

TRANS & NON-BINARY INCLUSION AT THE WORKPLACE

A BEST PRACTICES GUIDE

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About Pride Circle

Pride Circle is India's premier Diversity & Inclusion organization with a mission to enable and empower LGBT+ people and support organizations in fostering a culture of belonging. We partner with over 300 companies across India and outside to provide executive leadership development, comprehensive D&I training and consultation, and professional networking opportunities that build safe, inclusive, and welcoming work environments. With our experience and growing roster of national and international partner companies, governments and non-profit organizations, Pride Circle is leading the LGBT+ inclusion revolution in India.

 www.thepridecircle.com

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FOREWORD

On behalf of Northern Trust, I would like to thank Pride Circle for compiling this guide on trans and non-binary inclusion in the workplace -- a significant and important contribution to understanding of this topic from an Indian cultural context.

This research represents a good start to addressing the knowledge gap on inclusion of trans and non-binary people in the workplace and in our communities. We congratulate organizations whose efforts are leading the way and encourage others to follow their example and take first steps in fostering a culture of inclusion. We acknowledge that it will take time to bring about change, however, with a committed and collective effort we can continue to address social inequities in the community, the workplace and beyond.

At Northern Trust, we are committed to supporting a diverse and inclusive workforce, and one that brings to life Northern Trust's core values of service, expertise, and integrity. We know true diversity can exist only in an inclusive work environment where any individual or group feels welcomed, respected, and able to fully participate and contribute to our success. Our efforts to create an inclusive workplace for our LGBT+ employees and allies is global and led by our leadership teams around the world.

At Northern Trust, we will continue to grow our culture of inclusion and support global initiatives that help drive change and strengthen access and equity for all.



Connie L. Lindsey
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INTRODUCTION

Every human being has the right to live a life of dignity. To work in an inclusive, unbiased, and non-discriminatory workplace is not only a reasonable expectation, but a necessity for growth of the individual and the organization. This study explores how organizations can foster inclusion for transgender & non-binary individuals, by taking into consideration the unique challenges faced by this community and learning from companies that have successfully employed trans and non-binary persons.

Transgender & Non-Binary Identity and the Indian Context:

Transgender (trans) is a person whose gender identity is different from the Sex Assigned at Birth (SAB) [e.g., AFAB – Assigned Female At Birth, AMAB- Assigned Male At Birth]. Transgender is an umbrella term and covers all gender identities and/or gender expressions which are different from the individual's sex. Trans-man/trans-woman are terms used to define people whose gender identity is opposite of the SAB, for example a person assigned male at birth and their gender identity is female, the person is a trans-woman. Gender fluid is an identity where the person has a fluid gender identity or male/female which varies with time. Non-Binary people do not identify with any of the binary genders (male/female).

Transgender people have always been an integral part of Indian culture and history. Transgender identity has a recorded history that goes back to over 4000 years and is mentioned in India's ancient texts. The custom of 'Badhai' where Hijras (a person whose birth sex is male but who identifies as female or as neither male nor female) give blessings on occasions such as childbirth or weddings is said to come from Ramayana when Lord Rama gave power to hijras to offer blessings after seeing their devotion (Sikri, 2014). In Mahabharata, Arjuna disguises himself as a dance teacher, Brihannala, and teaches dancing and singing to Uttara (Kapil, 2017). In Tamil Nadu, hijras worship Aravan and call themselves Aravanis. In Mahabharata, Lord Krishna assumes the form of a woman, Mohini, to marry Aravan who offered to be sacrificed to Goddess Kali to ensure the Pandavas' victory (Sikri, 2014). From the 16th to 19th century, during the Mughal era in India, hijras held many important positions in administration and court (Nambiar, 2017). However, during British rule, a colonial law was brought in India called Criminal Tribes Act, 1871, where the entire community was deemed 'criminal' and 'addicted to the systematic commission of non-bailable offences', this act was later repealed in 1949 (Sikri, 2014).

EXECUTIVE SUMMARY

A. Overview

This report highlights the challenges faced by this community and opportunities for organizations to create a trans and non-binary inclusive workspace. We have put together an easy-to-follow step-by-step process which organizations can use to create an atmosphere of inclusivity sans discrimination, where people won't just work, but thrive, innovate, discover their potential, and contribute to their own and the organization's progress. We have highlighted the problems faced by working non-binary and trans-persons and provided evidence of how an inclusive culture has a positive impact on the organizations and society at large.

B. Purpose

The purpose of this report is to highlight the narratives of trans and non-binary persons in the workplace, and the best practices from organizations that are leading the way for trans inclusion. Based on existing research within Indian and Western context, the following objectives were developed:

- To understand the overall issues faced by transgender and non-binary people in the workplace in India.
- To explore specific issues faced in terms of the privacy policy, anti-discrimination, and harassment policy.
- To understand difficulties faced with regards to infrastructure, insurance, leaves and other benefits, working with co-workers and external clients and documentation required within the workplace.
- To get specific recommendations to address each of the above issues by the members of the community.

We hope this report serves as a qualitative, but not all-encompassing and exhaustive guide, to create a more inclusive organization specifically for non-binary and trans-persons.

C. Next Steps

As an organization, you may use this report as a guide to be more inclusive. You can curate your own strategy and include elements highlighted here. It is feasible to implement all the inclusive measures one by one, as this report will give you a holistic idea to help you on your journey to become a transgender and non-binary inclusive organization.

D. Research Summary

Based on existing research within Indian and Western context, we explored overall, and specific issues faced by transgender and non-binary persons in the workplace in India. It is a qualitative study where data collection was done in the form of in-depth interviews using a semi-structured interview guide which was prepared on the bases of the objectives.

In terms of general issues faced, two major points that came across were **the lack of trans representation in the workplace itself, and lack of employable skills within a significant part of the transgender community.** And the following are specific issues and their recommendation:

Challenges	Recommendations
Appearance Standards	Have gender neutral dress policy (ex: formal or smart casual) for every employee. Flexibility and choice within the defined code is important, as appearance & presentation are important aspects of gender expression. Jobs which need a specific dress code, should be rooted in functionality and job tasks and not the gender of the person.
Communication and Privacy	<ul style="list-style-type: none"> ● Given the sensitivity around SOGIESC [Sexual Orientation, Gender Identity & Expression, Sex Characteristics], it is important to safeguard employee data. Information on sexuality/gender of an employee should be kept confidential. ● Communicate transgender and non-binary inclusion policies clearly to all current and potential employees. ● For employees transitioning at the workplace, access to communication templates for informing stakeholders about their identity would be a great help.
Infrastructure	<ul style="list-style-type: none"> ● Access to gender-neutral infrastructure like restrooms, locker/changing rooms. In case of absence of gender-neutral spaces, it is important that an employee is able to access the restroom per their gender identity.

Challenges Benefits and Leaves	Recommendations <ul style="list-style-type: none"> ● Take steps to ensure that transgender and non-binary persons are included for necessary medical and healthcare benefits. ● Medical benefits should extend to partners and children of same-sex couples and transgender employees. ● Insurance cover for Gender Affirmative Surgery/Sex Reassignment Surgery (SRS) and Hormone Replacement Therapy (HRT) to be provided by the organization's health insurance provider. ● It is important to note that non-binary people may also go through surgeries/medical procedures for their external appearance to match their gender identity. ● Post-surgery leaves for recovery.
Protection from Harassment	<ul style="list-style-type: none"> ● Non-discrimination policy which covers gender identity and expression. ● Prevention of Sexual Harassment (POSH) to cover all potential situations of harassment at the workplace and cover all employees. ● Discrimination & Harassment to be clearly defined and all training content to have some examples representative of trans and non-binary persons. ● These policies should be accessible to everyone in the workplace, specific steps to be taken to educate employees on the same.
Background Verification (BGV)	<ul style="list-style-type: none"> ● BGV partners made aware about transgender & non-binary identity and be prepared for scenarios where the prospective employee may have educational certificates in a name different from their current name. ● Disclosure of the SOGIESC identity to third parties should be on a need-to-know basis and with consent of the employee. ● Defined HR procedure where an employee is allowed to submit legal documents and list their chosen name and gender on the organization portal.

Challenges

Education & Awareness

Recommendations

- Sensitization workshops/training can help bridge the gap in awareness about transgender & non-binary identities.
- Importance of using the correct name and pronoun should be imparted.
- Building awareness about topics like gender dysphoria and body dysphoria.
- The importance of privacy and confidentiality about people's medical status should also be stressed upon.
- Offer training to employees at all the levels of an organization and include them as a part of the induction for new hires.

