



SAN DIEGO COUNTY SHERIFF'S DEPARTMENT

Workplace Gender Transition:

A Guide for Ensuring Inclusion

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Purpose

The information in this guide is designed to support an inclusive and productive workplace environment for all employees.¹ Specifically, this document addresses the needs of transgender and gender non-conforming employees (see “Definitions” on page 12) and provides guidance to supervisors and employees on how to protect the legal rights and safety of such employees.

This document does not anticipate every situation which may occur. The needs of transgender and gender non-conforming employees must be assessed on a case-by-case basis, including how best to apply these guidelines. The goal of the San Diego County Sheriff's Department is to ensure the well-being of our employees within their professional workplace and to ensure all employees are treated fairly regardless of their orientation or gender identity. This includes promoting adherence to the department's Non-Discrimination Policy, maximizing workplace integration, and minimizing stigmatization. As such, these guidelines are designed to help supervisors and employees maintain a respectful and inclusive work environment for all of our employees.

Introduction

This guiding document will support supervisors and employees so they can assist employees who are undertaking (or considering) a workplace gender transition. This document also provides information and support for these employees. Coworkers may find this document helpful as well.

A lack of knowledge about gender transition and transgender issues has the potential for creating misunderstanding and tension within the workplace. The likelihood of negative reactions can be reduced by establishing a culture of appreciation of differences, providing training, and treating all employees respectfully. The San Diego County Sheriff's Department does not discriminate on the basis of sex, sexual orientation, gender identity, or gender expression. The department's policy supports the guidelines outlined in this document.

Workplace diversity is an organizational strength and adds to an organization's resiliency. A diverse workplace means our employees must be able to work with people of all different backgrounds. It is not required that the department's employees “believe in” or accept an individual's right to be transgender or undergo a gender transition. Employees are entitled to their beliefs, but we are all required to treat the transitioning employee, and every other employee, with respect.

¹This document is based on a model policy developed by the cities of Santa Rosa, California and Providence, Rhode Island in conjunction with the Transgender Law Center.

If an employee expresses their intention to transition, the assistance of the department and supervisor is critical. The supervisor's actions will impact the outcome of the workplace transition. Be aware that the employee's decision is likely to have been carefully considered over months, if not many years. By the time an employee approaches their supervisor, they are likely to have already gone through a long process of informing family and close friends. It is not a sudden, rash, overnight decision.

If you are transgender and/or are undergoing (or considering) a gender transition, you have the right to openly be who you are at work. This means, while maintaining professional expectations, you may express your gender identity, characteristics, or expression without fear of negative consequences. These guidelines are designed to help ensure that the workplace has tools and resources in place to support your gender transition.

Overview – For Supervisors

Employees who transition their gender on the job will need the assistance of their supervisor and someone they are comfortable with serving as their advocate. Each individual will have a unique set of factors which will require a customized approach. Use the Workplace Transition Plan (page 6) and checklist (Appendix A, page 11) to prepare for the workplace transition. Be sure to consider the following:

- Who will help the transitioning employee plan and manage their workplace transition?
- What can a transitioning employee expect from their supervisor and Command?
- What is expected of other staff (coworkers, etc.)?
- Who will take the lead on ensuring personnel and administrative records are updated?

Due to existing stereotypes both in the workplace and society in general, many transgender individuals face difficult situations and interactions in their personal, professional, family, and financial lives simultaneously. This can lead to high stress levels, particularly when individuals are in the initial stages of transitioning.

Keep the following in mind when talking with a transitioning employee:

- The transitioning employee may choose you – their supervisor, someone up the chain of command, the LGBTQ+ Liaison, a fellow colleague who is their advocate, or a Human Resources (HR) representative – as their first point of contact.

- **It is crucial that you make it clear that the conversation will be held in confidence.** This is key to ensuring the employee's rights are protected. Maintaining confidentiality will also help avoid inadvertent violations of the employee's right to medical privacy.
- **Listen carefully to what the individual is telling you about how they want the workplace transition to proceed.**
- Obtain permission from the employee prior to discussing the transition with (or seeking further assistance from) anyone, including other staff, your own supervisor, the department's LGBTQ+ Liaison, and Human Resources.
- Use a sensitive approach and demonstrate support for an inclusive workplace when discussing their needs and concerns.
- **Do not** ask the employee about their medical decisions. Medical information is private and protected by law. If the employee needs time off for medical care or recovery, follow the same steps used for any request for time off for medical reasons.

