

**COUNTY OF SANTA CRUZ
PERSONNEL ADMINISTRATIVE MANUAL**

<p>Topic: GENDER INCLUSION/GENDER TRANSITION GUIDELINES</p> <p>Section: EQUAL EMPLOYMENT OPPORTUNITY</p> <p>Number: II.21</p>	<p>Date Issued: December 29, 2023</p> <p>Date Revised: N/A</p>
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PURPOSE:

To provide County staff with tools to support transgender, nonbinary, and gender-nonconforming employees in the workplace, and to provide guidelines for supporting an employee’s gender transition in the workplace.

BASIS:

Personnel Regulation 191 Equal Employment Opportunity Nondiscrimination Program

POLICY:

It is the policy of the County of Santa Cruz to ensure equal employment opportunity and nondiscrimination for all employees. This policy seeks to close gaps between inclusive policies and workplace practices, to create a welcoming workplace for all employees, including those who are initiating a gender transition while employed by the County, or who already identify as transgender, nonbinary, or gender-nonconforming.

PROCEDURE:

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Part I

Navigating Gender Inclusion in the Workplace:

Supporting Transgender, Nonbinary, and Gender-Nonconforming Employees

I. Introduction

The County of Santa Cruz (County) actively supports diversity, equity, inclusion, and equal employment opportunities for all employees and qualified candidates. The County does not discriminate on the basis of sex, gender, gender identity, gender expression, or other protected characteristics. Consistent with the County’s stated equity principles, providing a work environment based on respect, trust, and collaboration contributes to an exceptional employee experience where employees can bring their authentic selves to work and thrive in their careers.

This guideline is intended for the County’s transgender, nonbinary, and gender-nonconforming employees, their coworkers, managers, executive managers, and human resource professionals. The guideline provides information pertaining to workplace gender transition, ongoing support, and everyday interactions with transgender, nonbinary, and gender-nonconforming people in the workplace. It covers best practices for employees and managers, including understanding their roles in maintaining a respectful and inclusive workplace for employees.

This guideline was informed by the Human Rights Campaign Foundation’s [“Transgender Inclusion in the Workplace: A Toolkit for Employers”](#) as a primary source; with input from employees who identify as LGBTQ+ (Lesbian, Gay, Bisexual, Transgender, Queer, plus), and employees who identify as allies of the LGBTQ+ communities.

II. Legal and Policy Bases

Title 2 of the California Government Code protects employees from employment discrimination on the basis of sex, gender, gender identity, and gender expression, and other protected characteristics. While there is currently no federal law that consistently protects transgender, nonbinary, or gender-nonconforming people from discrimination in the workplace, there is case law ([Macy v. Holder, 2012](#)) establishing that transgender people are covered by a federal prohibition on sex-based employment discrimination under Title VII of the Civil Rights Act of 1964. Additionally, [Executive Order 13672](#), signed in July of 2014 by President Obama, amended previous orders 11478 and 11246 to extend protection against discrimination in hiring and employment to LGBTQ people.

County Policy: Personnel Regulation 191 Equal Employment Opportunity Nondiscrimination Program currently prohibits discrimination and harassment of employees on the basis of sex, gender (includes gender expression and gender identity), any non-merit factor, and other protected characteristics. Personnel Regulation 191 is currently under revision to add the protected classes of gender identity, gender expression, and other categories that align with protected classes under state and federal EEO laws. These revisions will be submitted for approval by the County Board of Supervisors in early 2024.

Equity Principles: On October 3, 2023, the County Board of Supervisors adopted this Equity Statement:

Equity in action in Santa Cruz County is a transformative process that embraces individuals of every status, providing unwavering support, dignity, and compassion. Through this commitment, the County ensures intentional opportunities and access, fostering an environment where everyone can thrive and belong.

III. Terms and Concepts

- a. Gender Identity is a person's deeply felt internal experience of gender, which may align with or vary from the sex assigned at birth.
- b. Gender Expression is the way a person expresses their gender through appearance, behavior, clothing, speech, or other characteristics that align with their gender identity.
- c. Sex is a set of biological attributes primarily associated with physical and physiological features that include chromosomes, gene expression, hormone levels and function, and reproductive anatomy.
- d. Cisgender is a term that refers to individuals who have a gender identity that corresponds to their sex assigned at birth.
- e. Transgender is a broad umbrella term for people whose gender identity, expression, or behavior is different from those typically associated with their sex assigned at birth. This includes people who socially and medically transition, as well as others who simply feel their assigned sex at birth does not reflect their true gender, regardless of whether they take steps to medically transition.
- f. Nonbinary is a term that refers to people whose gender identity does not fit into the male/female binary. This may include those whose gender identity isn't fixed, such as gender-fluid people; those who experience a variety of masculine, feminine, or androgynous identities, such as pangender people; those who do not identify with any gender, such as agender people; and more.
- g. Gender-Nonconforming describes a person whose gender identity does not align with prevailing cultural and social expectations about what is appropriate to their gender. People who are gender-nonconforming may include but are not limited to

individuals who identify as nonbinary, two-spirit, genderqueer, gender-fluid, agender, or another identity. Gender nonconformity may also be expressed by cisgender individuals who do not conform to cultural and social expectations of gender roles. People's appearance or style of dress may not conform to gender stereotypes, regardless of gender identity.