Language

- It is important that individuals get to choose their gender beyond the binary male & female typically available in gender marker forms.
- From job posts to the offer letter, documents should use gender neutral language.
- Enabling candidates to share their pronouns can be a great step to prevent mis-gendering them.



THE STORY OF SOCIAL EXCLUSION

A United Nations Development Programme (UNDP) report on transgender women in India, 2010^[1] used a social exclusion framework to examine the social and cultural life, economy, politics along with decision making processes of trans-women. Transgender people tend to face severe exclusion, discrimination and violence from their peers and families. Threats, assault, bullying, and violence are common narratives of many members of the transgender community. In many cases, children and teenagers are driven to fleeing from their families and deal with lasting mental health issues and risk of suicide due to the discrimination they endure. A survey conducted by Swasti Health Resource Centre shows that among trans-person from Maharashtra, Tamil Nadu, and Karnataka, 40% of trans-persons face sexual abuse before the age of 18.^[2]

Lack of support from biological families, fleeing from home, harassment and bullying in educational institutes has resulted in high drop-out rates in the trans community. The 2011 Census pegs the total population of trans-persons in India between 4 to 9 lakhs and it also revealed that the literacy level within the community was 46% as compared to 76% in the general population^[3]. According to the survey in Kerala by Sangama in 2015, 58% of transgender students drop out during high school. This diminishes employment opportunities in their lives^[4]. A study conducted by National Human Rights Commission (NHRC) shows that about 92% of trans-persons are deprived of participating in any economic activity and even the skilled people are refused jobs due to their gender identity and expression, forcing them to take up begging or sex work^{[1] [5]}.

A survey conducted by Swasti Health Resource Centre shows that among trans-person from Maharashtra, Tamil Nadu, and Karnataka, 40% of trans-persons face sexual abuse before the age of 18.

CURRENT LAWS IN INDIA

In 2014, in the case of National Legal Services Authority (NALSA) vs. Union of India, a landmark judgement upheld the rights of trans-persons in the country^[6]. The judgement set a precedent which authorized trans-persons to self-identify as the gender of their choice and this choice did not have to depend on any surgery or hormone therapy. The judgement also mandates that the state and central government establish and provide separate HIV/Sero-surveillance measures for trans-persons along with separate public toilets and other facilities. It also emphasized the need to provide social welfare schemes to the community members and offer reservation in educational institutes and public appointments (Sheikh, 2014).

In case of any kind of violence, the maximum term for punishment is 2 years, even though the Indian Penal Code punishes a person for maximum 7 years in case of sexual violence against cis-gender women.

In 2014, Tiruchi Siva, a Dravida Munnetra Kazhagam Rajya Sabha MP introduced the Transgender Rights Bill which was passed in Rajya Sabha but wasn't introduced in Lok Sabha. Following this, several other versions of the bill were introduced from 2016 to 2018 which were not supported by the trans community^[7]. Despite protests and backlash from the community, the bill was passed and led to the Transgender Persons (Protection of Rights) Bill, 2019 (Mudraboyina, Jagirdar and Phillip, 2019). The bill has several loopholes and challenges which may lead to further marginalizing the community rather than uphold their rights. The bill does not follow the recommendations of the NALSA judgement and has led to complications since its inception. Even though the bill says that trans persons have the right to self-identify, it has included a provision, where they need to get a certification from District Magistrate to be identified as a trans-person along with submission of certain documents (list of documents required has not been issued yet)^[8]. Moreover, to be identified as either male or female, the person needs to go through Sex Reassignment Surgery (SRS), the validity of which, again, will be decided by a District Magistrate. The definition of trans-persons in itself is highly problematic as it invisibilises intersex persons. In case of any kind of violence, the maximum term for punishment is 2 years, even though the Indian Penal Code punishes a person for maximum 7 years in case of sexual violence against cis-gender women. The bill has a clause that talks about no discrimination

from any establishment, but it lacks clarity in terms of what would constitute as discrimination and penalty for discrimination.^[2]

On June 8th, 2021, the Madras High Court has prohibited attempts to 'cure' or change the sexual orientation of LGBT+ people to heterosexual or the gender identity of transgender people to cisgender. Failing which, action will be taken against professionals and licenses will be withdrawn^[9].

CHALLENGES AND RECOMMENDATIONS

Employee Policies

Challenges

Getting started

Recommendation

Policies at a workplace form the bedrock of the organization's culture. Ensuring that all employees have access to equal opportunity, are treated fairly with respect and dignity and experience belonging at the workplace is essential. The below steps will help formulate inclusive policies:

1 Legal compliance: Ensure the policies are in compliance with the law of the land. A company should choose to excel and go beyond compliance when fostering inclusion for example: affirmatively hiring etc.

2 Global best practices: The company's headquarters/global policies would be a good place to begin. Localize these practices to meet the requirements of your geography.

3 Local best practices: Learn about the existing best practices in the country from other companies.

4 Engage experts: Consultants can help companies in reviewing existing and drafting new policies. They can provide a structured approach to frame these policies and also provide a benchmark in the country/industry.

5 Reach out to current employees: Seek help from employees internally, to assist the management and HR to create or amend policies. Policies related to leaves, insurance, anti-harassment to name a few. Many trans-persons are not willing to come out openly and hence the privacy of these employees must be maintained.

Challenges

Non-Discrimination

Representation of transgender and non-binary persons in POSH

Equal Opportunity Employer

Reasonable Accommodation

Recommendation

Ensure non-discrimination policy covers sexual orientation, gender identity & expression.


Reform POSH: Prevention of Sexual Harassment (POSH) policy should cover all employees, making POSH gender agonistic. In the HR policies and educational modules (e.g., e-learning modules) transgender and non-binary persons must be well represented.

Communication on aspects of harassment with clear do-s and don'ts for employees to follow. Reinforce these by acting against defaulters.


Following this in letter & spirit, ensuring all aspects of employment are inclusive, from job posting, interview process, onboarding, career growth and retention etc.

This is important to provide need-based flexibility within a range for companies to provide targeted solutions to employees.

PERSONAL STORIES



Akkuma, a dental student interning in a reputed college in Trivandrum and Trinetra, interning at a prestigious hospital in Manipal points out the complete lack of infrastructure like gender neutral washrooms, gender inclusive hostel facilities to name a few. They also point out that a huge chunk, if not most of their colleagues are transphobic. Some of the faculty are trans-person friendly, but most are openly hostile.



Deepali, 30-year-old transwoman narrates her personal experience, "I have come out in my workplace, this year and people didn't talk to me for one month...And the most painful thing was that my manager would not address me properly, he would not take my correct name, would call me by my dead name in front of everyone."

WHAT!

Medha, a non-binary person working for an LGBT+ consultancy in Bangalore points out that they were uncomfortable discussing about their identity and about their partner in a previous IT organization because people used to tease them about "boyish looks". They would get called out or mocked for "boyish" dressing sense too. In their current role, as a program manager, they feel comfortable to talk and share about themselves as the workspace is inclusive and there are many people from the LGBT+ spectrum who are absolutely non-judgemental.

Sanshray, a trans-man who was working for a major banking firm in their retail division, mentions that there was no concept of gender-neutral washrooms and usage of pronouns in his organization. His colleagues used to crack jokes and even avoid looking at him while talking. Though the management and the HR were aware of these, there was no e-learning module or sensitization sessions conducted. Medical insurance didn't include GRS and HRT and he had to pay for everything himself. There weren't any leave policies either.

STORIES

hmm

Damini, a Senior Software Engineer with an IT organization in Pune, was advised to go for conversion therapy by her team lead. Upon reporting this incident to the HR and the management, they took stern action and had set up specific sensitization session to educate people about the unscientific basis of conversion therapy.

Aritra, a gender-fluid person working for an IT Major in Bangalore recollects similar discomfort. While shopping for his partner he casually mentioned to a colleague that his partner was male and not otherwise. This colleague, who was the first person he came out to in office in 2010 was extremely nonchalant, which gave Aritra immense courage to further come out to everyone over a period of time.

There are not enough trans people in the workplace to be able to even talk about what are the issues they face," comments Sharmista, a 32-year-old transwoman.

