning is not like flicking a switch; it is a process that can take time.

The transitioning employee may experiment with levels of masculinity and femininity, and style of dress until they find what works best for them. This is not about the person seeking attention, but finding themself in their gender identity.

### Records, logins and email address

A trans person will often change their name to reflect their gender.

#### Name change

People born or adopted in Queensland, who are over the age of 18, can apply to change their legal name through the Registry of Births, Deaths and Marriages. This service is also available to people born overseas who have lived in Queensland for the past 12 months; but people born in other Australian states have to apply to the state in which they were born.

Name changes can take time and might be onerous. Employees born overseas who have been in Australia for a short time will not be able to change their name without great difficulty. Employees under 18 years might also have significant challenges if they do not have the support of parents or carers.

For these reasons, the employer should make the process for employees to change their name on all documents aside from official records (such as superannuation and tax) as simple as possible, as soon as the person requests the change. The documents that can be more quickly changed include email addresses and signatures, name tags and ID cards. Formal documents such as tax or superannuation funds might require formal name changes – you might need to assist the employee with this process (explained further below).

Refusing to change records can cause distress to a trans or gender diverse employee and it also might amount to unlawful discrimination.

#### Birth certificate

A person who has had "sexual reassignment surgery" can apply to note the change of sex on their Queensland birth certificate. However, this service is not available to trans and gender diverse people who have not undergone sexual reassignment surgery. There is no provision for a person who wishes to be identified as other than male or female to note this on their birth certificate.

#### Driver licence and passport

Driver licences in Queensland no longer include gender markers. Once a person has changed their legal name, they can apply to change their personal details on a Queensland driver licence.

Australian citizens can change the name on their passport but only once their name has been changed with the Registry of Births, Deaths and Marriages. A trans or gender diverse person does not have to have undergone surgery to get a passport issued in their gender, but needs to provide either evidence from the Registry of Births, Deaths and Marriages, or a statement from a medical practitioner or psychologist confirming their gender. The options that a person may select are male, female or X.

#### Australian Tax Office and superannuation records

The Australian Tax Office (ATO) has procedures for updating details of name and gender on their records. A trans or gender diverse employee can change their name with ATO with a myGov account and with a birth certificate, marriage certificate or change of name certificate.

To change gender information with the ATO the trans or gender diverse employee should provide a statement from a medical practitioner, or a valid passport specifying the amended gender, or an amended birth certificate. The options are male, female or indeterminate.

Once the trans or gender diverse employee has changed their ATO records, they will be able to contact their superannuation fund to change the details on those records.

#### In-house details

The trans or gender diverse employee will need to change all their records to their new identity.

Changing records is a process that will involve the employer and employee working together. Avoid unreasonable delays as this may cause unnecessary distress for the transitioning employee. The in-house records that usually have to be changed or reissued are:

- · email account:
- · computer login;
- · ID card or badge;
- · personnel records; and
- payroll.

It is not appropriate to insist that a trans employee registers a change of sex with the Registry of Births, Deaths and Marriages before you allow a change to their employment records. A trans employee who has not had gender reassignment surgery cannot comply with this condition. It is a common misconception that a person must formally change their sex with the Registry before expressing themselves as their affirmed gender.

#### Sick leave

As a manager, you do not need to know if a person is undergoing hormone treatment, surgery or counselling. Only discuss it if the employee raises the issue themself. Sex affirmation surgery is not chosen by all trans and gender diverse people. You would not ask a cisgender woman about a gynaecological procedure; it is simply information you do not require as their manager.

However, a transitioning employee may require some flexibility when it comes to taking time off for medical appointments and surgery.

Not all trans people have gender dysphoria but for those who have disclosed that they do, employers should be aware that it is a recognised condition, and as with other medical conditions, an employer needs to make reasonable adjustments to allow leave to occur.

When a person starts hormone treatment, they go through an experience similar to puberty. This may affect mood in some people, but the effects will decrease over time. Be patient as the person adjusts to the hormones, and be mindful that behavioural changes will settle down in time.

#### Co-worker reactions

Be prepared to manage co-workers' reactions to the transition process. Most people are not well educated about trans and gender diversity issues, and you should be prepared to educate your staff. You can use the Information for colleagues section in this resource as a handout, or as the basis for a discussion with the trans employee's colleagues.

Try to provide this information prior to the start of the transition process so that employees are clear about what the expectations of them are. If there are negative reactions by coworkers, the organisation risks being vicariously liable (under the Anti-Discrimination Act) for the actions of employees.

