



## Transgender on the job: First it was taboo. But what about now?

A Reader on transgender as a topic  
in the work environment.

**“In order to proceed with a transition, it requires determination and purpose. Here one meets inevitably resistance, which is often only overcome by means of enforcement strength and willpower. These skills are also in occupational contexts of great importance and represent an important resource.**

**The same applies to the unique perspective of being able to look out to the world from two or even more gender positions. Always keep in mind that a job interview means getting to know each other on same eye level, in which the candidate can find out whether the company is capable of offering a (transgender) person a good job.”**

Justine Wodtke, Vera Fritz & Manuel Pflüger, Sonntags-Club e.V. Berlin

Foreword – Senator Dilek Kolat	4
Introduction – Secretary of State for Labour Boris Velter	5
From Transgender at Work to Transgender in Employment – Wiebke Fuchs, Damaris Batram	6
ACCESS TO WORK	8
Recommendations Improving access to work	
TRANSGENDER-FRIENDLY COMPANY	10
Recommendations Transgender-friendly company	
TRANSITION AT WORK	12
Recommendations Transition at work	
TRANSGENDER ORGANISATIONS IN BERLIN	14
IMPRINT	15

## FOREWORD



Transgender people are still subject to feelings of insecurity and discrimination in many areas of daily life and in particular in their working life and when it comes to looking for a job. Some transgender employees are shunned by their colleagues when coming out. Many, therefore never dare to come out in the workplace at all, out of fear of the reaction of their team or their managers. With different names on references, sending an application is also sometimes problematic, and changing all of the documents is often a lengthy process.

At the same time, there are frequent insecurities on the part of managers, the team and the wider environment. There is simply a lack of information and experience to deal with the topic of transgender appropriately, which would enable questions such as “Can I alter the e-mail address of my colleague even if they have not undergone gender reassignment?” to be answered with an unequivocal “Yes”.

Our **Transgender at Work** project has discussed many of these questions through expert panels comprising key individuals from the field of work and the professional sphere. Solutions have been developed together and recommendations for action have been discussed. You can read the results and the other varied materials relating to **Transgender at Work** in this reader.

My political position, as the Senator in whose department the Berlin Office for Equal Treatment and against Discrimination (LADS) works, explicitly includes a commitment to preventing people from suffering discrimination because of their gender identity or gender expression. Strengthening the issue of transgender and intersex is therefore an important aspect in the further development of the Berlin Action Plan against Homophobia and Transphobia (ISV). I am therefore particularly pleased that, together with stakeholders from business, public administration, trade unions, employees' representatives and transgender organisations, we have been able to achieve sustainable results. Now we are called upon to implement those results together too. I am extremely confident that we can all continue to play a part in improving the situation of transgender people in the field of work and the professional sphere.

A handwritten signature in black ink that reads "Dilek Kolat". The signature is written in a cursive, flowing style.

Dilek Kolat  
Senator for Labour, Integration and Women's Issues



As Secretary of State for Labour, I have been supporting the project **Transgender at Work** together with Senator Dilek Kolat

over recent months and helping our Berlin Office for Equal Treatment and against Discrimination (LADS) to implement it. Creating equal opportunities on the jobs market, ensuring that working conditions are not discriminatory and promoting the value of diversity in the world of work are all part of the basic principles of the Senate's policy, to which we are emphatically committed. For transgender people it is still a challenge when looking for a job. They cannot always be certain that they will receive good support during transition in the workplace and in finding acceptance for their identity.

However, the world of work will not change for the better through political will alone. It also consistently requires close collaboration between and involvement of the various stakeholders with their different roles in order to come to a solution that can actually be put into practice and will work.

Intensive collaboration has been taking place in this context in recent months. We have experienced enormous and, above all, productive commitment from those involved who have been working extremely consistently to find ways to:

- \* improve access to work,
- \* make a company an attractive employer for transgender people,
- \* identify what is required to develop and support transition in a company effectively,
- \* identify what transgender people require in their professional lives to achieve self-empowerment.