If you are a visibly trans-person, then you might be treated differently and especially if your manager is not sensitized, then there is a possibility that you might be subjected to discrimination or unconscious bias because then you will be perceived as 'not normal.' And that not being normal might work against you, in terms of various things, it could be a day-to-day interaction, it could be work allocation, it could be your performance appraisal, it could be anything else." shares Arya.

Some of the cases of discrimination at the workplace have also seen the light of media. Manabi Bandopadhyay, India's first transgender principal had to resign from her post due to non-corporation and discrimination from her colleagues and students. ^[10]

APPEARANCE STANDARDS, INDIVIDUAL PRIVACY

In this section, we discuss the appearance standard that can be hindrance to non-binary and trans-person's clothing choice and the stigma attached to it within the workplace.

Challenges

Dress code

Recommendation

Have a gender-neutral dress code: Organizations should have gender neutral dress policy (ex: formal or smart casual) for every employee. Flexibility and choice within the defined code is important, as appearance & presentation are important aspects of gender expression.

Jobs which need specific dress code, should be rooted in functionality and job tasks and not the gender of the person. **Example: While working in a welding factory, wearing fireproof overalls are mandatory irrespective of gender, but while working as a software developer in the IT industry, dressing up like a 'woman' or a 'man' may be restrictive to transgender and non-binary people.**

Extra scrutiny and unwanted personal questions

Non-binary and transgender people will broadly fit into one of the four categories in terms of medical and social transitioning:



A candidate chooses not to transition medically



A candidate is contemplating a future transition



A candidate is in the middle of a transition



A candidate has already transitioned

Visibly queer people receive extra scrutiny which begins at the office gate by the security team and are subject to unwanted personal questions from colleagues at work.

While curiosity is a great way to build learning, there are multiple avenues to assist employees and support staff with their awareness on trans issues, like:

1 Inviting external or internal trans-persons as speakers to employee forums will help employees understand trans identity in the workplace context. Storytelling is a great tool for employees to understand the other perspective, learn about the challenges faced and build empathy.

2 Inviting experts (counsellors, doctors, mental health experts) to de-mystify non-binary and trans identities. Helping employees learn from the right sources will expedite the awareness building and foster inclusion at work.

3 Foster a culture of engaging conversations: There may be employee/s who may find this new and have difficulty understanding the workplace's inclusion of trans and non-binary people. There may also be detractors and derailleurs to such initiatives. In such cases, it is important to engage in dialogue and help employees understand the intention of the workplace and the importance of building a culture where everyone can bring their whole self to work. One-on-one conversations can be a great tool to build engagement. Most often than not, you would notice that opposition arises out of ignorance and misinformation.

4 Support staff: It is important to educate support staff on matters of trans & non-binary identity.

Challenges

Microaggressions or subtle trans-phobia

Recommendation

Microaggressions are subtle, and mostly non-deliberate. For example, if you tell someone, "You don't look trans!" or "You don't look feminine", this is not necessarily a positive thing. You don't know how a person will react to such a comment. It's best to avoid judging someone just based on appearance. Micro-aggression can also be isolation of a trans person, for example, not being invited to lunch with team members, while the rest of the team goes for lunch together, or, not being heard in the team, where the individuals' ideas and opinions are ignored/discouraged, being stared at etc. It is important that people managers are aware of such scenarios, and they must keep an eye out. While each incident could be small, and an outcome of unconscious bias of colleagues, the collective impact can be detrimental for the trans/non-binary person.

Challenges

Privacy


Asking about medical status (this includes hormones, surgery, etc.)

Recommendation


A person's gender identity must be recorded and shared on a need-to-know basis. Unless permitted by the employee, a trans-person's gender identity/history of transition should never be made public.

Avoid asking unnecessary questions to visibly queer, non-binary or trans-persons about their surgery, description of their body, cost, necessity of surgery, and so-on and so-forth. Medical history of employees is a deeply private and personal affair. While there may be curiosity on the agender transition process, one must educate themselves by referring to resources online or seek expert guidance. It is never okay to ask trans & non-binary people about body parts/surgeries they went through etc.


PERSONAL STORIES



Arya, a 30-year-old trans woman tells, "Your sexuality is a lot of time hidden. As in, a gay man or a lesbian woman need not necessarily be visible at the workplace unless they decide to come out at the workplace. But more often than not, trans people are very much visible at the workplace. That's how your visibility might work against you on a certain occasion. That's a risk that trans-persons live with because of their visibility."



Adavik who also identifies as a trans-man shares his experience, "Before the transition in my previous organization, I had to wear female kurtas always, but people used to always question my gender."



"There are some organizations that have a dress code like girls should wear this, boys should wear that. So in that, there are a lot of problems regarding dress code for a person who is pre-transition," comments Mohit who identifies as a trans-man.

COMMUNICATION PROCESS

Participants talked about the issues faced by them around the communication process of gender identity and transition and around the confidentiality of the same.

Please note that the decision and choice to come out is not a luxury available to most trans-person be it in the workplace or outside.

Challenges

Lack of awareness of Inclusive HR policies

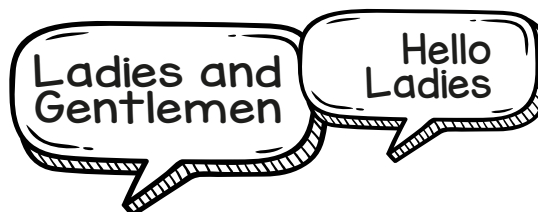
Gender binary language (in emails, newsletters, broadcast, video conferences etc)

Recommendation

Communicate internally: Organizations must be vocal about their support for the LGBT+ community, publish newsletters, conduct sensitization sessions, and advertise about their ERG etc. While it is important to have inclusive policies, it is equally important to inform all employees about the same.

Communicate externally: Informing external stakeholders about the company's commitment to inclusion of the LGBT+ community will build visibility & trust for the organization. This will also enable LGBT+ applicants to make informed decisions on choosing inclusive companies. Pre-placement talks, company website/social media handles, external forums and a variety of other means can be used to communicate externally.

What is gender binary language? Language which assumes only binary male & female gender representation in the audience.



Instead, use gender neutral language, e.g.:



Challenges**Pronouns****Recommendation**

Awareness on pronouns and its usage in day-to-day interaction. Non-binary people may use they/them pronouns and it is best to ask the individual “what pronouns they use” instead of assuming.

PERSONAL STORIES

Pruthvi, a trans-man working for an IT major in Bangalore said that he was unaware of facilities related to transitioning like insurance and counselling available in his workplace.

He decided to quit his job and upon further probing by the management, he was introduced to the company ERG that helped Pruthvi to undergo surgery, assisted with change in documentation and other legal formalities in the company. Upon his suggestion, henceforth the HR made sure that this type of info was published in internal newsletters and posters etc. Later Pruthvi was appointed to the board of advisors for the internal ERG committee so that he could be consulted on various internal communications, sensitizations, and external advertisement mechanisms.



INFRASTRUCTURE

Access to the restroom is one of the most crucial issues cited by the participants and is one of the most talked-about issues when it comes to transgender rights across the world. There are many organizations in India such as Godrej and NatWest (Royal Bank of Scotland) that have gender-neutral restrooms for trans employees[11]. However, the majority of workplaces are still unable to provide basic access to preferred restrooms for their trans employees.

Challenges**Lack of gender-inclusive infrastructure****Recommendation**

Infrastructure that is gendered, must have gender neutral alternatives. A gender neutral/ all gender/ unisex restroom is a facility that can be used by all employees irrespective of their gender identity/expression. Such facility provides great relief to trans and non-binary individuals (employees/ visitors etc). Such restrooms are common in airplanes, homes, etc. Many organizations allow parents to bring children to work and hence, a gender-inclusive/family washroom makes it hassle free for parents to accompany their kids to the washroom.

PERSONAL STORIES

Deepali says, "I still haven't undergone surgery and as for now, my current company is not letting me use female gender restrooms, they asked me to use the male restroom. This makes a really bad impression and makes people confused about what this person's gender is. When I am expressing myself as female and after explaining to everyone then again, I am entering the male washroom, then what sense does it make? I would finish work and hold it till I go back to my home then I would use the restroom."

They should not force anybody to use a particular bathroom, don't say that trans-persons should use male or female bathrooms or the third gender. It is up to the trans-person to decide which bathroom they are comfortable using. But providing options of male, female or unisex bathroom is at least the responsibility of the corporate. Some people are gender non-conforming, who want to be called they/them and some people want to use unisex bathrooms and some people don't want either of these. So having those options", says Sharmista.