Here are some tips:

**Develop** standard responses to employees who raise issues about toilet use and physical appearance.

**Encourage** staff to raise concerns privately with the case manager, so that the transitioning staff member is not placed in an uncomfortable or harmful position.

Anticipate that misgendering (calling the person by the wrong name or pronoun) or deadnaming (calling the person by their former name) is likely to occur by accident to begin with; but be aware that these mistakes can be hurtful to a trans or gender diverse person. Any consistent and intentional misgendering or deadnaming could be unlawful discrimination.

**Consider and plan** for what consequences there may be for a co-worker who treats the transitioning employee unfavourably.

#### External relationships

Provide basic information to people who interact with your employees and need to know about the transition, such as security staff. The trans or gender diverse employee may have an external client or customer group that they regularly deal with.

Have a standard response ready in case a client or customer asks for the person by their former name. If there are ongoing relationships, one option is to send an email to key stakeholders about the transition. Alternatively, the transitioning employee may wish to handle these interactions themself.

This is something to discuss with the transitioning employee to determine their preference.

### Confidentiality

Talk with the transitioning employee about whether they are comfortable with disclosing their gender identity. 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 who knows the person as their gender now to be told about the employee's gender identity.

### Possible discrimination risks for an employer

Moving an employee to a different position in the organisation (when not requested) may be seen as unfavourable treatment.

Requiring a staff member to use a toilet or change room that does not match their affirmed gender is gender identity discrimination.

Refusing time off for medical appointments could be impairment or gender identity discrimination.

Refusing to organise a name change at the employee's request on personnel files, emails, ID cards and other documents could be indirect discrimination.

# Information for colleagues: trans co-workers

### Name and pronouns

The most important way you can respect your trans or gender diverse colleague is by consistently using their correct name and pronoun. This may be he, she, they or another term. If you make a mistake, don't make a big deal of it. Apologise and get it right next time.

### The past

When you talk about the time before your colleague's transition, be careful to avoid statements such as 'when you were a male/female...' because the person may feel that they have always been their gender and are simply affirming and presenting as their gender now. A name they used to be referred by should also not be used.

If you have a long work history with the person, you may talk about experiences you have shared in the past. The best option is to ask the person how they would like you to refer to them when talking about past events. Another way is to avoid gendering the person at all, by referring to the relevant time instead. For example, 'In September last year...' or 'when you were a child'. Be guided by the words they use when they refer to themself in the past.

### Inappropriate questions

Use caution when asking questions about the person's transition or gender identity. Many topics are not polite to raise in conversation, and they include:

- the person's body including anatomy;
- whether the person has or intends to have surgery;
- · whether the person is on hormone treatment; and
- the person's sexuality (sexuality is not relevant to gender identity).

Of course, if the trans or gender diverse person raises these issues themself, and is comfortable discussing these topics, that is alright. But as a general rule, ask yourself, 'Would I ask a cisgender person this question?'

### Jokes

Jokes can be discriminatory and cause unintentional harm. A person who is affirming their gender at work may be going through a major, stressful life change. Understandably, they may be sensitive to jokes, especially about anatomy, names, pronouns, style of dress etc. If other people make jokes like that, speak up if you can, and say that those kinds of jokes are not appropriate.

### Gossip

Respect your colleague's privacy by not gossiping about their transition. If there is a new staff member at your workplace, do not 'out' your colleague as trans or gender diverse. This is a major breach of trust and privacy.

### Same treatment

When a colleague is transitioning, treat the situation as 'business as usual'.

Your colleague will notice if you start treating them differently after transitioning. Different treatment may simply involve avoiding the person because you feel awkward about the situation.

If you have never known anyone who is trans or gender diverse before and you feel a bit uncomfortable, do your best to continue to treat the person the same way you did before they transitioned. A simple 'Hi, X how are you?', (using their correct name) in the hallway helps the person feel validated in their gender.

### **Fashion advice**

In the early days of transition, a person may still be finding their fashion style, or experimenting with different levels of femininity or masculinity in the way they present themself. Even if you are tempted to comment, your colleague may be more sensitive than usual about appearance, and so it is probably better to avoid the topic, unless specifically asked for advice.

### **Emotional support**

Transitioning is a huge step that impacts on every aspect of the person's life, and work is often the final frontier for a trans or gender diverse person coming out.

Usually a trans or gender diverse person will have expressed themself in their affirmed gender in their private life. Your colleague may have real fears about things going badly at work, and jeopardising their livelihood. It can be hard for trans people to obtain reliable employment after transitioning, so retaining their current job is all the more important to them

In some cases, if taking hormones, the person may be subject to moderate to severe mood swings, but this will be resolved over time.