- h. Transitioning is the process a person goes through to publicly change their gender expression in society, and for transgender individuals, may include changes in outward appearance, medical and/or physiological changes, and administrative changes (such as name change).
- i. Physiological changes may include changes in physical appearance and/or medical interventions such as hormone replacement therapy and/or surgery; or other changes to physical appearance that allow an individual to present their appearance in a manner that more correctly aligns with their gender identity.
- j. Administrative changes may include a name change with associated updates such as ID badge, business cards and nameplates, phone directory listing, and other actions that may be implemented without legal documentation of the name change. For some records, such as insurance documents, name and gender may only be changed with legal documentation of the name and gender change.
- k. Pronouns are nouns used to refer to someone in the third person, and may include, but are not limited to she/her, he/him, or they/them. Some individuals refer to themselves using a combination of pronouns, such as she/they or he/they.
- l. Coming Out is the process of an individual disclosing to one or more people of their identity as anything other than cisgender, or as a member of the larger LGBTQ+ group. It is important to note that if someone comes out to an individual or group of individuals, it does not necessarily mean they have come out publicly to everyone, and permission to discuss their LGBTQ+ or gender identity status with anyone else must first be given by the individual explicitly.

IV. Workplace Climate and Culture

Workplace climate and culture refers to the overall atmosphere or environment of a workplace, and encompasses attitudes, organizational values, and behaviors of employees, as well as the physical and social aspects of the workplace. The workplace climate and culture signals to employees if they are welcome, valued, and accepted for who they are. In larger organizations, workplace climate and culture can differ across various departments.

a. Communication

One of the main indicators of workplace climate and culture is the quality of communication. Everyday interactions, comments, and attitudes expressed in the workplace, whether overt or nuanced, verbal or nonverbal, signal to transgender, nonbinary, and gender-nonconforming employees whether or not it is safe to be open about who they are.

Casual, non-work-related conversations among coworkers, particularly those related to childhood, spouses, partners, family, and social lives, are commonplace for most employees. In these conversations, transgender, nonbinary, and gender-nonconforming employees must decide whether and how they will engage and respond. While these everyday conversations are important to building working relationships, they can sometimes be uncomfortable for transgender, nonbinary, and gender-nonconforming employees depending on the topic. Creating a work culture of inclusion, respect, and belonging is every employee's responsibility and allows room for people to be themselves. An inclusive work culture is important to create a better and more productive workforce, and to reduce negative biases against transgender, nonbinary, and gender-nonconforming employees.

Using gender-inclusive language is a good way to support diversity and inclusion. There are many commonly used words and phrases tied to gender that we can consciously shift to gender neutral terms to be more inclusive. For instance, "you guys" is a common phrase used toward people of any gender, but uses a term tied to the male gender. A gender neutral alternative could be "you all," "everyone," etc. Here are some other examples from [pronouns.org](https://www.pronouns.org/):

- Instead of "ladies and gentlemen," try "friends and colleagues," or "esteemed guests"
- Instead of "Yes, ma'am (or sir)," try "Yes, absolutely," or "Yes, please"
- In written documents, avoid the binary "he or she" or "s/he" and use they/them pronouns
 - Example: Please welcome Mel, our new Accounting Technician. They previously worked for Monterey County, and we're delighted to welcome them to our team.
 - Example: After reviewing the policy with a new employee, ask if they have any questions.

Workplace communication also encompasses how employees express humor. Although humor and jokes are a normal part of social communication, they can also be a vehicle for bias, and at worst, can lead to harassment or discrimination. When biases against transgender, nonbinary, or gender-nonconforming people are expressed in the form of mockery, they are often brushed off by claiming the remark was "just a joke." Jokes told among employees are indicators of workplace climate and culture, as they signal what is considered acceptable behavior and what (or who) is a target for mockery. Sometimes biased or derogatory remarks are overt and not disguised as jokes. Derogatory comments or jokes about any person or group based on their sex, gender, gender identity, gender expression, or any other protected category are unacceptable, and employees who engage in such behavior may be found in violation of County policies. Consequences for violating the County's policies against harassment and

discrimination could include discipline, up to and including termination of employment. If left unaddressed, derogatory comments and jokes are damaging to morale and productivity, both for the target of the derogatory remarks, and for employees who observe the interaction.

b. Training and Education

One way to establish consistent workplace culture across an organization is to provide training and educational opportunities for all employees.