Pruthvi recounts that during transition, while undergoing GRS and HRT, it wasn't possible for him to use a women's washroom. Moreover Pruthvi, being a trans-man, wanted to use a men's washroom, but was hesitant. Upon requesting the HR, they were prompted to construct a new gender-inclusive washroom.

BENEFITS AND LEAVES

Participants talked about the need for post-surgery leaves, and medical insurance for Sexual Reassignment Surgery (SRS) and Hormone Replacement Therapy (HRT) within the workplace.

Challenges

Leave/extended WFH for recovery

Recommendation

Redesign leave policy to accommodate post-surgery recovery leaves: Medical transition requires recovery time and organizations must consider this while designing their leave policy.

Redesign Work-From-Home (WFH) policies to allow trans and non-binary people to work while they recover post-surgery. With the pandemic workplaces have become virtual, but this should be kept in mind as we return to working from the office.

Challenges

Provision of insurance for GAS/SRS/GRS and HRT

Health insurance for partners

Leave policy for adoption

EAP

Support against domestic violence

Transport facility

Recommendation

Insurance coverage for GAS/GRS/SRS and HRT:

Insurance coverage for medical transition which could cover Hormone Replacement Therapy (HRT) and Gender Affirmation Surgery are important for trans and non-binary employees. Some organizations provide a capless cover while others may have a cap on the total cover.

Health insurance for partners: Cover 'partners' for LGBT+ employees, like spouses are covered for non-LGBT+ employees. Many trans and non-binary persons may not get legally married due to personal, legal, or medical reasons.

Adoption leaves for trans and non-binary people deciding to adopt a child.

Provide mental health assistance: Availability and accessibility of psychiatric help and also physicians like endocrinologists and experts in GAS and HRT is very important for trans and non-binary employees. Ensure EAP service providers have expertise in the team to assist this employee base. Similarly, the approved hospital network of the workplace must have specialists that cater to trans people.

To go the extra mile, organizations may prefer to extend support to trans-persons who face domestic violence at home or hostels or rented apartments. Not just medical assistance, but legal assistance will immensely help these individuals. Please remember that if employees are facing constant threat at their homes, their mental health will be impacted which will in turn impact productivity and creativity at the workplace. This can be made a standard practice for cis-gender employees too.

Pick up and drop facility for people undergoing GAS and HRT: If an organization provides a transport facility, and there's special provision for PWDs, pregnant employees and employees undergoing surgery, GAS should also be covered under the umbrella.

SRS/GAS/GRS includes multiple surgeries, and they are different for both transmen and transwomen, hormone therapy is lifelong. As per participant's experiences the average cost of different surgeries can be anywhere between 4 lakhs to 7 lakhs depending on different states and different practitioners. For example, in the state of Kerala the cost of SRS is around 2 lakhs. And many times, there are corrections required post-surgery which have an additional cost.

In 2011, a nationwide survey was done in India on the transgender population where 5 lakh people registered as transgender. The actual number is said to be much higher. It also showed that more than 50% of trans-persons make less than 8500 rupees per month (Parthshri Arora, 2018). Given the financial situation, it is extremely difficult for most of the trans-person to be able to afford the surgeries without support.

While most of the organizations provide medical cover for spouses and children of their employees, the same benefit is not extended to transgender employees. Recently, Tata Consultancy Services (TCS) made changes in their health benefits, they redefined 'spouse' as a partner and extended benefits to their LGBTQI+ employees and will now cover 50% of the cost of SRS. There are several Organizations such as IBM India, Citibank, Godrej, Capgemini India, Lalit Group that have similar policies in place.^[12]

Post-surgery, there is a certain recovery time which is required by the trans-person. The recovery time is different for different surgeries and differs from person to person and on the recommendation of doctors. As per participants' experience in the current study, top surgery for the female-to-male transition requires around one month of recovery and bottom surgeries require a minimum of 2 months. And male-to-female transition surgeries require a minimum of 3 months. Adoption leave is also something that the participants recommended.

Recently, Tata Consultancy Services (TCS) made changes in their health benefits, they redefined 'spouse' as a partner and extended benefits to their LGBTQI+ employees and will now cover 50% of the cost of SRS.

PERSONAL STORIES

Abhi, an employee of a software giant based out of Bangalore recollects that while undergoing GRS, he requested the company to provide home-pickup and drop facility. While the company didn't have any problem with it, most cab-mates and chauffeurs were reluctant and asked unnecessary personal and probing questions like "What surgery did you go through", "Why was it so necessary?" and some even refused to provide the service.

"Men and women have their paternity and maternity leave, but when it comes to trans-men and trans-women, they are not eligible for this leave. Though I am not giving birth, I would be able to adopt, so adoption leaves needed to be given", shares Sara.

DOCUMENTATION

Before joining a place of work, or if a person transitions at work, the basic requirement is the submission of one's documents such as educational documents, past employment certificates, bank details etc. This procedure is fairly simple for cis-gender people, but trans-persons face a lot of issues when it comes to the documentation required in the workplace. Most of their documents are in their dead or previous name and gender with which they do not identify.

The discrepancy between name and gender on legal documents and name and gender with which people identify becomes a cause of concern and confusion for many organizations. And for the members of the community, it is a great cause of distress and raises a lot of questions.

Challenges

Lack of or a very lengthy process to reissue/update documentation

Recommendations

- **ID:** Reissue ID cards/Name tags, payslips, appraisal letters etc for employees who transition at the workplace with their new name and gender.
- **Employee portal:** Most organizations have an intranet-based portal to update life changing events like marriage, birth of a child, adoption, death etc. This is to update/delete information about the employee or their family. An organization must include transitioning as a life changing event, where non-binary and trans-persons can update their new name, pronoun and upload supporting medical or government documents.

Challenges

**Lack of
'pronoun' and
'chosen name'
sections in
internal portals**

Recommendations

- **Employee and job application portal:** In the internal or external organization website, in the segment to update personal information like name, address, qualification etc, specific fields like 'pronouns' and 'chosen name' should be optionally available.
- **Inclusive salutations:** We recommend keeping titles as optional and inclusive. 'Mr', 'Mrs.', 'M/S' and 'Mx' is the gender-neutral salutation that must be optional.

PERSONAL STORIES

Mohit narrates his experience, "My documents have not been changed due to some reasons. So, when I am applying for a job would I get a job as a female or male? Will I get an organization to recognize me as a male? And if I get recognition as a male then would HR hide my identity or not? And then there are people whose documents have been changed like Aadhaar card, PAN card but their 10th and 12th class certificate hasn't been changed because in government policies nothing like that has come up. What will happen to them?"



HIRING CONTRACT OR SUPPORT STAFF:

There are times when an employee is required to work with clients or vendors outside of the organization. While it is possible for organizations to have gender sensitization training internally and take steps in case of discrimination, it might not be possible when it comes to working with external clients. There could be instances where external clients raise concerns or discriminate with the employee who is going through transition or have transitioned.

Challenges	Recommendation
Third-party location	Inform clients about your inclusive policies: For employees working with service providers, working for a third-party client, the clients must be informed and sensitized about the Trans-inclusiveness of your organization. Privacy concerns should be discussed with employees and only then personal information should be disclosed to third-party clients.
Support staff sensitization	Sensitize support staff: They must be sensitized along with core organization employees about Trans-inclusivity and POSH. Activities like frisking employees during security checks and also cleaning personnel working in restrooms must be able to address trans-persons with respect and without staring/gawking/passing remarks.
Visitors & Guests	Extend trans-person friendly infrastructure to all: For visitors or external speakers/participants in organization premises, visitor passes must include a visitor's chosen name, and pronoun. The pass must provide access to that have gender neutral washrooms.

PERSONAL STORIES



Mohit shares his experience of security checkpoints outside the workplace, "I didn't get my surgery done and it was 4-5 months after my hormones started then there were not many changes in my body, but my voice started cracking. So, before the transition, if I travelled by metro, I used to go through female checkpoints only because if I would go through male and they checked me then they would feel uncomfortable. So, when I was passing through the female, she refused to check me and said that you come from the male checkpoint and when I passed through male, he refused to check me and was asking why did you go from there first? They then started asking if I am a boy or a girl? Then there was a lot of argument. The second thing happened to me at the airport. In my boarding pass my birth name was there and my gender was female, I passed through the male checkpoint because my surgery was done by that time. He checked my ID and said your face doesn't match."