Compassion, patience and understanding shown by work colleagues go a long way to supporting a colleague who is transitioning.

### Real life stories

### Gillian's story

This is a real life story. All the names have been changed to protect privacy.

Gillian worked in an administrative role for a large government agency for 10 years. When she started in the role, she presented as a male person called Simon.

In January, Gillian had a private conversation with her manager, Stephanie, and disclosed that she is a transwoman, identifies as a female, and intends to start presenting as a female at work. Gillian and Stephanie agreed to meet again to discuss a transition plan.

In early February, Gillian and Stephanie had several planning meetings and included Kristina from HR. In consultation, they set 1 March as the date that Gillian would attend work for the first time presenting as her affirmed gender. Everyone agreed that Gillian would go on leave from 23 February and return to work on 1 March.

Stephanie, Timothy (the director of the branch), and Kristina offered to hold a meeting with the assistance of the Queensland Human Rights Commission, to inform staff of Gillian's transition. Gillian was happy with this option, but was worried about staff reactions, and said she would prefer not to attend. Gillian offered to make a video of herself presenting as female to familiarise colleagues with the way she will look when she returns to work on 1 March. Everyone agreed that it would be good to play the video at the staff meeting.

In late February while Gillian was on leave, Stephanie organised the following:

- a new photo ID card and security pass;
- · intranet and internet access;
- a new email address;
- · changes to personnel and HR files; and
- phone calls to internal clients to make them of aware of Gillian as the new contact.

She also met with the head of building security and other service areas to ensure they would be aware of the transition prior to 1 March.

On 24 February, while Gillian was on leave, the staff meeting was held with the following agenda. Timothy, the Director, explained the purpose of the meeting, announced Simon's transition to female, and expressed support for Gillian. Gillian's video in which she introduces herself to staff was played. Speakers from the Queensland Human Rights Commission explained staff obligations under the Queensland *Anti-Discrimination Act* 1991. A transgender woman who had transitioned at work spoke to staff, giving a personal account of her experiences. Time was allowed at the meeting to ask the speakers questions, and Gillian's manager Stephanie offered to hold individual private discussions. Handouts about transgender issues compiled by Stephanie were given to staff.

Gillian returned to work on 1 March and continued her duties as before. She emailed all staff to thank them for their support, and received many encouraging responses. Stephanie and Gillian have continued to meet to discuss any issues that have come up related to the transition.

Gillian has seen many improvements in her life: confidence, positive relationships, health and outlook since expressing her true self and successfully transitioning in the workplace.

### Lily's story

This is a real life story. All the names have been changed to protect privacy.

Lily is a professional who transitioned from male to female at work. When she started working at her current job, she was presenting as a male person named Jim.

Lily had been diagnosed with gender dysphoria in October the previous year, and was undergoing hormone replacement therapy.

In January, Jim confided in her manager Phillip that she identifies as a transgender woman and intended to present as a woman called Lily. At that stage, she had considered ceasing her current role and seeking a new job. Jim told Phillip that she had been on hormone replacement therapy and having counselling for the last six months. Phillip responded with strong support, relieved that it was now clear what had been causing Jim's low moods and depression over the past year. This encouraged Lily to reconsider her plan, and she decided to transition in her current job.

This was a totally new situation for Phillip to manage, and he asked Jim what her needs would be over the next few months. In response, Jim created a formal transition plan, including background information on gender dysphoria, some proposed timelines and relevant medical information. Phillip gratefully accepted this information, and a timeline was agreed, with the date for Jim to start presenting as female at work set for 31 March.

In consultation with Jim, over a period of four weeks Phillip had one-on-one sessions with colleagues to explain that the transition would be occurring. Jim also talked to her colleagues and showed them pictures of what Lily looks like. Phillip always made sure that Jim knew when a one-on-one session would be taking place, and took care to tailor the message depending on the reaction he expected from the particular employee. Phillip explained to employees it might be necessary to cut Lily a bit of extra slack as it would be an emotional time for her.

Jim told Phillip that she would like to use the female toilet on the ground floor, then after a couple of months, use the female toilets on their office floor. This was a decision that Phillip supported.

Jim took a week off and returned to work as Lily on 31 March. Lily's colleagues showed her overwhelming support and acceptance. Lily was surprised how accepting her colleagues were; and something else happened. People started coming to her in private and confiding in her, disclosing their own hidden issues and fears. Even colleagues with whom she had previously had issues, came forward expressing their regret at past falling-outs and expressing respect for her courage in coming out.

Lily felt liberated because she was finally able to present as her affirmed gender in all aspects of her life.

### Eric's story

This is a real life story. All the names have been changed to protect privacy.