To ensure compliance with County policies, all employees are required to take state-mandated biennial Sexual Harassment Prevention training. Additionally, all employees are required to receive training on mitigating workplace biases. With these trainings, all employees, at a minimum, have clear guidance regarding appropriate workplace behavior and understand the consequences of failing to comply with nondiscrimination policies that include protections on the bases of sex, gender, gender identity and gender expression.

In addition to mandatory training, the County's robust online training system, Santa Cruz County Learns (SCCL), offers hundreds of courses on a multitude of topics, including communication skills, understanding gender and gender identity, cultivating a respectful workplace, effective leadership, conflict resolution, diversity in the workplace, and many more. Employees may request training, and supervisors may suggest or assign training courses to their employees as part of their ongoing training and development. One best practice is for a supervisor to show a brief training module during a staff meeting to share information with the entire team and engage in a discussion afterward.

c. Management and Administration Best Practices

Management best practices include actively listening to concerns and feedback from transgender, nonbinary, and gender-nonconforming employees; providing confidential and safe channels for all employees to report any incidents of discrimination, harassment, or bias that they experience or observe; and addressing such reports promptly and with sensitivity.

Best practices also include supporting a workplace climate and culture in which all employees are treated with dignity and respect, regardless of sex, gender, gender identity, or gender expression. This support includes:

- checking in with employees periodically to ask how they are doing;
- not tolerating derogatory jokes or remarks;
- addressing inappropriate behavior promptly and decisively by intervening in the moment as appropriate; and

- investigating and resolving issues as they arise.

When creating forms and data collection tools, it's essential to foster gender inclusivity and respect. Use gender-neutral language and gender-neutral pronouns. Avoid the collection of unnecessary gendered information and if the information is necessary, explain why it is important and how it will be used. Use gender-neutral titles. If it is necessary to collect data on gender or sex, take care to be inclusive when designing the categories. Avoid mandating or using honorifics (e.g., Mr., Ms., Sir, Madam, etc.) on forms and in correspondence. Make provision of sex or gender information optional whenever possible. To the degree possible, make this information private, secure, and anonymous.

V. Inclusion in the Workplace

a. Chosen Name

It is inclusive and respectful to recognize and use the employee's chosen name, including in conversations, introductions, and in written references to the employee. The employee's chosen name should be utilized in internal and external personnel directories, email address, and business cards, even if the employee's chosen name does not match legal documents. Some administrative changes may require a legal name change (such as for health insurance providers), but there are ways to be sensitive to those employees who are not yet able to legally change their gender markers. In recruiting efforts, employers should be sensitive to those internal candidates whose name and gender markers may not match their official records; for example, college transcripts, military service records, and professional certifications, which may be difficult if not impossible to change. Human Resources and administrative professionals need to be cognizant of confidentiality issues and protect a person's gender history where records may be revealing but the employee has not come out in the workplace as transgender (see definition of Coming Out in Section III Terms and Concepts above).

b. Pronouns

Respectful pronoun usage is a crucial aspect of inclusion, by affirming the identities of all people, including transgender, nonbinary, and gender-nonconforming individuals. Respectful pronoun usage applies to employees, customers, visitors, and guests. It involves acknowledging and using the pronouns that individuals have chosen to reflect their gender identity. Respecting these choices fosters an inclusive and supportive environment, affirming the dignity and autonomy of each person. For all people, using the correct pronouns – whether he, she, they, or another pronoun – validates their gender identity, contributes to a sense of belonging, and promotes a culture of understanding and acceptance.

When uncertain about what pronouns to use, it is appropriate and respectful to ask. Two ways to do this are:

1. Share your own pronouns when introducing yourself, such as “I’m Lee, my pronouns are they/them. How about you?” or
2. Ask, “What are your pronouns?”
 - a. Avoid asking, “What are your *preferred* pronouns?” as it implies flexibility. A person’s gender identity is not a matter of preference, but is who they are as a person.

If a mistake is made, a quick apology is appropriate, then move on, such as, “I’m sorry, I meant *they* are doing a great job...”.

c. Restrooms/Locker Rooms

Some County facilities have gender-neutral single-user restrooms. Other facilities have gender-segregated multi-user restrooms or locker rooms. Employees, as well as customers, visitors, and guests, may access restrooms and locker rooms corresponding to the gender with which they identify. Ensuring that individuals are able to use the facilities that correspond with their gender identity not only signals inclusivity and dignifies all people, but also ensures that the County is compliant with federal, state and local nondiscrimination laws. For instance, The U.S. Department of Labor’s Occupational Safety and Health Administration (OSHA) has issued [guidance](#) to employers on best practices regarding restroom access for transgender workers. The core principle of these guidelines is that all employees, including transgender employees, should have access to restrooms that correspond to their gender identity.

