

Member's Quarterly

Spring 2017 Edition

Feature

Support Transgender Employees

Create a safe, respectful and inclusive work environment

All employees have the right to a safe, respectful and inclusive work environment. Transgender employees face many challenges in the workplace such as vulnerability and discrimination. Despite these challenges, more and more trans employees are choosing to live openly both at home and at work. There are many ways employers can support trans employees while meeting legal obligations to all employees.

Here are five ways employers can support transgender employees in the workplace:

1. Educate Yourself on the Basics

Employers should have a basic understanding of relevant terminology:

- "Gender identity" is an individual's internal sense of being a man, woman, both, neither or somewhere in between.
- "Gender expression" is an outward manifestation of your gender, or how you show your gender to the world i.e. clothing, name etc.
- A "transgender person" is someone whose own gender identity or expression is different from the gender assumption others make based on that person's sex.
- "Gender" is a broad term encompassing biological, cognitive and social aspects of a human being including identity, expression and the expectations of others.

2. Know your Legal Obligations

Human rights legislation prohibits employers from discriminating against an employee which means either directly or indirectly based on certain personal characteristics protected under human rights legislation. Differential treatment of an employee in the workplace because of the employee's biological gender, or because of attributes associated with their gender, regardless of their transition status, constitutes discrimination and is prohibited by law. Some human rights legislation expressly prohibits discrimination on the grounds of "gender identity" or "gender expression". Even if the legislation doesn't specifically include gender identity and expression, these grounds are typically included under "sex" and/or "sexual orientation".

3. Implement and Visibly Support LGBTQ Policies

One of the most important things employers can do to support trans employees in the workplace is to implement LGBTQ policies and provide visible support. Trans employees seek out employers that have a well-implemented LGBTQ policy. Employee orientation programs and workplace policies should include gender identity and expression and should be gender neutral. Employers should also have an LGBTQ policy incorporating transition guidelines addressing the implementation of transition-related workplace changes such as changes to administrative records and communication plans for clients and co-workers as well as dress code, restroom use and individualized transition accommodation plans.



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4. Assist in Workplace Communications

Employers can support LGBTQ employees transitioning in the workplace through communication and support. For example, when an employee is transitioning, a message from senior management to co-workers who work directly with the transitioning employee expressing support for the employee's plan to transition and communicating the employer's values and relevant policies sets a positive tone and shows employer support for employee.

However, privacy of transitioning employees must be respected and any communication should be at the request and control of the employee as revealing personal information without consent can constitute harassment.

5. Help Educate Co-workers and Others in the Workplace

Employers and employees alike may express discomfort with the transition of a colleague. It is important for employers to address feelings and concerns through education and discussion. Employers should provide education and training on the topics of human rights legislation, relevant policies i.e. harassment and discrimination, and workplace respect to create awareness, show support and reduce discomfort.

Participating in these five initiatives can help create a more diverse, respectful and productive workplace.

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