Specifically, we have been addressing topics such as non-discriminatory application processes, job advertisements that embrace transgender people and handling the coming-out process in the workplace in a constructive way.

**Transgender at Work** is already establishing new roots. Many participants are now pushing forward with other activities. The result is a multiplier effect that will soon make transgender in employment a matter of course.

A handwritten signature in black ink, appearing to read 'Boris Velter'.

Boris Velter  
Secretary of State for Labour  
Senate Department for Labour,  
Integration and Women's Issues

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# From Transgender at Work to Transgender in Employment

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Wiebke Fuchs, Damaris Batram, Berlin State Office for Equal Treatment and against Discrimination, Senate Department for Labour, Integration and Women's Issues



## Transgender at Work: Small steps – a big impact

At the centre of the one-year Transgender in Work project was the goal of creating many stimuli in a short time to set up sustainable processes that would permanently improve the situation of transgender people in the field of work and in the professional sphere. Key stakeholders in the work and professional sphere were targeted and invited to take part in the planned activities of Transgender in Work: managers and staff from company personnel and HR departments, public administration and other organisations, diversity and equal opportunities officers, employees' representatives, staff in job centres and employment agencies and transgender people and their organisations. The issues addressed by Transgender in Work were disseminated by means of discussions, workshops and project presentations, and met with unexpectedly great resonance.

On four thematic expert panels, the key individuals from the fields of employment and careers and transgender organisations came together, got to know one another and shared questions and knowledge. Existing examples of good practice were presented and discussed and recommendations for action were developed jointly through interdisciplinary work.

Sharing experience, knowledge transfer, raising of awareness and empowerment play a crucial role in improving the situation of transgender people in looking for jobs and in business. This was the starting point for the Transgender at Work project, which is being supported financially by the PROGRESS Programme of the European Union and has been developed and implemented by the Berlin Office for Equal Treatment and against Discrimination (LADS). You will find tips and recommendations for improving the situation of transgender people in employment and careers in this reader.

**“A great, innovative and daring project. I’m looking forward to the results/materials.”**

Participant from an expert round



**“Many practical impulses; Networking of NGOs and companies would hardly have been possible without Transgender at Work.”**

Participant from an expert round

How is it possible to bring together people from different walks of life and areas of employment who would probably never meet otherwise in daily life? The answer is relatively easy: you invite them all to a launch event and give them the opportunity to meet and share experiences. Over 100 people thus responded to the invitation of Senator Dilek Kolat to the launch event of Transgender at Work in October 2013. What was particularly remarkable about the high participation rate was that 45% of the participants were key figures in employment and careers, 35% were from public administration and 20% were transgender people and representatives of their organisations. There were many opportunities to network, which were exploited to the full. This is an indication of how urgent the issue of transgender is in the world of work, not only for transgender people themselves but also for many stakeholders in the field of employment.

Soon after this, the four thematic expert panels were set up, in which between 20 and 30 people took part. The participants contributed their expertise through

presentations on, for example, mentoring or applications, presented their own tools, developed ideas and solutions in small interdisciplinary groups, drew up recommendations and discussed their results in the plenary session. Interest in the topic and in one another was great. The range of expertise from various working backgrounds was appreciated: the expertise of HR officers, employment consultants, advisers to transgender people and, in particular, of transgender people whose expertise is based on their own life experience – both problematic and positive. Along with content-based work, the expert panels were also a platform for networking. The new contacts and the opportunity to share experiences were regarded as particularly valuable by most participants. They have led to new and sustainable stimuli, activities and projects.

In this reader, you will find the specific recommendations that were drawn up by the expert panels on the topics of access to the employment market, support for transition in the workplace and becoming a transgender-friendly company.

## Recommendations Improving access to work

### Improving access to work

Transgender people encounter many barriers in gaining access to work. Discrimination is a particular hurdle in this context. Various studies report, for example, that 30–40% of transgender people are not considered when sending applications because of their transgender identity, 15–30% of transgender people lose their jobs because of their transgender identity and unemployment

among transgender people is above average. The results are alarming and make it clear that transgender people face very particular challenges on the job market. The problems can be particularly varied in the application procedure in particular, but they are often unrecognised!