Preventing a transgender person from using the restroom that corresponds with their gender identity and expression, or requiring a transgender person to use a certain restroom may be construed as discriminatory under federal and state laws as well as County policies.

d. Dress Codes

If any County department has a dress code, it should avoid gender stereotypes and be enforced consistently. If a department must have a gender-specific dress code, including some uniforms, transgender, nonbinary, and gender-nonconforming employees should be allowed to dress in accordance with their gender identity. A best practice is to require professional business attire irrespective of sex or gender.

e. Privacy

Discussions about the employee’s body and medical treatment including surgical procedures or hormone use are not appropriate and are off-limits in the workplace. As for all employees, the health status of transgender employees is private and

confidential, limited to the fewest people necessary, such as human resources professionals. Employers generally do not need to know about a transgender employee's medical treatments beyond planning for potential medical leave for the transitioning employee, if needed. Some transgender individuals may feel comfortable discussing their personal situation with colleagues or management, and such discussions are left to the discretion of the transgender employee. However, colleagues and managers who receive personal medical information must not disclose it to other staff.

Part II

Gender Transition Guidelines:

Supporting Transgender Employees During Transition in the Workplace

I. Introduction

The County of Santa Cruz actively supports diversity, equity, inclusion, and equal employment opportunities for all employees and qualified candidates. The County does not discriminate on the basis of sex, gender, gender identity, gender expression, or other protected characteristics. Consistent with the County's stated equity principles, providing a work environment based on respect, trust, and collaboration creates an exceptional employee experience where employees can bring their authentic selves to work and thrive in their careers.

The following sections provide guidelines for County staff in various roles – one guideline is intended for the County's transgender employees so that they understand all that is involved in the County's role to support them during their workplace transition. The other guidance sections are for staff who work with or supervise any of the County's transgender employees; and for the transgender support team formed to assist transgender employees who wish to have the County's assistance as they transition in the workplace. These guidelines provide information pertaining to gender transition in the workplace as well as ongoing support and everyday interactions with transgender individuals in the workplace. It covers best practices for coworkers and managers, including understanding their roles in maintaining a respectful and inclusive workplace for all employees.

II. Guidance for Supervisors and Managers

If one of your direct reports informs you of their intent to transition or is currently in the gender transition process, your support is critical. The following are key principles of support:

- Education – It is your responsibility to have a basic understanding of gender transition and supporting transgender employees in the workplace, either prior to or on becoming aware that one of your direct reports is transgender. If you are unfamiliar with the gender transition process, explore transgender related information and educational resources supported by the County, that can be obtained through the County's Employee Assistance Program, the Diversity Center of Santa Cruz County, the Transgender Law Center, the County's EEO Office, or from the transitioning individual if they are willing to provide you with resources.
- Listening – Listen carefully to what the individual is telling you about how they would like to be treated, the level of privacy they desire concerning their transition, and any other input on supporting their transition in the workplace.
- Open-Mindedness – Be open-minded while discussing the transitioning employee's needs and concerns and avoid making assumptions. Ask questions and share any concerns you

may have. Seek the employee's input throughout the process so as to empower them while you are learning about their circumstances and support needs.

- Confidentiality – Depending on their unique past experiences, the transitioning employee may be reluctant to disclose and make themselves vulnerable to a person upon whom their job depends. It is important you make clear that your conversations will be held in confidence, and that you will disclose only what the employee is comfortable with and has consented to disclosing during the transition process. Some information will need to be shared with the transition support team members, so it is important to discuss this with the transitioning employee before disclosing the information.
- Setting the Tone: When your other staff members are informed about the employee's gender transition, it is important that you convey your support for the employee and set a tone of respect and inclusion.

Responding to Concerns:

Some people are not familiar with gender transition and may express their discomfort or concerns to you. You should generally follow this process:

- Listen: What exactly is the concern? Is it a concern for privacy? safety? conflict with personal beliefs? other personal discomfort or fears? curiosity?
- Refocus: Acknowledge the apprehension or curiosity but help them refocus on the fact that the transitioning employee is a person who has the skills and experience to do their job.
- Address the concern: See examples below.
- Reinforce: It may help to reinforce the County's values of respect and equity by referencing the County's nondiscrimination policy ([Personnel Regulation 191](#)), as well as the County's [Equity Statement](#).

Examples of concerns/issues you might encounter:

- The employee doesn't accept an individual's right to be transgender; or they say there is a conflict with their religious or other beliefs;

Response: The County is not asking anyone to change their beliefs, but is asking all employees to interact respectfully with one another. All employees have the right to express their gender identity, and that right is protected by law and the County's nondiscrimination policy.