Overview – For Transitioning Employees

As a valued employee, these guidelines are provided to help ensure your well-being and to provide assistance during your workplace transition. You have probably been considering this stage of your life for some time. You may have done a lot of research, talked with people you trust, and perhaps connected with support groups locally or online. At this point, you may feel nervous – but more than ready – to move forward with your workplace gender transition.

The San Diego County Sheriff's Department supports you. We want your transition to be as smooth as possible and for your rights to be protected. As you start on this process, it may help to keep the following in mind:

- You may feel very vulnerable right now and may be worrying about how your supervisor and coworkers will react. Keep in mind – you are not the first person to transition at their workplace, and this document is prepared with the experiences of those who came before you in mind.

The transitioning employee should be assured that they will have input into planning the steps of their transition at work. The employee will have the main voice in determining the timing of beginning to work in their new gender role. If any changes in workplace routine need to occur, the employee will coordinate these changes with their supervisor to ensure the employee is able to perform the essential functions of their job.

- Things might not always proceed as smoothly as you would like but planning ahead will help pave the way to a successful workplace transition. It is important to keep your supervisor advised of any challenges or issues that may arise.
- You get to decide who to approach first to begin discussing the needed workplace preparations for your gender transition. It could be your supervisor, your advocate, the department's LGBTQ+ Liaison, or an HR representative. It's your choice.
- Keep in mind that some aspects of your workplace transition will take longer than others. Estimate a reasonable timeline (at least six weeks) so that everything can be ready on the first day of your workplace transition.
- It's possible that very few supervisors and employees in your department have experience with or knowledge about workplace gender transitions. This does not mean you have to train them, but you can help by making sure they know about these guidelines and by referring them to any other resources you believe will be helpful.
- You have a right to privacy, and at the same time, a number of people in the department will need advance knowledge of your transition (with your consent) to ensure changes can be made (e.g. email address, employee directory, and work ID). Work with your supervisor to determine how and when others will be told.
- You **do not** need to discuss your medical decisions. Medical information is private and protected by law. If you need time off for transition related medical care or recovery, follow the same steps used for any request for time off for medical reasons. If a doctor's note is needed, the note should explain the workplace implications (e.g. amount of time off needed and any work restrictions upon returning to the job), but it should not list the diagnosis or treatment. Work with your doctor to ensure your privacy.

Confidentiality

The transgender status of an individual is confidential and should only be disclosed on a need-to-know basis and only with the consent of the individual. Information about an employee's transgender status (such as the sex they were assigned at birth) can constitute confidential medical information under privacy laws like HIPAA. Supervisors, HR, and coworkers may not disclose information that might reveal an employee's transgender status or gender non-conforming presentation to anyone without consent from the individual.

Only the transgender employee has the right to discuss their gender identity or expression openly. Alternately, they may choose to keep that information private.

Names/Pronouns and Official Documentation

An employee has the right to be addressed by the name and pronoun of their choice.

San Diego County Sheriff's Department employees are expected to respectfully use the transitioning employee's preferred name and pronouns, regardless of whether or not they "believe in," approve of, or accept an individual's right to be transgender or undergo a gender transition.

Some department records must match the employee's legal name and cannot be altered until a legal name change has been achieved. The employee is responsible for contacting Personnel at (858) 974-2001 to get a **Name/Personal/Identity Information Change Packet** and schedule an appointment to submit completed documents. After the employee provides HR with official notification of a legal name change, HR will update personnel and administrative records accordingly.

