

Research Team

- Donna Smith, Ph.D., 2017-2018 CWDIR Research Fellow
- Lorraine Priest, Ph.D., 2016-2017 CWDIR Research Fellow
- Kimberly Underwood, Ph.D., University Research Chair, CWDIR

Definition of Transgender

- The term "transgender" is commonly used to refer to individuals who do not identify with the sex they were assigned at birth or with standard societal expectations of the male and female gender roles.

Diversity and Inclusion

- Respecting diversity in a workplace means employees are able to work with all people; it does not require that employees believe in or accept transgenderism

- Inclusion is about a diverse workforce becoming more productive, innovative and creative. It is about effectively harnessing the full range of available perspectives and experiences to create a business advantage.

Transgender Individuals and Employment

- Transgender individuals often suffer discrimination in various aspects of their lives, including employment.

- The Transgender unemployment rate is three times higher than the national average.

- Over one quarter (27%) of transgender people who held or applied for a job in the last year reported being fired, not hired, or denied a promotion due to their gender identity.

- More than three-quarters of transgender employees take steps to avoid mistreatment in the workplace.

- Extreme levels of unemployment and poverty lead one in eight to become involved in underground economies—such as sex and drug work—in order to survive.

- Seventy-eight percent of transgender people felt more comfortable at work after transition, and believe their workplace performance improved.

Recent Issues in the News

Bathroom/Facility Access and Transgender Employees

Transgender people have, in the past, been asked for legal identification while entering or using a gendered restroom

Recent legislation has moved in contradictory directions

Non-discrimination laws have included restrooms as public accommodations, indicating a right to use gendered facilities which conform with a person's gender identity

In contrast, some efforts have been made to insist that individuals use restrooms that match their biological sex, regardless of an individual's gender identity or expression

Federal Statutes

There is no federal law barring employment discrimination on the basis of sexual orientation or gender identity.

2012 *Macy v. Bureau of Alcohol, Tobacco, Firearms and Explosives*.

Equal Employment Opportunity Commission (EEOC) stated that intentionally discriminating against an individual on the basis of the person's gender identity, change of sex or transgender status is a form of sex discrimination and thus is actionable under Title VII of the Civil Rights Act of 1964.

2014 *Lusardi v. Dep't of the Army* EEOC decision

A federal agency that denied an employee equal access to a common bathroom/facility corresponding to the employee's gender identity discriminated on the basis of sex;

The agency could not condition this right on the employee undergoing or providing proof of surgery or any other medical procedure; and

The agency could not avoid the requirement to provide equal access to a common bathroom/facility by restricting a transgender employee to a single-user restroom instead (though the employer can make a single-user restroom available to all employees who might choose to use it).