- Concerns regarding restrooms or locker room usage;

Response: All employees have a right to use the restroom or locker room that corresponds with their gender identity. It is not appropriate to assign a transgender employee to use a specific restroom, nor to send the transgender employee to a facility in a different building or work location. Sometimes coworkers feel there is a safety issue around restroom usage. The response is that safety rules apply equally

to employees who are not transgender and those who are transgender, so any *actual safety issues, if they arise*, should be reported under existing safety protocols.

- Discomfort or refusal to interact with the employee;

Response: All employees are expected to interact courteously and professionally with one another, regardless of gender identity. It may help to remind the concerned employee that the transitioning employee is there to do a job and to provide a service, and their gender identity is not a factor in the performance of their duties. Lastly, a reminder may be needed that refusal to interact with an employee based on their gender identity may be a violation of County or departmental policies (e.g., gender identity discrimination, insubordination, or discourteous treatment), may be unlawful, and could lead to discipline.

- Concerns or curiosity about the employee's body;

Response: Remind them that *any* person's body is not an appropriate topic of conversation in the workplace. Any employee, whether cisgender, transgender, nonbinary, or gender-nonconforming, may or may not have their body altered medically, and that decision is personal, private, and of no concern to coworkers. Encourage employees to treat all of their coworkers respectfully without regard to private matters concerning their bodies. Failure to respect these boundaries could violate County harassment policies, with consequences that could include discipline, up to and including termination of employment.

- Concerns about dress/appearance

Response: Transgender employees may dress consistently with their gender identity and are required to comply with the same standards of professional dress and appearance that apply to all employees in the workplace. A concern about *any* employee dressing inappropriately for the workplace should be evaluated and addressed by management. Any dress codes or workplace attire policies should apply to all employees equally.

- Persistently uses the wrong name or pronouns.

Response: Honest mistakes are bound to happen, particularly during the first month of the employee's gender transition period, and employees should expect to receive reminders from the transitioning employee or others when this happens so they can correct the mistake and use the appropriate name and pronouns moving forward. Persistently using the employee's former name or incorrect pronouns after being reminded a few times to use the employee's correct name or pronouns is disrespectful, and if not corrected, may be a form of harassment based on gender

identity, in violation of the County's nondiscrimination policy. Consequences for policy violations may include disciplinary actions.

If you encounter other concerns or issues not addressed here, or need additional guidance, the EEO Officer may be able to assist or provide additional resources.

Monitoring for Long-Term Success:

Once the transition plan has been implemented, the transgender employee's supervisor and/or manager are encouraged to check in periodically with the employee to see how they are doing and ask if there they have experienced any challenges or issues related to their gender transition. All levels of management should monitor the workplace culture and address any issues of disrespectful treatment or potential harassment or discrimination promptly.

III. Guidance for the Transition Support Team

A. Purpose of a Transition Support Team

The purpose of a transition support team consisting of the transitioning employee, the employee's supervisor or manager, the department's Personnel Officer or EEO Liaison, and the EEO Officer, is to work together to plan and implement the various aspects of the employee's transition. Other key personnel will be involved as needed to implement administrative, payroll, and benefits changes; and the transitioning employee may also wish for a trusted colleague to be part of the team. The EEO Officer's role will be as facilitator to work with all members of the transition support team to develop a transition plan and timeline, provide guidance, support, and assistance throughout the transition, and help to conduct staff informational meetings and support management in addressing questions from staff.

B. Initial Conversations

When an employee contacts their manager or Personnel/EEO representative to share they are planning to transition and want to start presenting in their new identity, the employee will need to be assured that the County will work with them to make their transition as smooth as possible. It may be with great anxiety that the person has come to this point, and they may not know what to expect.

The employee should be assured during initial conversations that personal information they share will be treated as confidential. The employee has probably taken great care to safeguard their status and wants to be sure this information will only be disclosed at an appropriate time and in a respectful manner.

In addition, the employee will be more confident in the County's support if they know that the people who will help plan their transition are interested and open-minded and will take

steps to learn about transgender issues and the transition process they are not already aware of.

Finally, in initial conversations with the employee, it is important to assure them that they will have input when planning the steps of their transition at work. The employee's voice is the most important in determining the timing of the gender transition, and any related changes in the workplace.

C. Respecting Privacy and Confidentiality

Not only do the specific steps of transition and timing vary for each transitioning individual, people also differ in how public they want to be as they transition. Some prefer that as few people as possible know they are about to transition, while others want to speak openly about their transition and are eager to answer questions and help to educate their colleagues.

Work situations vary, too. The type of workforce, the nature of the work being done, the amount of interaction the individual has with peers and customers, and the surrounding work culture all have a bearing on how the transitioning employee would like their workplace transition to be handled. For these reasons, there is no single formula for managing transitions in the workplace.