Due to legal requirements, the following original documents with the new legal name change are required at the time of your appointment:

- Social Security Card (signed with new name)
- California Driver's License

The following will be changed once legal documentation has been received (**Allow for up to two weeks for name changes):

- Peoplesoft/paystubs
- Department webpage
- Phone directories
- Email address
- Windows Login
- Photographs on their access/identification card and photographs
- DMV Confidentiality Form (if applicable)
- Weapons Training Unit – Name Change Notification (if applicable)

Documentation *may be* required to update the employee's name and gender in some aspects of the workplace. The supervisor should ensure the following are changed:

- Employee's workstation name plate
- Organization charts
- Team rosters

Facilities Accessibility

All employees have the right to use locker rooms or other sex-segregated facilities that correspond to their gender identity. In the case of changing/locker rooms, any employee who makes a request, regardless of the underlying reason, can be provided with a reasonable alternative changing area such as the use of a private area, gender neutral single-user restroom, or using the facility that corresponds to their gender identity before or after other employees. Any alternative arrangement for a transgender employee will be provided in a way that allows the employee to keep their transgender status confidential if they choose to do so. Ultimately, the decision should be left to the transgender employee to determine the most appropriate and safest option.

Dress Codes

Transgender and gender non-conforming employees have the right to comply with dress codes and professional appearance standards in a manner consistent with their gender identity or gender expression. Dress code must still be followed pursuant to department Policy and Procedure Sections 3.11-3.13.

Workplace Transition Plan

This section addresses many of the processes that may occur during an employee's gender transition. The Workplace Transition Plan should be modified with input from the supervisor and the transitioning employee to meet the needs of the organization and the employee. Also see Appendix A for a helpful Transition Plan Checklist.

BEFORE THE WORKPLACE TRANSITION BEGINS

1. The transitioning employee should meet with their selected first point of contact to begin discussing the needed workplace preparations for their transition. The employee might choose their supervisor, someone up the chain of command, an advocate, the department's LGBTQ+ Liaison, or an HR representative as their first point of contact.
2. At that initial meeting or a subsequent meeting, the employee and first point of contact should identify who will notify the chain of command to begin formally discussing the workplace transition process.
3. The supervisor and employee will determine who will be part of the transition team if desired by the transitioning employee. The transition team should work together to make a Workplace Transition Plan. They should make sure it addresses all of the

following areas:

- a) The date when the workplace transition will officially and formally occur. This means the date that the employee will change their gender expression, name, and pronouns. This date should provide enough time for updating the employee's email address, name plate, organization charts, etc. The transitioning employee may choose to begin using the restroom and locker room associated with their gender identity on this date as well. The transitioning employee will know best when the transition date should occur as they will be able to determine all relevant factors to be considered when choosing this date.
- b) Decide how, when, and in what format the transitioning employee's coworkers will be made aware of the employee's transition. It is up to the transitioning employee to decide if they would like to make some coworkers aware of their transition on a one-on-one basis before it is officially announced. The transitioning employee will also decide whether the official announcement should be made in writing or verbally and who will make the announcement (department or employee). The employee will decide *if* and *how* they will participate in making the announcement. See "Transition Plan Checklist for Transition Employee" (page 11) when planning the announcement.
- c) Schedule dates of any leave that may be needed for pre-scheduled medical procedures. (There is no need to discuss which procedures or what they entail.)
- d) Discuss how the employee would like to handle name and pronoun mistakes that may occur in the first few months. Discuss how the supervisor will address persistent and/or intentional misuse of names and pronouns that may occur.

THE DAY THE TRANSITION WILL BE MADE KNOWN TO THE WORK TEAM

1. If the transitioning employee has decided the announcement will be made in a meeting:
 - a. Include the transitioning employee (if they wish to be present), the employee's supervisor, chain of command, the employee's coworkers, and any other team members or leaders if they are able to attend in person. Arrange for remote conferencing for any members of the transition team or the employee's work team that cannot be there in person. The employee will decide whether (or not) to attend all or part of the meeting.

