



<b>Title:</b> Gender Transition Protocol	<b>Author:</b> L. von Schill	<b>Date:</b> 4/10/2017
NRAO Doc. #:		<b>Version:</b> 1.2

## NRAO Gender Transition Protocol

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## Change Record

<b>VERSION</b>	<b>DATE</b>	<b>REASON</b>
1.0	4/10/2017	Initial Protocol
1.1	4/10/2017	Revised accepted version
1.2	10/7/2019	Updated gender-related language

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## **Gender Transition Protocol Statement**

AUI, Inc. and its research centers, as an equal opportunity and affirmative action employer, maintain a non-discrimination policy that prevents discrimination, in any way, on the basis of sex, sexual orientation, gender identity, or gender expression. This policy is described in the HR Policy Manual (sections 2.12.1.1, 2.13.1.2, and 2.14.1.2). As such, we expect a safe and productive workplace environment for all employees. NRAO has established a protocol to address the needs of transgender employees. This protocol clarifies how our non-discrimination policies will be implemented in situations where questions may arise about how to protect the rights or safety of transgender employees. While this protocol does not anticipate every situation that might occur with respect to transgender employees, the needs of each transgender employee will be assessed on a case-by-case basis, in consultation with the employee. In all cases, the goal is to ensure the safety, comfort, and healthy development of transgender employees while maximizing the employee's workplace integration and minimizing stigmatization of the employee.

### **I Timeline and Actions**

The timelines and actions listed in this document are intended to serve as guidelines, deferring to the needs of the transitioning employee, and supervisor schedules, whenever possible. It is expected that actions noted in this document will take place over time, as determined through the individualized Gender Transition Plan ('the Plan'). Appendix A includes a sample timeline for use in developing the Plan.

#### **I.1 Initial Point of Contact**

NRAO will provide at least one trained point of contact (known as "Sponsor") to serve as a facilitator throughout the workplace gender transition process. Currently, NRAO's Director of Diversity & Inclusion serves as a Sponsor. The Sponsor will work with the employee and Human Resources (HR) to complete the Plan.

#### **I.2 Agreement**

All steps in the Plan will be adopted in consultation and agreement with the gender transitioning employee ("Employee").

#### **I.3 Human Resources Referral**

The employee will be referred to the HR department, so that the employee can be made aware of the company's transgender-related policies, and the availability of transition-related health care and leave benefits. Privacy and confidentiality policies should remain in effect.

#### **I.4 Development of Transition Plan Team**

The Employee and the Sponsor should meet to discuss all of the individuals who will need to be included in the Plan. This team will ideally include the employee, the employee's immediate supervisor, and someone from HR. All members of the Team should become familiar with

NRAO's policies and other relevant resources that provide educational information about transgender issues.

The Transition Plan Team should be aware that a timeline would be helpful for determining when each person needs to become involved in the employee's transition process. The Team should also recognize that certain stages of the workplace transition process will require more lead time than others. A realistic timeline should be developed for each step in the process (see Appendix A for example).

## 1.5 Supervisor Notification

With the employee's agreement, a meeting between the employee and the employee's supervisor will be scheduled. Management beyond the transitioning employee's supervisor should be made aware of the employee's planned transition so that the leaders can express their support when the transition is made known to the employee's work team.

## 2 Gender Transition Plan

NRAO recognizes that the Plan **will be customized to fit the individual needs of the transitioning employee**. It is expected that the following components will be considered when developing the Plan:

- Date that the transition will officially and formally occur (i.e., when the employee will change their gender expression, name, and pronouns). The employee may choose to begin using the restroom associated with their gender identity on this date as well.
- How, and in what format, the employee's co-workers should be made aware of the employee's transition (i.e., will the employee want to make some co-workers aware on a one-on-one basis before it is officially announced).
- What, if any, training will be given to co-workers.
- What updates should be made to the employee's records, and when they will be made.
- Determine dates of any leave that may be needed for medical procedures.
- Ensure that all name changes and photographs are updated in advance so that they can go live on the official transition day.

### 2.1 Work Team Meeting

NRAO believes this meeting should be customized to fit the needs of the transitioning employee, the work environment, and our commitment to a non-discriminatory, inclusive and respectful workplace. It is expected that the following components will be considered when planning the meeting at which the Employee's co-workers will be notified about the transition.

- The meeting should include the employee's supervisor, the employee's co-workers, and any other team or regional leadership if they are able to attend live. A remote conference should include other co-workers who cannot be present in person.

- If the employee thinks that it would be helpful, a handout about transgender issues can be provided at the meeting.
- A letter from the transitioning employee may be read at the meeting.
- A letter expressing support from NRAO management may also be read at the meeting.
- The head of the employee's work team should announce the transition, along with any other upper-level management who are there in order to show solidarity for the transitioning employee. The speaking supervisor will:
  - Emphasize the employee's importance at the company and the management's complete support of the employee's transition.
  - Review NRAO's non-discrimination policies.
  - Indicate that the transitioning employee will be presenting themselves in accordance with their gender identity, and that this should be respected.
  - Advise co-workers about the transitioning employee's new name and pronoun in all communication – written and oral, formal and informal.
  - Make a point that the transition will not affect the workplace, and that everything should go on as it did previously.
  - Offer opportunities for questions. Refer questions that the supervisor cannot answer to HR.
  - If training is planned, the date should be announced at this meeting. If possible, the training should occur before the date of the employee's official workplace transition.