It is important for the transition team to work closely with the transitioning employee to ensure respect for their privacy and to understand their preference on the amount of information shared with other employees in their division or department. It is essential that open and honest communication be established to build trust for each party. A successful transition in the workplace can only occur with commitment and understanding of each involved party.

Control over the flow of information is very important in managing the transition process. The manner in which coworkers and clients are informed about the employee's transition and the timing of this disclosure are critical in making the transition progress smoothly. Therefore, confidentiality should be a primary concern in the early stages of transition planning.

D. Informing Coworkers

If and how coworkers are informed about a transitioning employee's gender transition is completely up to the transitioning employee. Some transitioning employees may not want any form of announcement at all, while others may be comfortable with coworkers being informed in some manner. The transition support team should work closely with the transitioning employee to understand if and how they wish for coworkers to be informed of their gender transition.

The following guidance is for situations where a transitioning employee requests the County's assistance with informing coworkers about their gender transition:

The transitioning employee's management team, particularly any members who have not been part of the initial transition conversations, should be informed about the upcoming transition prior to the employee's coworkers being informed. Sometimes the employee who is transitioning wants to personally inform a few coworkers before everyone else is told. This is fine as long as these coworkers are asked to keep the information confidential until otherwise notified.

If the transitioning employee is comfortable with their coworkers being informed as a group, an in-person meeting is usually the best setting. This informational meeting may be timed to occur a week or two before the transitioning individual begins presenting in their new gender. Depending on the size of the group, it may make sense to hold a first meeting with employees who will work most closely with the employee before informing the larger group. Generally, it is recommended that the transitioning employee not be present during this meeting, but that is up to the transitioning employee, and some may opt to provide a brief statement to be read to their coworkers.

At coworker meetings, it is extremely important for the facilitator to reinforce the County's commitment to diversity, equity, and inclusion, and to express the expectation that coworkers be supportive of the employee as they transition. Clearly expressed support from executive or senior management is also very helpful to reinforce the County's commitment. There should also be a training component including definition of terms, review of applicable policies, what changes to expect, name and pronoun usage, etc., along with resource information provided (handout or email) with links to useful websites for staff to learn more. Time should be allotted for questions and answers.

It is very important to recognize that people's feelings about sex and gender can lead to strong emotions and discomfort for some employees. It is appropriate to acknowledge that employees are entitled to their personal feelings and beliefs while setting expectations for a supportive and respectful work environment where personal beliefs or feelings do not result in discriminatory or harassing actions.

E. Name and Gender Changes

It is inclusive and respectful to recognize and use the transitioning employee's chosen name, including in conversations, introductions, and in written references to the employee. The transition team can help ensure that the employee's chosen name is utilized in internal and external personnel directories, email address, and business cards, even if the name does not match legal documents. Some administrative changes may require a legal name change (such as with health insurance providers), but it is important to be sensitive to those

employees who are not yet able to legally change their gender markers. If the transitioning employee is involved in any internal recruiting efforts such as for promotions or transfers, the transition support team can help ensure that Personnel staff and managers are sensitive to the employee whose name and gender markers may not match their official records; for example, college transcripts, military service records, and professional certifications, which may be difficult if not impossible to change. The timing of the employee's workplace transition should be taken into consideration, as Personnel staff and administrative professionals need to be cognizant of confidentiality issues and protect a person's gender history where records may be revealing but the employee is not yet "out" in the workplace as transgender.

It is also important to recognize that a transitioning employee may not immediately, or ever, make a change to their name or their gender marker. This does not invalidate or diminish the transitioning employee's circumstances and transition process. Coworkers who have questions about this should be provided with resource information explaining the differing processes and timelines people may choose to undertake as part of a gender transition.

F. Using Appropriate Pronouns

As noted in Part I, Section V of this policy but repeated here as related to an employee's gender transition in the workplace, respectful pronoun usage is a crucial aspect of inclusion, by affirming the identities of transgender people. The transition support team should immediately acknowledge and use the pronouns that reflect the employee's gender identity. Respecting pronouns fosters an inclusive and supportive environment, affirming the dignity and autonomy of each person. Respectful pronoun usage is a simple yet powerful way to promote a culture of understanding and acceptance. It is not appropriate to use the term, "preferred" when talking or asking about a person's pronouns because a person's gender identity is not a matter of preference. It is who they are as a person. When uncertain about what pronouns to use, it is appropriate and respectful to ask, "What are your pronouns?". Another way to do this is to share your own pronouns, such as, "I'm Jay, my pronouns are he/him. How about you?". If a transitioning employee experiences persistent mis-gendering by a coworker or client, the transitioning employee may contact you (transition support team member) for assistance in correcting the individual's error. If the mis-gendering continues after transition support team member assistance, encourage the employee to contact the EEO Office.