- b. If the employee or department believes it would be helpful, a handout about transgender issues can be provided at this meeting. See Appendix D, Page 15 for a recommended handout.
- c. The speaking supervisor is recommended to cover the following information in the meeting:
 - i. Clarify that the following announcement is confidential. The information should only be disclosed to others on a need-to-know basis and only with the consent of the individual concerned.
 - ii. Explain that the employee formerly known as _____(old name) will be _____(new name) and will be referred to using _____(male/female/gender neutral) pronouns as of _____(workplace transition date).
 - iii. Emphasize the transitioning employee's importance at the San Diego County Sheriff's Department and its culture of being an inclusive workplace.
 - iv. Review the San Diego County Sheriff's Department and County of San Diego's nondiscrimination policies and indicate that all employees are invited to review the Workplace Gender Transition Guidelines.
 - v. Indicate that the transitioning employee will be presenting themselves in accordance with their gender identity. Indicate the expectation that everyone will behave respectfully and use the new name and pronouns as of a specified date, regardless of any personal views they may hold.
 - vi. Make a point that continued professionalism within the workplace is expected, that the transition will not change expectations of appropriate workplace behavior, and that work should go on as it did previously.
 - vii. Solicit any questions. Refer questions the supervisor cannot answer to the department's LGBTQ+ liaison or Human Resources/Labor Relations.
- d. Be a behavioral model by using the transitioning employee's new name and pronouns during the announcement and in all communication (written and oral, formal and informal) after the first day of the employee's workplace transition.

2. If the employee has decided they wish the announcement to be made in writing:
 - a. Work with the employee to craft a written communication (see c. below for details) for distribution by the chain of command
 - b. If the department or employee thinks it would be helpful, a handout about transgender issues can be included. See Appendix D, Page 15 for a recommended handout.
 - c. The communication must explain:
 - i. Clarify that the following announcement is confidential. The information should only be disclosed to others on a need-to-know basis and only with the consent of the individual concerned.
 - ii. Explain that the employee formerly known as _____(old name) will be _____(new name) and will be referred to using _____(male/female/gender neutral) pronouns as of _____(workplace transition date).
 - iii. Emphasize the transitioning employee's importance at the San Diego County Sheriff's Department and its culture of being an inclusive workplace
 - iv. Remind employees of the department's nondiscrimination policies and indicate that all employees are invited to review the Workplace Gender Transition Guidelines.
 - v. Indicate that the transitioning employee will be presenting themselves in accordance with their gender identity. Indicate the expectation that everyone will behave respectfully and use the new name and pronouns as of _____(date), regardless of any personal views they may hold.
 - vi. Make a point that continued professionalism within the workplace is expected, that the transition will not change expectations of appropriate workplace behavior, and that work should go on as it did previously.
 - vii. Explain that _____(new name) would prefer not to discuss the details of their transition at work or with people outside of their closest circle of friends and family. Indicate that everyone is welcome to direct

their questions to the supervisor, the LGBTQ+ Liaison, and/or a representative from HR.

- d. Be a behavioral model by using the transitioning employee's new name and pronouns in the announcement and in all communication (written and oral, formal and informal) after the first day of the employee's workplace transition.

Appendix A: Transition Plan Checklist for Transitioning Employee

- Meet with the first point of contact/advocate _____
- Meet with your supervisor and chain of command _____

- Develop the timeline

| Event | Date |
|---|------|
| Meet with advocate | |
| Contact supervisor and/or LGBTQ+ Liaison | |
| Inform/meet with Chain of Command | |
| Develop Transition Plan with Command and HR | |
| Make official announcement | |
| Complete updates to name/photos in workplace | |
| First day of workplace transition (usually a few weeks after official announcement) | |
| Other steps | |

- Plan/prepare the official announcement (see pages 12-15 for details)
- Update personal information and documentation:
 - Name Workstation name plate
 - Legal Documentation (i.e. Peoplesoft, Social Security, Benefits, etc.)
 - Uniform Access/identification card
 - Email address Organization charts
 - Team rosters Photographs on display
 - Phone directory Windows login
 - SDCERA Department webpage
 - HR County Benefits
 - Union (if applicable)
- Discuss how name/pronoun mistakes will be addressed:
 - Occasional slips
 - Persistent misuse
 - Intentional misuse

Appendix B: Definitions

The definitions provided here are not intended to label employees but rather to assist in creating a more inclusive workplace. Employees may or may not use these terms to describe themselves. This is not a comprehensive glossary, but rather an introduction to gender and sexual orientation related terminology.

