

JAN

Job Accommodation Network

Practical Solutions • Workplace Success

Accommodation and Compliance Series

Accommodation and Compliance Series: Transgender Issues and Resources

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Introduction

Transgender is a term used to describe people whose gender identity differs from the sex the doctor marked on their birth certificate. JAN can provide information on where to get legal guidance, find workplace inclusion resources, and locate more information.

Legal

- [Sex-Based Discrimination](#) - EEOC Resource
- [What You Should Know About EEOC and the Enforcement Protections for LGBT Workers](#) - EEOC Resource
- [Fact Sheet: Bathroom Access Rights for Transgender Employees Under Title VII of the Civil Rights Act of 1964](#) - EEOC Resource
- [A Guide to Restroom Access for Transgender Workers \(.pdf\)](#) - Department of Labor Publication
- [Gender Stereotyping: Preventing Employment Discrimination of Lesbian, Gay, Bisexual or Transgender Workers](#) - EEOC Resource
- [Frequently Asked Questions: Sexual Orientation and Gender Identity](#) - Department of Labor Office of Federal Contract Compliance Programs Resource

Workplace Inclusion

- [Strategies for Developing a Transgender-Inclusive Workplace](#) - JAN Blog post
- [Transgender in the Workplace](#) - SHRM Resource
- [Transgender FAQ](#) - GLAAD Resource
- [Tips for Allies of Transgender People](#) - GLAAD Resource

Resources

- [Pride@Work](#) - AFL-CIO Resource
- [National Center for Transgender Equality](#)

Situations and Solutions:

A new hire at a software development company expressed upon hire that they are transgender and would like to be addressed using masculine pronouns, like he, him, his.

The employee asked his manager to encourage others to do this, and requested the opportunity to communicate his transition to co-workers he must interact with, to increase awareness about transgender individuals.

A retail food delivery driver in the process of transitioning recently began dressing and grooming in ways that match his gender identity.

Delivery drivers are required to wear a company-issued uniform that is available in different styles, based on gender. This employee requested to change his uniform style to fit his gender expression.

A production worker in a manufacturing facility requested to use the restroom corresponding with the gender with which they identified.

Recognizing that many people value privacy, the employer created a single-use, gender-neutral restroom available to all employees for use in addition to gender-segregated restrooms. The employee was permitted to access to either restroom.

A tax accountant was in the process of transitioning from female to male and requested a leave of absence from work to undergo a hysterectomy and chest reconstruction surgery.

The employee had several weeks of personal leave saved, but needed an additional six weeks to recover from surgery. The employee was permitted access to a personal medical leave program, offered by the employer to all qualifying employees, for the time that was needed to recuperate.

A food service attendant in a fast food restaurant officially changed her name to correspond with her gender identity.

Employees are required to wear a name tag and say their name to customers when accepting drive-through orders. The employee requested a new name tag and asked co-workers to call her by that name. A representative from human resources also met with the employee to make the identification changes necessary in her personnel files.

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