G. Restroom/Locker Room Access

Some County facilities have gender-neutral single-user restrooms. Other facilities have gender-segregated multi-user restrooms or locker rooms. Employees, as well as customers and guests, may access restrooms and locker rooms corresponding to the gender with which they identify. The transition support team should assure the transitioning employee that

they are able to use the facilities that correspond with their gender identity. This not only signals inclusivity and dignifies all people, but also ensures that the County is compliant with federal, state, and local nondiscrimination laws. For instance, The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) has issued [guidance](#) to employers on best practices regarding restroom access for transgender workers. The core principle of these guidelines is that all employees, including transgender employees, should have access to restrooms that correspond to their gender identity.

Preventing a transgender person from using the restroom that corresponds with their gender identity and expression, or requiring a transgender person to use only a certain restroom may be construed as discriminatory under federal and state laws as well as County policies.

H. Leaves of Absence/Medical Care

All employees' medical information is private. Transgender employees may or may not seek medical procedures or mental health care as part of their transition. If the transitioning employee expresses a need for support with medical leaves related to their gender transition, the role of the transition support team is to connect the employee with the appropriate staff to assist with leave request forms and answer any health insurance questions, and to encourage communication between the employee and their management team for scheduling, coverage, or other operational issues.

I. Addressing Concerns of Coworkers

During and after informational meetings with staff, questions and concerns may arise. The transition support team members should be prepared to help address concerns. For examples of how to respond to common concerns, see Section II (Guidance for Supervisors and Managers) above.

IV. Guidance for the Transitioning Employee

If you are an individual in gender transition, you have the right to openly be who you are. This means that within the bounds of professionalism expected of all employees, you may express your gender identity, characteristics, or expression without fear of negative consequences.

In order to provide your supervisor with the knowledge and tools they'll need to support you, it is the County's hope you will express to your supervisor what transition related support you will need in the workplace, and that you will ask human resource related questions to ensure your own understanding of the workplace rights afforded to you at each step of the process. There is no single formula for managing gender transitions in the workplace, and the plan for your transition may be customized to support you in the manner that is most comfortable for you.

Transition Support Team

You may choose to have a transition support team to assist you with your gender transition at work. Your transition support team includes you, a trusted person of your choice (this could be your supervisor or manager, or any other manager or coworker with whom you are comfortable), your department's Personnel Officer or EEO Liaison, and the County's EEO Officer. You and your team will work together to plan and implement the various aspects of your gender transition in the workplace. Other key personnel may be involved as needed to implement administrative, payroll, and benefits changes. The EEO Officer's role will be as facilitator to work with all members of the transition support team to develop your transition plan and timeline; and provide guidance, support, and assistance throughout your transition.

One of the first steps in forming the transition support team is for you to inform key personnel who will be part of the transition support team. Your first point of contact may be:

- Your immediate supervisor or manager, or a trusted colleague, or
- Your Department's Personnel Officer or EEO Liaison, or
- The County's Equal Employment Opportunity (EEO) Officer

Even if your supervisor or manager is not your *first* point of contact, it is important to include them as part of your support team, or at a minimum, keep them informed during your transition.

The County must be made aware of your situation in order to provide support. Please take the time to explain to your first point of contact your intentions, needs, and concerns. The EEO Officer is also available to help convey general information about gender transition to your transition support team and provide resources for learning more.

a. Timeline

Discuss your timeline with your transition support team. Think about your milestones such as informal and formal/legal name change if either or both will be part of your transition; time off, if needed, for medical treatment and/or mental health care; timing of your transition in the workplace; and other events or actions that are part of your transition.

b. Things to Consider

- How would you like your coworkers to learn about your transition?
 - Would you like to be present and say a few words when your coworkers are informed? Or would you like to write a brief statement to be read to coworkers on your behalf? Or something else?
- How and when would you like your clients/customers to be informed?
- What changes will be needed if you plan to update your name and gender? (legal changes, administrative changes such as email address, business cards, etc.)
- What questions do you have about transitioning in the workplace?
- What workplace supports do you anticipate needing, and when, for your transition to happen as you hope?

- Think about what information you want to share, who will receive it, and how widely you would like this information shared. Think also about what information you wish to keep private, and share your wishes with your transition support team.

Your transition support team will work collaboratively with you to help make your transition at work as smooth as possible.

c. Interactions with Coworkers

- If, with your permission, your coworkers are informed about your transition, and your transition includes updates to your name or gender references, your coworkers will be asked to start using your correct name and pronouns. Mistakes may happen. If colleagues mis-name or mis-gender you and you are not comfortable offering corrections directly to them, please let someone on your transition support team know so they can support you. If the mis-naming or mis-gendering persists after a few corrections, please contact a member of your transition support team to help address the matter.
- Your coworkers may be curious and interested to know more about your transition. It is up to you to determine boundaries and whether or not you are comfortable with coworkers asking, *with your permission, work-appropriate* questions (i.e., not related to medical/mental health matters, your body, or anything sexual in nature). At all times, you decide what *work-appropriate information* you wish to share with coworkers and what you wish to keep private. It is acceptable for you to tell a coworker that you are not comfortable answering their questions, or would prefer to keep the information private.