RECRUITMENT & ERG

Challenges

Education & Awareness

Recommendation

Create an ERG*: The existence of an ERG is a must in any organization. An LGBT+ focussed ERG is needed for the following purposes:

- To understand the current problems faced by employees.
- To make everyone aware through internal and external communication channels about the facilities and existing support system for employees. Facilities can be leaves, counselling, insurance benefits to name a few.
- One or more LGBT+ persons must be in the advisory board or the deciding committee, if feasible. This will help to set realistic, achievable, and impactful targets to assist employees.
- Include allies in the LGBT+ support groups who can actively or passively support their queer co-workers and voice their concern in case they witness any harassment or improper treatment being meted out to their queer colleagues.

Gendered job postings

Job postings: It's not advisable to post job postings with the tag 'women only' or 'men only' unless it's the requirement of the job itself. Gender biased job postings will nullify any chances of trans or non-binary persons to apply and secure jobs.

Hiring from transgender & non-binary talent pool

Recruit diverse candidates, to ensure that capable non-binary and trans-persons have equal representation in economic activities^[13].

Preconceived notions during an interview based on gender identity, sexual orientation etc

Interviewees must be solely judged on their capabilities and not gender identity or sexual orientation. The TA team must be trained to hire for potential, and talent comes in multiple forms, that a person's performance is not based on appearance, gender, or orientation.

Challenges

No feedback after rejecting a candidate

Lack of jobs for trans-persons who are not highly educated

Recommendations

Provide relevant and timely feedback to candidates.

This is a common problem for most applicants, irrespective of being cis-gender or trans-gender. Providing relevant and constructive feedback will help them upskill and make them feel that they were not discriminated against.

Allocate a portion of CSR resources to mentor/upskill trans candidates to build the talent pool. Employment opportunities can be generated for trans-persons in facility management (e.g., housekeeping/support/security/canteen) and other suitable areas where a college degree is not mandatory. **Most trans-persons are harassed and/or evicted from their houses. Due to a lack of financial and family support, they are unable to finish their education. Hence, the main reason for their unemployment is lack of employable skills, not will.**

PERSONAL STORIES

Varun talks about his own experience, "After joining a company it is not just the head of the company who would talk to you. At some point, someone from recruitment or HR would ask for different documentation. My friend who helped me with the job spoke with the head of HR. You cannot expect them to call me for the basic things like the filling in of forms. People from recruitment, executive and HR contacted me with documentation. I was very skeptical talking to them about it and at every level, I had to come out."



*ERGs (employee resource groups) are the groups led by employees with the purpose to foster an inclusive and diverse environment within the workplace. Participants felt that having such groups can be helpful for LGBT+ employees within the workplace. Members of such a group can support LGBT employees, navigate the workplace, provide support during the transition process, access various inclusive policies and make sure that they are implemented within the workplace. They can act as advisors to the hiring team on inclusive hiring practices. These groups are also the spaces of advocacy for bringing more inclusive policies and changes within the organization and in the CSR activities. They also bring in allies who are supportive and want to make changes.



Here is a look at some of the Best Practices
at IBM for Trans/Non-Binary Inclusion.
Trans/Non-Binary employees are fully included,
protected, and supported through their experience
from hiring through their IBM journey; before,
during, and after their transition.

Extensive Framework to Support Transitioning
Employees and their Stakeholder/s:



Support – Guidance & provisions for Employees

- Support with Gender Affirmation Treatment through medical health insurance policy
- Availability of gender-neutral restroom
- Allocation of a dedicated Diversity Engagement and HR partner as point of contact for continued support.
- Support to keep documents in combination of assigned gender and affirmed gender, without inconvenience.
- Assistance with self-identification, name change and gender change/updation, pronoun updation provision for cases with medical or non-medical transition.
- Assistance with logistical changes at workplace, such email ID updation, IBM records updation etc.
- Assistance to identify employees, managers and clients who have a need to know about the transition.
- Self ID (Sexual Orientation & gender Identity/Expression) - Opportunity to voluntarily identify themselves as a LGBT+
 - Name Change Tool: Enables IBMers to have their name updated to their preferred name instead of their legal name and this will then cascade down across most IBM systems
- Pronouns updation on Employee Directory, email signatures, Webex and Slack.
- Inclusive Policies –
 - Flexible Dress Policy - IBMers have the right to dress in accordance with their affirmed gender identity/expression.
 - Inclusive health insurance & wellbeing Initiatives
 - Gender Affirmation Treatment coverage as per WPATH guidelines
 - Medical insurance benefits for same-gender partners
 - HIV screening & test
- Employee Assistance Program - Our 'Mitr Employee Assistance Program' supports the LGBT+ workforce and provides for a 'Wellness Advisor' to help them deal with what they may be experiencing either at work or in their personal lives.
- Coach On Call - This offers a safe space to have confidential one-on-one discussion with an external coach/counsellor.



Support - Guidance to impacted stakeholders

- Practical guidance on approach and actions for the members associated with the transitioning employee such as manager, team members, HR partner, legal team, Diversity Engagement Partner, and Health Services are sensitized regarding the situation.
- Roles defined for each stakeholder with guidance on do's, don't's.



Inclusive Recruitment Practices

- All job opportunities are listed with gender-neutral job descriptions.
- Being You @ IBM – The inclusion commitment is displayed explicitly on each job position
- “IBM is committed to creating a diverse environment and is proud to be an equal opportunity employer. All qualified applicants will receive consideration for employment without regard to race, colour, religion, gender, gender identity or expression, sexual orientation, national origin, genetics, pregnancy, disability, age, veteran status, or other characteristics. IBM is also committed to compliance with all fair employment practices regarding citizenship and immigration status.”
- Candidates have the provision to present documentation with name and gender assigned at birth, or a combination of their current legal name and their name assigned at birth.



Policies Inclusive of Trans/Non-Binary Employees

- Policies Inclusive of Trans/Non-Binary Employees
- At IBM, we are proud to have been ahead of our time in terms of introducing diversity characteristic of "sexual preference" to its non-discrimination policy in 1984.
- We added gender identity and expression to our non-discrimination policy in 2002.
- Our Equal Opportunity, Anti-discrimination and Anti-harassment policies formally acknowledge gender identity and gender expression and ascertain that transgender person cannot be denied employment or promotions or be harassed/discriminated during any business activity or in general, on the grounds of being a transgender person.
General policies applying to all employees are gender neutral as far as possible. The language in the official communications also is gender-neutral and is not restricted to the gender binary.



Compensation Benefits Policies:

Policies like Relocation, Internal Transfer Policy, Emergency Loan Policy etc are inclusive of LGBT+ community members, including trans employees. Policies cover LGBT+ same gender partners and children adopted by same gender couples/ trans IBMers for relocation and transfer benefits.



Pay Equity Policy for all Genders

At IBM, paying all people, regardless of gender or race, fairly based on their job, without discrimination, has been part of our global policy since 1935.

IBM takes action to address pay gaps found in our analysis. Adjustments are made for all gender gaps, and for racial and for underrepresented minorities.

We are proud of the results: overall IBM pays equitably for similar work, irrespective of gender identity and expression.



Leave Policy

Our leave policy focuses heavily on providing support & flexibility needed by employees including same gender couples/partners, LGBT+ parents and trans employees undergoing transition.

Some examples are -

- Compassionate leaves (bereavement leaves on death of an immediate family member) include same gender partners and LGBT+ parents.
- Maternity leaves & Paternity leaves, updated in 2020 have same gender partners / couples in scope.
- Sick Leave policy covers Gender Reassignment Surgery (Sex Reassignment Surgery). The same can be applied and kept confidential, with only the manager knowing about the same.
- Sick Leave for Transitioning covers not just the surgery but more importantly the recovery period as well. This is important as the recovery period can differ from person to person depending on the physical & mental response to the surgery & transition.



Caretaker Policy for Domestic Travel

An IBM employee who is also a parent of an infant (0-2 years old) and needs to travel domestically on IBM business may choose to travel along with their child and a caretaker. To enable this travel, IBM will pay the ticket cost for the child & ticket and stay cost for the caretaker. The policy includes all gender parents (including same gender couples, trans parents).



Self ID, Name & Pronouns

At IBM, transgender employees are referred by the names and pronouns that affirm their identities, irrespective of their legal name.