#### Problems in the written application process

Transgender applicants often have the problem with their traditional application documents that there is a discrepancy between their new name, pronoun and job title and their old (employment) references, certificates, etc., because the old documents have not (yet) been altered. If they explain this discrepancy, they have to reveal that their gender has changed. If they do not explain themselves, the documents can seem incomplete or questionable. In both cases, this can lead to rejection at this point, even if they are suitable for the post. The application photo can also give rise to confusion because the gender expression does not correspond to the first name/pronoun or the person's transgender identity becomes apparent. These problems often lead to transgender employees feeling insecure about the application process and even choosing not to apply because they do not know if their application as a transgender person is welcome. This can extend the process of looking for a job. The company, body of a public administration or organisation therefore misses out on well-qualified employees, who are urgently needed.

#### What can companies and organisations do?

##### *Use an anonymous application procedure*

In an anonymous application procedure there is no indication of the name, sex, gender identity or gender expression in the selection of candidates for interview. This removes the obstacles described above. With appropriate qualifications and CV, there is a better chance of transgender applicants being invited for interviews. Using an anonymous application procedure is also a signal from the company/administrative body to the outside world. Both transgender employees and others are thus encouraged to apply and the company/organisation is likely to receive a larger number of well-qualified applicants for a post.

##### *Adapt the language of job advertisements*

A job advertisement provides various opportunities to indicate to transgender applicants that their applications are welcome. The job advertisement can be written in a gender-sensitive, gender-neutral or non-gender-specific way.



### **Refer to mission statement and your diversity approach**

Companies and organisations that have a mission statement that is open to diversity and includes transgender identity as one dimension of that diversity or whose diversity approach takes into account of transgender identity as a feature should make explicit reference to this in the job advertisement and, if possible, provide a link to the website. Transgender applicants therefore feel that their applications are welcome and that they are applying to a transgender-friendly employer. They can make a conscious choice for an employer of their choice.

### **Problems with interviews**

Interviews can go badly for transgender applicants if confusion arises during discussions – for instance, if the interviewer is unsure of the appropriate form of address.

Gaps in the CV, periods of unemployment or job changes may appear to be an indication of unsuitability or a lack of ability. Resources and references to specific skills that arise from the transgender experience remain unrecognised and therefore unused.

### **What can companies and organisational units do?**

Train HR managers and other key personnel in diversity with an emphasis on transgender, so that

- \* their awareness of the special aspects of the applications of transgender people are raised,
- \* they can conduct interviews in an informed and competent way,
- \* they develop an awareness of the resources and capabilities of transgender people – including those with an unusual CV.

## **Trans\* mentoring programme**

- \* Mentoring as an instrument to improve the integration, development and promotion opportunities of transgender people must be designed in a specific way.
- \* Mentoring of this sort should support people's careers, give them access to networks and to a professional position that corresponds to their qualifications and provides them with sufficient encouragement for their professional (re-) integration.
- \* Staff from companies and organisations who already have experience with transgender issues, in the HR department for example, could be considered as mentors. It is also worth considering so-called cross-mentoring, i.e. mentor and mentee come from different companies or organisations so that a certain degree of confidentiality can be maintained.



## Recommendations Transgender-friendly company

### A transgender-friendly approach in the organisation



*“There are no transgender people working for us. Therefore, the topic of transgender friendliness is not relevant for us.”*

#### **Transgender-friendliness pays off! But what lies behind this?**

A shortage of qualified employees, attracting and keeping staff, these are issues that almost every company and organisation, whether big or small, has to address nowadays. Factors such as the attractiveness of an organisation and the values it represents, like diversity in practice, play a crucial role in this context. Emphasise that you identify with this!

It is no secret that many transgender people are never open about their transgender identity in the workplace or that they would not come out at work. And there are many, even those who are highly qualified, who resign before they come out as a precaution. Various measures and action strategies are recommended to become transgender-friendlier as a company, business or organisation.

