The exact scope and coverage of workplace legal protections for transgendered individuals isn’t entirely settled. But as a practical matter, employers are wise to treat transgender status the same as race, age, and other “traditional” protected statuses. Why? Many reasons, but here’s two: kindness and respect towards individuals makes good HR and business sense, AND employees who feel protected and respected are far less likely to bring legal claims (with all their attendant cost, angst, and disruption). Here are some specific pointers for creating a professional work environment for transgendered or transitioning employees.

1) **Use Individual’s Preferred/Chosen Names And Pronouns** – The occasional inadvertent slip is to be expected. But as a matter of effort and practice, strive to call everyone by their name and use pronouns that match the gender with which they identify.

2) **Avoid Excessively Personal Questions** – If you wouldn’t ask it of a traditional or “cis-gendered” person (i.e., someone whose gender identity and expression match the biological gender of their birth), don’t ask it of a transgendered or transitioning employee.

3) **Don’t Discuss Coworkers’ Personal Business Behind Their Backs** – Good advice for all employees. But especially when it comes to employee sexual orientation or gender identity, employers should never intentionally “out” anyone (and should strive mightily to avoid doing so unintentionally too)!

4) **Know The Restroom Rules** – OSHA requires that all have access to restrooms that correspond to their gender identity, and both OSHA and EEOC forbid “segregating” transgendered individuals or requiring them to use specific facilities. If you know or anticipate that non-transgender coworkers will have concerns, make sure management and HR have anticipated them and are prepared to have discussions that educate those coworkers and emphasize the organization’s expectations.

5) **Change Forms, If You Can, And If You’re Asked** – Many employment and benefit-related documents ask employees to indicate their gender. Certain government-mandated forms can’t be altered, but most (all?) company-specific documents can be revised to include alternative selections. And employees whose gender identity has changed should be permitted to change their designation on employer-controlled forms.

6) **Avoid Gender-Based Distinctions In Your Dress Code** – In virtually every industry, employers can and should require neat, clean, hygienic grooming and appearance from all employees. No need to change that baseline expectation. But if uniforms are required, gender neutral is best. And to the extent there are gender-based variations in your policy, allow transgender employees to dress to the standard that corresponds to their individual identity.

More broadly, consider what training or messaging you might need for certain employees (or your entire workforce). Each transgender individual – and each workforce – is unique, so the answer could range from “lots” to “virtually none.” Regardless, leadership should be educated and prepared to address conflicts or resistance towards transgendered employees and to insist upon and model a culture of respect towards all.

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