Self ID (Sexual Orientation & Gender Identity/Expression)

- IBM launched its self ID program back in 2006, giving IBMers the opportunity to voluntarily identify themselves as a LGBT+. This has been further evolved to provide more options with various combination of gender identity and gender
- This data is private and confidential and is available with select D&I leaders in LGBT+ space.
- This is used to better understand the demographic makeup of IBM but also to offer development opportunities to LGBT+ talent.

Pronouns

- Launched in 2017, the Name Change Tool enables IBMers to have their name updated to their preferred name instead of their legal name and this will then cascade down across most IBM systems. This does not need any documentation from the employee.

Name Change Tool

- In 2019, we rolled out the capability in Workday to add pronouns and have been creating awareness on the need for and importance of pronouns updation. We have seen a 68% increase in updation of pronouns at IBM ISA this year.
- Options include She/Her/Hers, He/Him/His, They/Them/Theirs, She/Her/Hers/He/Him/His, She/Her/Hers/They/Them/Theirs, He/Him/His/They/Them/Theirs and She/Her/Hers/He/Him/His/They/Them/Theirs.
- These pronouns will then be displayed on Bluepages, our employee directory so when one looks up an IBMer, they can easily see what pronouns they use.
- This is not only a great win for the trans and non-binary community but is also a great way for cisgender (not trans or non-binary) IBMers to show their allyship to the community.
- Additionally, it can also be helpful if you are unsure what pronouns to use due to it not being clear from the person's name/photo.
- Email Signatures – In 2020 IBM launched updated guidance for all employees on email signatures, this included the suggestion to add pronouns.



Flexible Dress Policy

- IBMers have the right to dress in accordance with their affirmed gender identity/expression. This is explicitly called out in the policy also for awareness and sensitization.
- Thus, employees who are non-binary, transgender, gender-fluid, transitioning, or are agender are also able to dress in a manner that represent their true selves.



Gender Inclusive Washroom

- Our 'All-Gender Restroom Initiative' involves all-inclusive toilet signs and allows employees to use restrooms which align with their gender identity.
- The IBM All-Gender Restroom Initiative is a joint effort between the LGBT+ community and IBM Global Real Estate (GRE) to ensure gender-neutral restrooms at all IBM locations.
- At IBM India, all IBM locations (all floors) essentially have a gender-neutral washroom. This was initiated in 2019 and by 2020, all IBM locations were equipped with a gender-neutral restroom.



Community Building

- Global LGBT+ Slack channel: This workspace has over 3100 IBMers from across the world and is an informal place for IBMers to connect, get to know one another and share their stories. This workspace is off the IBM grid so that IBMers can join anonymously in case they are not out to their colleagues
- Dedicated Slack Channel for employees who are trans/nonbinary who have transitioned, transitioning, or have still not started their transition. This helps them in seeking support, knowledge, information, references from one another.



Leave Policy for Gender Affirmation Treatment

- IBM's leave policy covers Gender Reassignment Surgery (Sex Reassignment Surgery) since 2016.
- This covers not just the surgery but more importantly the recovery period as well. This is important as the recovery period can differ from person to person depending on the physical & mental response to the surgery & transition.



Inclusive Health Insurance & Wellbeing Initiatives

Our inclusive medical insurance coverage is leading the path for the industry in India.

Gender Affirmation Treatment coverage as per WPATH guidelines - Gender affirmation benefits are incredibly important to IBM to ensure we are helping our IBMers to access key benefits to ease and support their transition. We rolled our gender affirmation benefits in India in 2017. Medical insurance benefits for same-gender partners - Since 2016, the family floating medical insurance policy covers Same-Gender Domestic Partners of LGBT+ IBMers.



HIV Screening & Test

- HIV coverage included in the main policy for outpatient and in-patient treatment for all employees.
- The medical insurance policy covers all claims for treatments and procedures attributed to HIV as both in-patient and out-patient treatments such as ART. The standard limit of the IPD/OPD benefits will apply to the insured chosen by the employee during insurance enrolment.
- As part of the health screening benefits of the insurance coverage. IBM employees have a one-time HIV screening test (by blood or saliva). This is apart from screening for other health parameters such as risk factor screening, hepatitis, and tuberculosis screening.



Support for Transitioning Persons

IBM provides support to transgender employees wherein an employee decides to go through a transition to affirm their gender, in both cases where transition may or may not be accompanied by medical or surgical interventions.

Since each case is different, the level and nature of support needed differs. Thus, the entire support framework is centred around the employee & their requirements.



IBM India has been providing complete coverage for Gender Transition (Gender Affirmation Therapy & Treatment) in case of gender dysphoria since 2016.

IBM's medical insurance policy covers all cases where there is a need for an employee to go through surgery/treatment procedure to affirm their gender. It covers the series of procedures/surgeries required for a gender covering both in-patient and outpatient treatment.

Our coverage is aligned as per the guidelines issued by World Professional Association for Transgender Health's (WPATH) Standards of Care V7.0 for gender dysphoria.

IBM Health insurance covers Gender Realignment Surgery, and this is quite a progressive coverage opted by IBM for its LGBT employees. We also cover voice therapy and psychotherapy post gender realignment under pre and post hospitalization clauses of the policy. We have also coordinated and extended the policy coverage benefits to an LGBT employee who has undergone gender realignment.

The coverage is provided up to the full sum insured of the group health insurance plan. Once hormonal therapy is completed, surgical correction would be done. It includes out-patient as well as in-patient procedures as follows-





Male-to-Female:

- Breast/chest surgery:
- augmentation mammoplasty (implants/lipofilling).
- Genital surgery: penectomy, orchiectomy, vaginoplasty, clitoroplasty, vulvoplasty.
- Non-genital, non-breast surgical interventions: facial feminization surgery, liposuction, lipofilling, voice surgery, thyroid cartilage reduction, Augmentation mammoplasty / gluteal augmentation (implants/lipofilling), hair reconstruction, and various aesthetic procedures.
- Outpatient consultations with psychologist & psychiatrist.
- Hormone replacements.



Female-to-Male:

- Breast/chest surgery: subcutaneous mastectomy, creation of a male chest.
- Genital surgery: hysterectomy/salpingo-oophorectomy, reconstruction of the fixed part of the urethra, which can be combined with a metoidioplasty or with a phalloplasty (employing a pedicled or free vascularized flap), vaginectomy, scrotoplasty, and implantation of erection and/or testicular prostheses.
- Non-genital, non-breast surgical interventions: voice surgery (rare), liposuction, lipofilling, pectoral implants, and various aesthetic procedures.
- Outpatient consultations with psychologist & psychiatrist.
- Hormone replacements.



Support for Transitioning Persons

Non-medical Support - Mental & Emotional Wellbeing for Transitioning Employees

Employee Assistance Program

- Our 'Mitr Employee Assistance Program' supports the LGBT workforce and provides for a
- 'Wellness Advisor' to help them deal with what they may be experiencing either at work or in their personal lives.

Wellness Advisor is a safe and positive space to get expert support.

- They can discuss issues such as Gender Identification and Orientation
- Dealing with discrimination based on gender and sexual identity

- Coping with alienation and gaining the acceptance of family members
- Fear of rejection
- Finding ways to fit into a society that doesn't understand
- Developing a positive sense of self
- Issues in accepting one's own gender and sexual orientation

Coach On-Call (One-to-one discussion with Coach who is well versed with LGBT+ spectrum, challenges, impediments etc).

BENEFITS OF BEING INCLUSIVE^[3]

Studies have proved that organizations with a diverse and inclusive culture can more effectively align themselves with an increasingly heterogeneous customer base. Organizations that do not embrace diversity in its many forms may lack the ability to anticipate rapidly changing customer needs. Numerous studies of consumer groups across the world have shown the following:

42.5%

say they would be **UNLIKELY** to buy products (e.g., coffee) from a country that has anti-gay laws^[4]



In the year 2025, millennials, the most diverse generation so far, will represent

75% of the work force^[6]

The stocks of organizations that have women as board directors or lesbian, gay, bi-sexual, and transgender employees in senior roles outperform the ones that do not, according to a recent report^[5]

52%



say they would be **UNLIKELY** to work for a company that does business in a country that has anti-gay laws



A study in 2017 reveals twenty percent of millennials identify as LGBT+ in the USA^[7].

Firms think queer people want special benefits; all we ask for are equal rights, as explained by Parmesh Shahani^[8].

A case study by the World Bank with a focus on India estimated the cost of homophobia to be in the region of \$1.9-\$30.8 Billion or 0.1 – 1.7% of GDP. This study was published back in 2014. So, you can imagine that the estimate has increased enormously^[9].