#### **Development of a mission statement and a diversity strategy**

The development of a mission statement that includes the value attached to diversity is a process that runs from inside out. Transgender identity should definitely be specified in the mission statements as a dimension of diversity. The implementation of this mission statement in the business is carried out by means of internal communication, training courses and the example set by managers. So-called starter folders can make new

staff more aware of the mission statement and the values of the business at an early stage. You should communicate transgender-friendliness not only internally but also externally, at trade fairs, on the website and through the language you use.

#### **Training courses with a focus on transgender**

Training courses are a good way of anchoring transgender-friendliness in the business. Diversity courses for managers, HR officers and other staff with an emphasis on transgender can contribute to stimulating internal communication about the topic in the organisation.

#### **A contact point for transgender employees within the organisation**

Identify a contact point for transgender staff. Fundamentally, various people in the company can be considered for this position. It is important that the contact point is competent, sensitive and qualified. The confidentiality of meetings must be ensured. However, it is also a matter of indicating transgender-friendliness in job advertisements and HR marketing. By using formulations that also appeal to transgender applicants and welcome their applications, you are sending out a clear signal. Transgender people often report of exclusion, threats of being fired, conflicts in the team or with managers and dismissals. Many transgender

people do not dare take a step towards transition. Others withdraw from working life as a precaution. The company or organisation therefore loses highly-qualified staff and the latter lose their jobs. This does not have to be the case!

## Transition guidelines

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With the development of transition guidelines for the organisation, many uncertainties and conflicts can be avoided and the transition process can be made considerably easier for transgender staff. When drawing up transition guidelines, all departments and divisions in the organisation that are affected should be involved in the development process at an early stage. This may include the HR division, the diversity or equal opportunities officers, the employees' representatives, management levels, the IT department, the contact point for transgender employees and others. It is certainly beneficial to use the expertise of transgender organisations and, if appropriate, to get advice from outside.

The wheel does not have to be re-invented every time. There are now companies that already have transition guidelines in place.

Transgender people have the right to determine for themselves if and when they want to come out. Activities that may lead to transgender employees being outed are only ever permissible if consultation with those

employees has been carried out. The ban on outing means that, at the request of the transgender employee, all documents should be removed from personnel files. This relates to the use of the new name and pronoun. In the case of files that go back over many years or documents from third parties, such as training course certificates that may not have been changed, the organisation should issue its own second version or a summary list of all courses completed. A ban on using the originals can be put in place or conditions can be defined under which access is permitted.

In the case of electronic files, access to the old name may not be entirely preventable for technical reasons, but a ban on access can also be put in place here.

## Social commitment to and with transgender organisations

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Cooperation with transgender organisations can be helpful in many respects, whether it's in developing transition guidelines or in the context of recruitment. In relation to corporate social responsibility, cooperation can be very fruitful for many of those involved. Please ensure authenticity, however! Commitment for PR reasons alone is not advisable and, in particular, cannot be sustained.

## TRANSITION GUIDELINES

Transition guidelines in the company or organisation are codes of practice that can significantly ease the transition of transgender employees for everyone concerned. For example, transition guidelines clearly allocate responsibilities and contacts in the organisation and provide managers, staff in HR, IT and others with the knowledge and tools required to prepare and provide support for the transition process in an appropriate way.

## Recommendations Transition at work

Transgender people have often known since their childhood that the gender entered on their birth certificate does not correspond with the way they feel inside. If they decide as adults to give expression to the gender identity they feel and make corresponding changes, a process of gender reassignment begins – which is also referred to as transition.

Transition is a period in which the social and professional environments are also confronted with changes that often come as a complete surprise. This affects family, friends, colleagues, managers, customers and others in the immediate environment. **Be prepared!**

The following key points are intended to help you in compiling transition guidelines for your own organisation:

### Fundamental points in handling transition in the workplace

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- \* The process of transitioning and of coming out – for example the question of when to tell colleagues – should never be determined behind the back of the person concerned; they themselves should decide on the timing and method.
- \* The person who intends to go through the transition and come out in the workplace should inform their managers in advance.
- \* There should be a fixed contact point responsible for this issue. Their role should be known to everyone. Who that contact is depends on the structure of the company or organisation. Diversity or gender officers, managers or other people in positions of trust may be considered.
- \* The central and indispensable factor is the support and backing of managers.