- **AMAB “Assigned Male at Birth”:** An individual who, based on external sex characteristics, is designated male at the time of birth. This assignment may or may not match the individual’s gender identity.
- **AFAB “Assigned Female at Birth”:** An individual who, based on external sex characteristics, is designated female at the time of birth. This assignment may or may not match the individual’s gender identity.
- **Cisgender:** The opposite of transgender. Describes the identity held by the majority of people, in which an individual’s experiences of gender agree with the sex they were assigned at birth.
- **Gender:** A socially constructed concept classifying behavior as either "masculine" or "feminine" unrelated to one's external genitalia.
- **Gender Expression:** A person's expression of their gender identity, including appearance, dress, mannerisms, speech, and social interaction.
- **Gender identity:** Distinct from sexual orientation and refers to a person's internal, deeply felt sense of being male, female, or non-binary.
- **Gender Non-Conforming:** Gender characteristics and/or behaviors that do not conform to those typically associated with a person's biological sex.
- **Gender Norms:** The expectations associated with "masculine" and "feminine" conduct, based on how society commonly believes males and females should behave.
- **Gender Pronouns:** A set of pronouns that an individual chooses to reflect their personal gender identity. For example, "he/him/his", "she/her/hers", "they/them".
- **Non-Binary:** Term used by some people who experience their gender identity and or gender expression as falling outside the categories of man and woman. They may self-identify as falling somewhere between man and woman or, they may define it as wholly different for these terms.

- **Intersex:** A condition in which a person is born with external genitalia, internal reproductive organs, chromosome patterns and/or an endocrine system that does not fit typical definitions of male or female.
- **LGBTQ+:** Acronym used to include all those who have diverse sexual orientations and/or gender identities. The acronym includes those who identify as lesbian, gay, bisexual, transgender, queer and/or questioning and the "+" includes all others within the spectrum. Acronym for a group of sexual minorities including lesbian, gay, bisexual, transgender, questioning and others.
- **Questioning:** Active process which a person explores their own sexual orientation and/or gender identity and questions the cultural assumptions that they are heterosexual and/or gender conforming.
- **Sexual Orientation:** A person's physical or emotional attraction to people of the same and/or different gender. Straight, gay, bisexual, and queer are some ways to describe sexual orientation. It is important to note that sexual orientation is distinct from gender identity and expression. Transgender people can be gay, lesbian, bisexual, straight, or queer just like cisgender people.
- **Transgender:** A person whose gender identity (internal sense of feeling male or female) differs from their sex of birth.
NOTE: Some people described by this definition don't consider or label themselves transgender. They may use other words or may identify simply as a man or woman or as both or neither.
- **Transgender Female:** A person whose birth sex was male but understands herself to be and desires to live her life as a female.
- **Transgender Male:** A person whose birth sex was female but understands himself to be and desires to live his life as a male.
- **Transition:** The process of changing one's gender from the sex assigned at birth to one's gender identity. There are many different ways to transition. A transition can be social, legal, and/or medical.
 - For some people, the gender transition takes place over a long period of time. For others it is a process that happens more quickly.
 - Transition may include "coming out" (telling family, friends, and coworkers), changing the name and/or sex on legal documents, and/or accessing medical treatment such as hormones and/or surgery.

- **Social Transition:** Social transition refers to the process of socially aligning one's gender with internal sense of self.
- **Physical Transition:** This refers to medical treatments an individual may undergo to physically align their body with their internal sense of self.

Appendix C: Resources

- **Transgender Rights in the Workplace (Department of Fair Employment and Housing, State of California)**
https://www.dfeh.ca.gov/wp-content/uploads/sites/32/2019/08/DFEH_TransgenderRightsWorkplace_ENG.pdf
- **Understanding Transgender People – the Basics (National Center for Transgender Equality)**
https://transequality.org/sites/default/files/docs/resources/Understanding-Trans-Short-July-2016_0.pdf
- **Frequently Asked Questions – About Transgender People**
https://transequality.org/sites/default/files/docs/resources/Understanding-Trans-Full-July-2016_0.pdf

Appendix D: Important Contact Information

- **Human Resources**

Herbert Taft, Captain
herbert.taft@sdsheriff.org

Maria Quidachay, Sr. Departmental Human Resource Officer
Maria.Quidachay@sdsheriff.org

- **LGBTQ+ Liaison**

Marilu Marcq, Sergeant
Marilu.Marcq@sdsheriff.org