Some organizations have already initiated programmes to accommodate a more LGBT+ friendly workspace. Johnson & Johnson India includes family benefits for same gender partners^[20].

When the identity bias at workplaces leads to underutilisation of the human capital of the skilled labour force from the stigmatised group, or passing over to hire and be replaced by less skilled workers from a favoured group, a degree of

inefficiency would arise. The **under-utilised and un-utilised skilled workers are a huge loss to economic output.** The NSS data from 2011-2012 displays an average Indian worker employed for 6 days/week for 52 weeks would earn annual earnings for wage/salary of Rs.74,507, for the self-employed workers and own account enterprises, it is pegged at Rs.48,157^[21]. The 2011 data of transgender-persons were collected with details related to their employment, literacy and caste. As per the census, the total population of transgender is around 4.88 lakh.

“As per the census, the total population of transgender is around 4.88 lakh.”

A study from the Williams Institute at the UCLA School of Law shows three important things:

1 First, that anti-LGBT+ attitudes increase acts of violence and discrimination against LGBT+ people.

2 Second, public acceptance of LGBT+ people leads to greater LGBT+ rights.

3 Third, that LGBT+ discrimination actually hurts a country's economic performance^[22].

It's a win-win situation; an organization gets access to a talent pool, up its ethical standards, and possibly has a positive impact on the balance sheet; and the GSM community gets a better life and explores their true potential and lives with dignity and respect by participating in mainstream economic activities of their choice.



DEFINITIONS [4]

1 Gender Identity:

A person's internal, deeply held sense of their gender. For a trans-person, their own internal gender identity does not match the sex they were assigned at birth (SAB). Most people have a gender identity of man or woman (or boy or girl). For some people, their gender identity does not fit neatly into one of those two choices. Unlike gender expression, gender identity is not visible to others (Nambiar and Shahani, 2018).

2 Gender Expression:

Gender expression refers to external characteristics and behaviours that are socially defined as either masculine or feminine, such as dress, grooming, mannerisms, speech patterns and social interactions. Social or cultural norms can vary widely and some characteristics that may be accepted as masculine, feminine or neutral in one culture, may not be assessed similarly in another ("Workplace Gender Identity and Transition Guidelines", 2015).

3 Gender Dysphoria (GD):

Gender Dysphoria or GD is a psychological diagnosis recognized by the American Psychiatric Association (APA) and the American Medical Association (AMA). This dysphoria is marked by severe distress and discomfort caused by the conflict between one's gender identity and one's designated sex at birth. Not all trans-persons experience gender

dysphoria or are diagnosed with GD. The previous term used was Gender Identity Disorder or GID. This term is no longer used by the medical community as it was recently replaced by gender dysphoria in the updated DSM-5 manual ("Workplace Gender Identity and Transition Guidelines", 2015)

4 Cisgender:

It refers to those individuals who experience their gender in the traditional manner of someone born in that sex and in ways that society deems as traditional. Most people are cisgender and experience fewer issues presenting their gender expression in daily life ("Workplace Gender Identity and Transition Guidelines", 2015).

5 Trans-man:

A trans-man is a man who was assigned female at birth. The label of transgender man is not always interchangeable with that of transsexual man, although the two labels are often used in this way. Many trans-men choose to undergo surgical or hormonal transition, or both to alter their appearance in a way that aligns with their gender identity. Trans men are often termed as the minority within the minority because the narrative around the trans experience is centred around trans-women (Nambiar and Shahin, 2018).

6 Gender Neutralizing:

It means to make gender neutral.



7 Trans-woman:

Individual who is assigned male at birth and identifies with female gender ("Workplace Gender Identity and Transition Guidelines", 2015).

Trans-woman describes an individual assigned male at birth who identifies as a woman. Similar to the case of trans-men, the terms trans-woman and transsexual are not interchangeable. ("Workplace Gender Identity and Transition Guidelines", 2015).



8 Feminization:

It means to give a feminine^[23] quality to an individual and to cause someone to take on feminine characters (as by implantation of ovaries or administration of estrogens)

9 Transfeminine:

It is a term used to describe trans-persons who are assigned male at birth but identify with femininity to a greater extent than with masculinity. This can include trans-women, demi girls, gender fluid and demi fluid people who are feminine more than other gender or any non-binary person who identify as feminine more often than any other gender. Transfeminine can also be used as a gender identity in its own right. ("Transfeminine", n.d).

A transfeminine person is someone who was assigned male at birth but does not identify as male. Being transfeminine usually also means identifying with femininity in some way, but for some people may simply indicate a move away from their birth assigned gender. Someone who is

transfeminine may be a trans woman, non-binary, genderqueer, agender, or many other gender labels.

(TransgenderVictoria)^[24].

10 Transmasculine:

Transmasculine is used to describe trans-persons who are assigned female at birth but identify with masculinity to a greater extent than with femininity. This includes trans-men, demi guys, gender fluid persons who identify with masculinity more often or any other non-binary gender who views themselves significantly as masculine.

("Transmasculine", n.d). A transmasculine person is someone who was assigned female at birth but does not identify as female. Being transmasculine usually also means identifying with masculinity in some way, but for some people may simply indicate a move away from their birth assigned gender. Someone who is transmasculine may be a trans man, non-binary, genderqueer, agender, or many other gender labels. (TransgenderVictoria)

11 Non-binary:

Non-binary or genderqueer, is a spectrum of gender identities^[25] that are not exclusively masculine^[26] or feminine—identities that are outside the gender binary. Non-binary identities can fall under the transgender umbrella, since many non-binary people identify with a gender that is different from their assigned sex. Non-binary people may identify as having two or more genders (being bigender or trigender) having no gender (agender,



nongendered, genderless, genderfree or neutrois); moving between genders or having a fluctuating gender identity (genderfluid); being third gender or other-gendered (a category that includes those who do not place a name to their gender). ('Non-binary gender', n.d). Some people don't neatly fit into the categories of 'man' or 'woman', or 'male' or 'female'. For example, some people have a gender that blends elements of being a man or a woman, or a gender that is different from either male or female. Some people don't identify with any gender. Some people's gender changes over time. People whose gender is not male, or female use many different terms to describe themselves, with non-binary being one of the most common. Other terms include genderqueer, agender, bigender, and more. None of these terms mean exactly the same thing – but all speak to an experience of gender that is not simply male or female^[27].

12 Testosterone:

Testosterone is a hormone found in humans, as well as in other animals. The **testicles** primarily make testosterone in men. Women's ovaries also make testosterone, though in much smaller amounts. The production of testosterone starts to increase significantly during puberty^[28], and begins to dip after age 30 or so. Roland (2019)

13 Estrogen:

Estrogens are hormones that are important for sexual and reproductive development, mainly in women. They

are also referred to as female sex hormones. The term "estrogen" refers to all of the chemically similar hormones in this group, which are estrone, estradiol (primarily in women of reproductive age) and estriol. ("What is Estrogen?", n.d)



14 Puberty Blockers:

Puberty blockers are medicines that prevent puberty from happening. They work by blocking the hormones — testosterone and estrogen — that lead to puberty-related changes in your body. This stops things like periods and breast growth, or voice-deepening and facial hair growth.

15 There are two kinds of puberty blockers:

A flexible rod called histrelin acetate that goes under the skin of the arm and lasts for 1 year.

A shot called leuprolide acetate, which works for 1, 3, or 4 months at a time. ("What are puberty blockers?", n d)



GENDER TRANSITION: WHAT IS IT?

It is important to understand what gender transition is and different processes involved in it to fully understand the scope of this paper.

Gender transition or transition is a process by which one's sex characteristics and gender representation are changed according to one's internal sense of being a man, woman, non-binary, or genderqueer. ("Transitioning (transgender)", n.d.) The transition process involves reassignment therapy which may or may not include hormone replacement therapy and sex reassignment surgery. There is an immense need to understand that transition is a very personal decision to make and it is a basic necessity for most trans-persons.

Transition starts with coming out to oneself and most of the time it takes a long time. Transition is of three types which are mentioned as follows:



**Social
Transition**



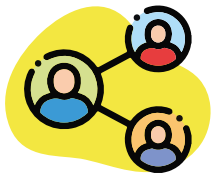
**Medical
Transition**



**Legal
Transition**

It is important to note that transition is a very costly and time-consuming process. In the whole process, a trans-person's mental health should always be kept in check as they will go through many ups and downs not only due to the hormones, they will be taking but also the changes which will happen in and around them.