The organisation and the key people in the company can prepare themselves consciously for a transgender employee to come out. Support and acceptance in the workplace through well-informed colleagues and managers are very important and make the period of transition easier for all concerned.

### Have you already thought about transition guidelines?

Companies, administrative bodies and organisations differ in terms of structure, size, workforce and industry. Nevertheless, there are some basic principles that should always be considered when drawing up guidelines.

### Handling transition with colleagues

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#### *Self-determined coming out*

When and by what means a person comes out to colleagues and other departments depends on the individual situation and individual wishes. The person concerned has the right to determine the time and method.

#### *Use of new name / form of address / pronouns*

In order to handle the transition in a constructive way, it is important that team members, managers and also colleagues from other departments use the new first name, the new form of address and the new personal pronoun for the person concerned. There should be clear and binding instructions from managers in this connection.

#### *Use of toilets*

The transgender person should be able to use the toilets that correspond to their identity. There should be clear and binding instructions from managers in this connection. “Universal toilets” are also recommended, which can only be used by one person at a time and are therefore not designated as ladies or gents toilets.

***Use of bathrooms and changing rooms***

Generally it should be possible to use rooms that correspond to one's identity. Separate cubicles or areas can be set up that are protected from view. This helps not only transgender people but everyone who appreciates discretion when showering or changing.

***Work clothes and dress code***

Work clothing and dress codes should be as gender-neutral as possible or at least permit flexible solutions. For example, the so-called modular principle allows items of clothing from men's and women's uniforms to be combined or clothing to be made appropriate through alterations.

***Privacy and protection against being outed***

The privacy of transgender people should be protected. In particular, this means that information about (impending) medical treatments is strictly confidential. Protection against being outed should be guaranteed.

***Information and raising of awareness***

Colleagues should have the opportunity to clarify questions and instances of confusion that arise. Introducing measures to raise awareness is recommended. This work can be carried out internally by diversity officers or staff or works councils, or external assistance can be sought. The options include: inviting experts from transgender organisations to come in, in-house workshops, external seminars and training courses.

***Problems and areas of resistance***

If there are problems or areas of resistance, managers should try to talk to staff.

***Handling transition with customers***

In sectors in which there is long-term contact with customers, the employee should inform the customers in advance so that the customers can adapt to the change in the situation. If customers behave in a discriminatory way, managers must back their employees.

***Change in first name, form of address and personal pronoun (administrative-technical aspects)***

It is recommended that the change of name be introduced throughout the company as soon as possible, even before any official change of first name, insofar as this is legally possible and technically feasible.

***E-mail address and other directories*****Draw up a checklist.**

Definitely included in this category are:

- \* E-mail address
- \* Visiting cards
- \* Telephone directories
- \* Website
- \* Organisational charts/summaries
- \* Lists of names
- \* Name and door plates
- \* Other directories, etc.

The name, title and personal pronoun should be changed in communication inside and outside the company, as far as legally possible. There may be some software-related problems associated with the change of name; this may come about if the new name is not only accessed manually but is also generated automatically on the telephone display from the personnel file (which has not yet been changed).

***Personnel file***

The name should also be changed at an early stage in the personnel file – if legally possible – for the purposes of assessments, confirmations of training courses and qualifications. A personnel file also contains old, historical documents such as previous employment contracts with the same employer, application forms and references. It is important to handle these in a sensitive and confidential way. Ensure that employees are protected from being outed in this context.

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## **dgti e. V. Beratungs- und Informationsstelle**

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## **LesMigraS**

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## **TransInterQueer e. V. (TriQ)**

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## **Stand Up**

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[www.schwulenberatungberlin.de/](http://www.schwulenberatungberlin.de/)

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