## **2.2 Official Day of Transition**

Human Resources should ensure that all elements are in the place, including:

- Making sure that the transitioning employee has an appropriate email address (reflecting new name), and photo.
- Ensuring that all work documents have the appropriate name and gender, and checking that these have been changed in all of the places that an employee's name may appear.

## **3 Resources**

- In-person training on Gender Identity and Expression

## **4 Policy Clarifications**

### **4.1 Privacy**

Transgender employees have the right to discuss their gender identity or expression openly, or to keep that information private. Information about an employee's transgender status (such as assigned birth sex) constitute confidential medical information under privacy laws like HIPAA. Management, human resources staff, or coworkers should not disclose information that may reveal an employee's transgender status or gender non-conforming presentation to others. That kind of personal or confidential information may only be shared with the transgender employee's

consent.

## **4.2 Dress Code**

NRAO does not have dress codes that restrict employees' clothing or appearance on the basis of gender. Transgender employees have the right to wear clothing consistent with their gender identity or gender expression.

## **4.3 Names and Pronouns**

Employees have the right to be addressed by the name and pronoun that corresponds to the employee's gender identity, upon request. A court-ordered name or gender change is not required. It is understood, however, that some HR documents must conform to legal names.

Because many people have not been exposed to gender transition, it is possible that co-workers will make mistakes, such as referring to the employee in gender transition by the wrong name or pronoun, or asking inappropriate questions. Employees in transition, and colleagues, may respectfully correct a co-worker who makes a mistake. It is assumed that mistakes will be less frequent after a reasonable period of time.

If, after a reasonable period of time, a particular employee continually addresses the transitioned employee by the wrong name or gender identity, the Sponsor, and HR, should be notified. The transitioning employee, or co-workers, should not attempt to correct the situation by inappropriate conduct in return.

## **4.4 Complaints**

If an NRAO employee, contractor, vendor or customer requests not to work with the employee because of his or her gender identity, such a request will not be honored. NRAO will not subject an employee to adverse employment actions based on his or her personal identity. Therefore, NRAO will not honor a request to isolate the employee from certain contacts. Those who choose to work with NRAO must respect NRAO employees and NRAO's policies.

Any employee concerns or complaints about gender transition, including those of the employee in transition, co-workers, managers, vendors, customers or others, are to be referred to the Sponsor, *not to the employee in transition*. If complaints or concerns are voiced to the employee in transition, the employee should refer the person to the Sponsor and notify the Sponsor.

When concerns or complaints about gender transition are raised to the Sponsor, the Sponsor will speak to those concerned to provide guidance regarding the NRAO's policy. The matter may also be referred through the usual NRAO grievance procedures.

## **4.5 Restroom and Locker Room Accessibility**

Employees shall have access to the restroom and locker room corresponding to their gender identity. It is understood that some NRAO employees may desire additional privacy. Where possible, site facility managers may make available a restroom that may be used by any employee who has an increased need for privacy. No employee, however, shall be required to use such a restroom.

## 5 Amendment of Plan/Ending Date

If the employee or the manager feels that the Transition Plan needs to be changed in order to constitute a reasonable accommodation, the request is to be made to the Sponsor. The request should be in writing and specifically state the change requested and the need for the change. Within a reasonable period of time, the Sponsor will contact the employee and supervisory management to discuss the change and issue a written decision granting or denying the request.

The Plan will terminate one year from the date initiated, unless the Sponsor determines that circumstances require continuing it for a specific period of time to address problems or concerns that have arisen. The employee and supervisory management shall be notified in writing of the time of extension and the reason.

## 6 Appendices

### 6.1 Appendix A. Example Timeline

In PLAN	Date	Activity
		Initial Contact with Sponsor
		HR Director Notified
		PLAN Team Development Meeting
		PLAN Drafted
		PLAN Timeline Developed (may be delayed)
		Notification of Supervisor
		Notification of Supervisor’s Manager
		Notification of immediate colleagues
		Notification of all NRAO employees
		Changes to email address and related IS information
		New photos taken
		Official photo updated where appropriate
		Date of formal transition
		End

### 6.2 Appendix B. Definitions

**Gender Identity** – One’s innermost concept of self as male, female, a blend of both or neither – how individuals perceive themselves and what they call themselves. One’s gender identity can be the same or different from their sex assigned at birth (Human Rights Campaign).



**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 socially defined behaviors and characteristics typically associated with being either masculine or feminine. (Human Rights Campaign).

**Gender Transition** - The process by which some people strive to more closely align their internal knowledge of gender with its outward appearance. Some people socially transition, whereby they might begin dressing, using names and pronouns and/or be socially recognized as another gender. Others undergo physical transitions in which they modify their bodies through medical interventions. (Human Rights Campaign).

**Transgender** – An umbrella term for people whose gender identity and/or expression is different from cultural expectations based on the sex they were assigned at birth. Being transgender does not imply any specific sexual orientation. Therefore, transgender people may identify as straight, gay, lesbian, bisexual, etc. (Human Rights Campaign).