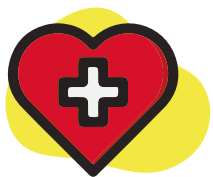




Social Transition

Social transition is a process where a person decides to live according to their gender and express their gender accordingly rather than as their sex or assigned gender socially. Social transition involves the following steps however these steps may vary from person to person:

- Coming out to parents, friends, co-workers and known people.
- Getting a haircut or growing long hair
- Changing the gender expression, for instance, buy masculine or feminine clothes, make-up, binding, and tucking.
- Changing and using the name according to their gender.
- Using the pronoun according to their gender
- Using the bathroom according to their gender.
- Presenting full-time or part-time as their gender.



Medical Transition

Medical transition is the most expensive transition process of all. Medical transition is the part of transition where a trans-person feels the need to have medical intervention and opt for it in order to match sex at birth to their gender identity. It involves feminization for transfeminine people, masculinization for transmasculine people and gender neutralizing for non-binary or genderqueer people.

According to WPATH, the trans-person who wants to opt for surgeries needs to live as their gender socially for a year ("Transitioning (transgender)", n.d.).

Medical transition process involves which may vary from a person to person:

According to WPATH, the trans-person who wants to opt for surgeries needs to live as their gender socially for a year ("Transitioning (transgender)", n.d.). Medical transition process involves which may vary from a person to person:

- **Hormones Replacement Therapy (HRT):** This process involves hormone injections, patches, creams, and tablets for the trans-person. Testosterone is prescribed to people to help them develop the physical male characteristics such as deep voice, facial hair and many more. Estrogen is prescribed to people to develop female attributes such as body fat and many more. Some puberty blockers are given to trans-person who are still young and also some hormone blockers are used to block the biological hormones.
- **Gender Reassignment Surgery (GRS):** Gender reassignment surgery is a procedure in which a trans-person undergoes a surgical procedure to match their biological sex characteristics to their gender ("Medical and Other Transition Options for Transgender People", n.d.). These surgeries are different for transgender men and transgender women.
- **Gender Reassignment Surgeries For Transmen:** Gender transition for transmen or transgender men or transmasculine is done in three-phase. These phases are chosen according to the person's individual dysphoria. The three phases for surgeries are:

1 Chest Reconstruction Surgery: Chest reconstruction surgery or top surgery is masculinization of the chest i.e., the chest is flatter and constructed in a way that makes a transman more comfortable with their chest. There are two types of chest reconstruction surgeries: double incision and keyhole.

2 Hysterectomy: Hysterectomy is a surgical procedure to remove all or parts of the uterus and ovaries and/or fallopian tubes. Oophorectomy is a procedure where just ovaries are removed ("FTM Hysterectomy (Transgender Hysterectomy)", n.d.).

3 Genital reconstruction: Genital reconstruction is also known as bottom surgery. In this process, the penis is constructed either by elongating the clitoris which is known as metoidioplasty or by artificially constructing it by taking the tissues from different areas of the body this is known as phalloplasty. The scrotum is created by labia majora which is known as scrotoplasty.

- **Gender Reassignment Surgeries For Transwomen:** There are several steps involved in trans women's surgeries. The number of surgeries also becomes large due to the beauty standards which they might feel pressured about.

1 Genital Reconstruction: The first step in this is Orchiectomy in which the testicles are removed after which vaginoplasty is performed in which a vagina is created. Many trans-women also opt for augmentation mammography which is breast implants and fat graft to increase the size of breasts.

2 Feminization: Feminization usually involves facial feminization. Is it a set of procedures which is used to make the face feminine? Laser therapy which removes facial hair. Thyroid Chondroplasty which is a procedure to remove Adam's apple.



Legal Transition

Legal transition mostly refers to the process of changing name and gender in legal documents like Aadhar Card, PAN Card, Passport and many more.

RESEARCH METHODOLOGY

This guide is developed based on personal experiences of trans and non-binary persons within their working environment. Most of the participants were working in white-collar jobs at a mid-management and entry-level. Out of 50 participants, 16 self-identified as trans-men, 30 identified as trans-women, 2 non-binary, 2 gender fluid and all the participants were from the age group of 20 to 40. There were 4 participants from the age group of 20 to 25 years, the age group of 26 to 30 years had 16 participants, 8 participants were from the age group of 31 to 35 years and 2 participants were from the age group of 36 to 40 years.[5]. The rest didn't wish to disclose. Profiles of the organizations where participants worked includes hospitality, medical, manufacturing, information technology and finance industry. The names of some people and the names of all corporate entities have been deliberately not included as per their request.

We have also studied multiple reports published by The World Bank, Godrej India Culture Lab and Open for Business, to name a few, to support the claims of the interviewees. Please note that this report is not a statistical analysis, but a congregation of policies, perspectives and opinions of individuals and organizations which has been presented in a structured format for easy consumption.



RESOURCES

Testosterone Hormone Therapy among Transmasculine persons:

FTM Resource Guide:

<http://www.ftmguide.org/ttherapybasics.html>

Trans Care: Gender Transition

https://d31kydh6n6r5j5.cloudfront.net/uploads/sites/161/2019/08/hormones_FTM.pdf

Estrogens Hormone Therapy:

UC San Francisco:

<https://transcare.ucsf.edu/guidelines/feminizing-hormone-therapy>

Puberty Blockers:

Mayo Clinic:

<https://www.mayoclinic.org/diseases-conditions/gender-dysphoria/in-depth/pubertal-blockers/art-20459075>

CNN Health

<https://edition.cnn.com/2020/01/23/health/transgender-puberty-blockers-suicide-study/index.html>

Gender Reassignment Surgery:

Live Science: Live Science aims to empower and inspire our readers with the tools needed to understand the world and appreciate its everyday awe.

<https://www.livescience.com/39170-how-gender-reassignment-surgery-works-infographic.html>

International Society for Sexual Medicine: The International Society for Sexual Medicine (ISSM, formerly known as ISIR/ISSIR) was established in 1978 for the purpose of promoting research and exchange of knowledge for the clinical entity “impotence” throughout the international scientific community. The principal orientation of ISSM was initially towards basic science of erection, defects in the erectile mechanism, and the clinical aspects of diagnosis and treatment of erectile dysfunction. The orientation is now towards the whole field of human sexuality

<https://www.issm.info/sexual-health-qa/what-is-gender-reassignment-surgery/>

ABBREVIATIONS

- GID - Gender Identity Disorder
- GD - Gender Dysphoria
- LGBTQI - Lesbian, Gay, Bisexual, Transgender, Queer, Intersex
- TG - Transgender
- NHRC - National Human Rights Commission
- NALSA - National Legal Services Authority
- SRS - Sex Reassignment Surgery
- WPATH - The World Professional Association for Transgender Health
- HRT- Hormone Replacement Therapy

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- American Psychiatric Association defines Gender dysphoria as a conflict between a person's physical or assigned gender and the gender with which they identify. People with gender dysphoria may often experience significant distress and/or problems functioning associated with this conflict between the way they feel and think of themselves (referred to as experienced or expressed gender) and their physical or assigned gender. Gender Dysphoria is not same as Gender nonconformity which refers to the extent to which a person's gender identity, role, or expression differs from the cultural norms prescribed for people of a particular sex (Institute of Medicine, 2011). There are treatments available to alleviate gender dysphoria, but it differs from person to person and is highly subjective. This process may or may not involve a change in gender expression or body modifications. Medical treatment options include, for example, feminization or masculinization of the body through hormone therapy and/or surgery, which are effective in alleviating gender dysphoria and are medically necessary for many people (Coleman, Bockting, Botzer et al. 2012).

- UN Global (2018) gave a list of behaviours that comes under discrimination based on gender identity.
<https://www.unodc.org/e4j/en/integrity-ethics/module-9/key-issues/forms-of-gender-discrimination.html> Some of those behaviours are denying restroom and locker room access of one's choice, putting the restriction on any form of gender expression, disrespecting one's gender identity, misgendering, discrimination in term of failure to hire, promote or termination based on gender identity. Participants experienced that while many Organizations have an anti-discrimination policy there is a gap when it comes to their implementation. Chakrapani, V. (2010). *Hijras/Transgender Women in India: HIV, Human Rights and Social Exclusion*. UNDP India. Retrieved from https://www.undp.org/content/dam/india/docs/hijras_transgender_in_india_hiv_human_rights_and_social_exclusion.pdf
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