Examples of how coworkers may seek your permission to ask questions could include:

- “May I ask you about your experience?”
- “May I ask you about your pronouns?”

Examples of *work-appropriate questions* from coworkers could include:

- “If I hear a customer mis-gender you, would you like me to correct them?”
- “If a colleague calls you by your former name and I correct them, is that okay with you?”
- “Is there anything I can do as your colleague to help support your transition?”
- “I know someone who is struggling with a family member transitioning. Are there any resources you know of that have helped you, that you could recommend?”
- If you believe your work team is not supporting an inclusive work environment, contact a member of your transition support team and share your concerns.
- If you believe you are experiencing harassment or discrimination based on your gender identity, contact a member of your transition support team and share your concerns.

V. Guidance for Coworkers

When one of your coworkers makes the decision to “come out” at work as transgender, it is a significant event for them. Understand that coming out to you is an act of trust. Acknowledging that they placed their trust in you and being supportive is all that is required of you. Being supportive involves being respectful and open-minded. There is no one “right way” to demonstrate support for your transgender coworker. Here are some thoughts to consider:

- Be open and honest. If this is new for you, and if you feel awkward, it’s alright to say so. Take the time to talk with your transgender coworker, and be prepared to listen.
- Ask your transgender coworker to be honest with you if some things you say or do make them uncomfortable.
- If you would like to ask questions of your transgender coworker regarding their gender transition, first ask if they are open to your questions, and if so, ask questions respectfully. Be understanding if the person says they are not comfortable being asked questions, or if they decline to answer a question you have asked. Questions and answers must be appropriate for the workplace (i.e., not about the person’s medical information, their body, or anything sexual in nature). (See Section IV.C Interactions with Coworkers above for examples of work-appropriate questions).

Here are some ways to be an ally and help create an inclusive workplace:

- Do not make assumptions about a person’s gender or other identities.
- Know and understand the County’s policies on nondiscrimination, harassment, and retaliation; and be aware of the protected classes including sex, gender, gender identity, gender expression, etc.
- Add your pronouns to your email signature.
- Speak up if you observe disrespectful actions or comments. Let your coworkers know that you do not tolerate any form of discrimination or harassment toward transgender, nonbinary, or gender-nonconforming colleagues.
 - Examples: “That isn’t funny. Stop making derogatory jokes,” or “What you just said is disrespectful to transgender people.”
- Report incidents of harassment or discrimination immediately to your management, your Personnel or EEO Liaison, or to the EEO Officer.
- Research and learn about LGBTQ+ issues (See Resources for Learning More, below).

Why become an ally?

- Make a positive impact on a fellow employee’s life.
- Become a better and more inclusive employee or leader.

- Experience personal and professional growth within an organization that values equity.
- Help create a better and more productive workplace.
- Champion and celebrate all aspects of diversity.

What to expect during a coworker’s gender transition:

- Your coworker may change their appearance, dress differently than before, and may ask you to call them by their new name and pronouns.
- It’s normal to make few mistakes at first, such as using the person’s former name, or using the wrong pronoun, so expect to be corrected, briefly acknowledge your error, and use the correct name and pronouns moving forward.
- You may have questions, and it’s okay to ask the transitioning employee if they are comfortable with you asking questions. If the transitioning employee is open to your questions, only ask questions that are appropriate for the workplace (See examples in Section IV.C. above). Remember that questions or comments about personal or private matters relating to medical decisions, the person’s body, or anything sexual in nature, are inappropriate.
- You can expect your transgender coworker to have all the same skills and abilities they had before their transition, so you should continue to interact with them professionally as you did before.
- You can expect your transgender coworker to want to be treated respectfully and feel included at work, and you can help make that happen.

RESOURCES FOR LEARNING MORE

[The Diversity Center Santa Cruz County](#) Resources, programs, services, and training supporting LGBTQ+ youth and adults in Santa Cruz County

[GLAAD.org](#) Non-profit organization focused on LGBTQ+ advocacy and cultural change

[Human Rights Campaign](#) Resources and tools for equality and inclusion

[National Center for Transgender Equality](#) Resources to increase understanding and acceptance of transgender people

[OED.com](#) – The Oxford English Dictionary’s website - Information about the history of the singular use of “they”.

[PFLAG.org](#) Resources and support for LGBTQ+ people and allies

[Pronouns.org](#) Resources on personal pronouns

[Transgender Law Center](#) Advocacy and resources in support of transgender and gender-nonconforming people

Book Recommendation: Trans Ally Workbook Getting Pronouns Right and What it Teaches Us About Gender, by Davey Shlasko