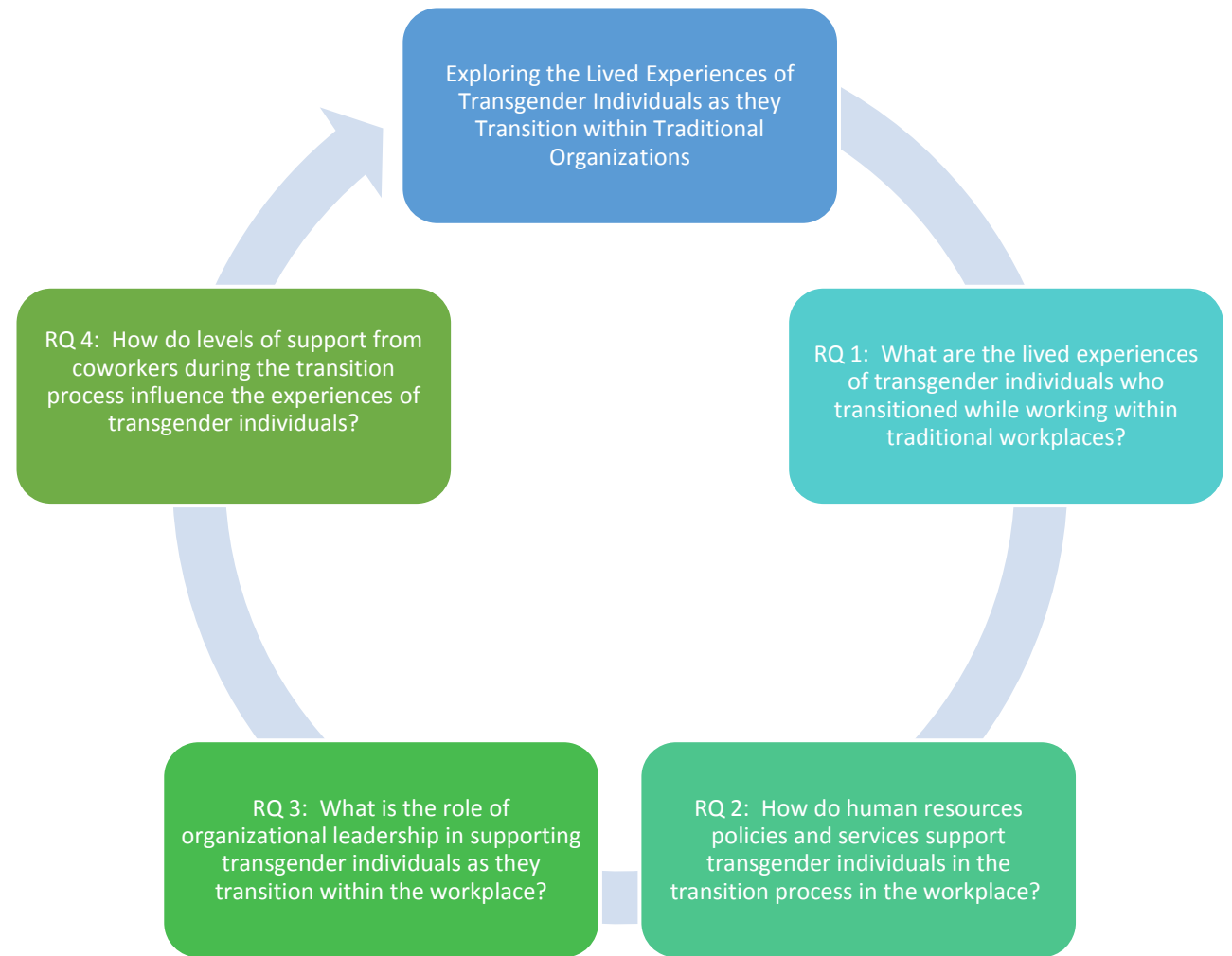
State Laws Vary

In 28 states, you can get fired just for being lesbian, bisexual, or gay.

In 30 states, you can be fired for being transgender.

Twenty-two states and the District of Columbia prohibit employment discrimination on the basis of sexual orientation and/or gender identity by statute.

Organic Inquiry



Methodology

Qualitative Analysis

YouTube video analysis

- 450 possible; 21 selected
- Employed in traditional workplace when transitioning
- Video must relate to transitioning in workplace
- Video in English; not positional

Codebook developed from first 10; tested with remaining 11

- Some codes include:
 - SELF1 Positive Feeling of Representing “True Self” in the Workplace
 - SELF2 Negative Feeling of Representing “True Self” in the Workplace

Emerging Themes

Transitioning experiences
are related to industry

Transgender employees
want to be accepted for
who they are

HR policies and services
vary by workplace

Procedural support needed
within policy development
and HR management

Emotional support needed

Next Steps...

01

Code
additional 10
videos

02

Full Data
Analysis

03

Journal
Publication

04

Presentation
at 2019 KWB
Research
Summit

References

- <https://transequality.org/issues/employment>
- 2017 Workplace Equality Fact Sheet: Lesbian, Gay, Bisexual, and Transgender (LGBT) Workplace Discrimination at a Glance <http://outandequal.org/2017-workplace-equality-fact-sheet/>
- Employing Transgender Workers <https://www.shrm.org/resourcesandtools/tools-and-samples/toolkits/pages/employingtransgenderworkers.aspx>
- Bathroom/Facility Access and Transgender Employees <https://www.eeoc.gov/eeoc/publications/fs-bathroom-access-transgender.cfm>