Eric has workedin a retail store for 7 years. He was hired by the company as a female called Linda. After 4 years working at the store, Linda started taking male hormones to begin the transition to male. Linda came out as transgender to a colleague, Jonathon, who he knew would be supportive.

Linda set up a meeting with two of his managers, to discuss his planned transition and requested that Jonathon come along as a support person. Linda found starting the conversation very hard, but finally got the courage to say the words. The managers immediately asked about what name to use, and started using Eric right away. They expressed relief and excitement, and told Eric they felt honoured that this information was shared with them.

In the meeting they also discussed practicalities, including paperwork, obtaining a locker key for the men's locker room, using the men's toilet, and providing a new ID badge. Eric and his managers also discussed how the news would be shared with colleagues. The managers' suggestion was to put it in the newsletter, but Eric said he would prefer to write a letter to the team to be put up on the noticeboard in the tea room.

Eric's letter contained the following information:

- his new name, and that he would now like to be referred to as 'he' and 'him';
- that he would be using the men's toilet from now on;
- an acknowledgement that it may be a bit weird for everyone (including him) to get used to the change initially, but asked everyone to try their best to get his name and pronouns right;
- a request that they not tell new team members when they start that he is transgender.

While Eric was on leave, he requested that his department's managers inform his colleagues about the transition and refer them to his letter. At the store there were staff working different shifts, so the same message was relayed in the morning meetings every day for a week. In advance, Eric also asked his supportive colleagues who already knew about the transition to speak up for him and answer questions on his behalf.

After transitioning, he found that colleagues did fairly well with his name and pronouns. Although there were slip-ups, he did not feel that these were intentional. He found that external stakeholders such as sales reps did not know about the transition, so to avoid any awkwardness he asked his supportive colleagues to explain his new name and pronouns to them.

Eric feels happy and supported in his role at the retail store and is now a long-term employee. He feels that the workplace has a good culture and is a supportive environment. He has experienced this not only in the way he was treated during his transition, but in the way that diversity is accepted generally.

# Where to go for help

### Support groups

### ATSAQ: Australian Transgender Support Association Queensland Inc

07 3843 5024 (8am to 6pm) | www.atsaq.org.au | info@atsaq.org.au

#### Many Genders, One Voice

www.manygendersonevoice.org | manygendersonevoiceqld@gmail.com

#### QuAC (Queensland Aids Council)

07 3017 1777 or 1800 177 434 | www.qahc.org.au | info@quac.org.au

Cairns: 07 4041 5451 or 1800 884 401 | cns@quac.org.au

### Youth

### Open Doors Youth Service

07 3257 7660 | www.opendoors.net.au | opendoors@opendoors.net.au

### Legal

### **LGBTI Legal Service**

07 3124 7160 | www.lgbtilegalservice.org.au | mail@lgbtilegalservice.org

### Employer assistance

### Pride in Diversity

02 9206 2139 | www.prideindiversity.com.au | info@prideindiversity.com.au

### About the QHRC

We are an independent statutory body established under the Queensland *Human Rights Act 2019*. We were formerly the Anti-Discrimination Commission Queensland, and still handle complaints and training on discrimination, vilification, victimisation and sexual harassment, under the *Anti-Discrimination Act 1991* (Qld).

We support businesses, state and local government, the community sector and people throughout the state.

#### Our work includes:

- · resolving discrimination complaints;
- delivering training to business, government and the community on discrimination and human rights; and
- promoting public discussion on human rights.

We have offices in Brisbane, Cairns, Townsville and Rockhampton.

### **Training**

As the leading authority on the *Human Rights Act 2019*, QHRC is responsible for delivering practical training to help all people in Queensland to understand their rights and responsibilities under the Act, and to help organisations to promote and protect people's human rights. We also offer training on a variety of aspects of anti-discrimination law, including information and capacity building workshops on gender identity and supporting trans and gender diverse employees.

You can contact our training team at training@qhrc.qld.gov.au.

### Complaints, information and enquires

The QHRC has a free enquiry service which can provide information about the Human Rights Act and Anti-Discrimination Act, rights and responsibilities under these laws, our complaints process, and referrals to other support or complaint agencies where relevant.

Our highly skilled complaint management team is responsible for assessing all complaints received and working with parties to resolve the issues through conciliation.

You can read more about our complaints process and conciliation on our website at www.qhrc.qld.gov.au, or contact our enquiry line on 1300 130 670.

# Contact us

**STATEWIDE ENQUIRY LINE: 1300 130 670** 

WWW.QHRC.QLD.GOV.AU

ENQUIRIES@QHRC.QLD.GOV.AU

