



**ROLLINS**  
**POLICY**

<b>Title:</b>	<b>Guidelines for Supporting and Addressing Needs of Transgender and Gender Non-conforming Employees</b>	<b>Type:</b>	<b>Human Resources</b>
No: HR 7001		Approval Date: 5-1-2017	
Responsible Office: Human Resources		Reviewed By: Policy Committee, 3-29-2017; President’s Cabinet, 4-18-2017. Approved By: President, 5-1-2017	
Next Review: 2022		Revision No:	

**I. Purpose**

Rollins is committed to creating and maintaining a workplace environment that is inclusive and welcoming, and which values and respects the dignity and diverse identities of its employees. Gender identity is an intrinsic part of each person’s identity and everyday life. Accordingly, it is essential for employees to be able to work and participate within their employment setting in a manner consistent with their gender identity and the expression of their gender as conducted in the other roles of their daily lives.

This document is intended to delineate workplace guidelines for supporting and addressing the needs of transgender and gender non-conforming employees, including those that arise in the workplace when a transgender person engages in transitional processes during their employment with the College. These guidelines support Rollins’ Non-Discrimination policy, which prohibits discrimination on the basis of gender identity and expression. These guidelines are intended to be used by those who are transgender or gender non-conforming, their co-workers, managers, and Human Resources staff.

These guidelines do not anticipate every situation that might occur with respect to transgender or gender non-conforming employees, as the needs of each employee must be assessed on a case-by-case basis. In all situations, the goal is to ensure the safety, dignity, respect, comfort, and wellbeing of transgender or gender non-conforming employees.

**II. Definitions**

The definitions provided herein are not intended to label employees, but rather to assist all employees in understanding this policy and the legal obligations of employers. Transgender employees may or may not use these terms to describe themselves. Ultimately, an employee’s preferred terminology to describe him or herself should be thoughtfully ascertained and respected by coworkers, as it may vary from person to person.

**Gender identity.** A person’s internal, deeply-felt sense of being male, female, or something other or in-between, regardless of the biological sex they were assigned at birth. Everyone has a gender identity.

**Gender expression:** An individual's outwardly observed behaviors and characteristics (such as appearance, dress, mannerisms, speech patterns, and social interactions) that may be perceived as masculine or feminine. Gender expression is typically guided by societal expectations of what is masculine or feminine. The range of outward expression of maleness or femaleness is unique to each person and is a reflection of their inner gender identity.

**Transgender.** An umbrella term that can be used to describe people whose gender identity and/or expression are different from their sex assigned at birth.

- A person whose sex assigned at birth was female but who identifies as male is a transgender man (also known as female-to-male transgender person, or FTM).
- A person whose sex assigned at birth was male but who identifies as female is a transgender woman (also known as male-to-female transgender person, or MTF).
- Some people described by this definition don't consider themselves transgender – they may use other words, or may identify simply as a man or woman. Again, it is respectful to ask the transgendered people about their individual preference regarding terms and to use those terms consistently and respectfully in all interactions with the individual and with others.

**Gender non-conforming.** This term describes people who have, or are perceived to have, gender characteristics and/or behaviors that do not conform to traditional or societal expectations.

**Transition.** The process of changing one's gender from their biological sex assigned at birth to living in a way that is consistent with one's gender identity. There are many different ways to transition. For some people, it is a complex process that takes place over a long period of time, while for others it is a one- or two-step process that happens more quickly. Transition may include "coming out" (telling family, friends, and coworkers); changing the name and/or sex on legal documents; making decisions about clothing and/or grooming style that reflects one's gender identity; and, for some transgender people, accessing medical treatment such as hormones and surgery may be considered. The extent of these processes varies from person-to-person and there is not a consistent pattern or ultimate goal (such as for surgery) for all transgendered people. A person's decisions about their transition process is private and should not be asked about unless questions are invited by the individual.

**Sexual orientation.** A person's physical, emotional, or affectional attraction to people of the same and/or other gender. Straight, gay, and bisexual 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, or straight, just like non-transgender people.

**LGBT.** A common abbreviation that refers to the lesbian, gay, bisexual, and transgender community. Additional acronyms are common additions to LGBT that illustrate that there is a range of ways for employees to self-identify and to express themselves in terms of gender identity, gender expression, and sexual orientation.

### III. Guidelines

**Privacy.** Transgender employees have the right to discuss their gender identity or expression openly, or to keep that information private. Rollins management, human resources staff, or coworkers should not disclose information that may reveal an employee's transgender status or gender non-conforming presentation to others without their consent. Information about an employee's transgender status (such as the sex they were assigned at birth) can constitute confidential medical information under privacy laws such as the Health Insurance Portability and Accountability Act (HIPAA).

**Official Records.** Upon request by an employee, college employee directories, photographs, and employment-related records will be changed to reflect a change in name or gender, except in those limited cases where a legal name change is required to transact the change. In these cases, appropriate documentation evidencing the legal name change will be requested. Certain types of records, such as those subject to IRS reporting requirements, retirement plan rules, or insurance plan coverage and claims administration require a legal name change before the person's name can be changed on related College documents.

**Names/Pronouns.** Notwithstanding the above exception involving certain limited official records, an employee has the right to be addressed by the name and pronoun that correspond to the employee's gender identity, upon request. The intentional or persistent refusal to respect an employee's gender identity (for example, intentionally referring to the employee by a name or pronoun that does not correspond to the employee's gender identity) can constitute harassment and is a violation of this policy. If you are unsure what pronoun a transitioning coworker might prefer, you can politely ask your coworker how they would like to be addressed.

**Restroom Accessibility.** Transgender employees who have begun living and working in the gender consistent with their gender identity shall have access to the restroom corresponding to their gender identity. Some employees – transgender or non-transgender – may desire additional privacy and may use the available single-occupancy all gender restroom facilities on campus that afford them the desired privacy. However, no employee, shall be required to use such a restroom. The decision of which restroom to use should be left to the transgender employee to determine the most appropriate and safest option for them.

**Locker Room Accessibility.** Transgender employees who have begun living and working in the gender consistent with their gender identity shall have access to the locker room facilities that correspond to their gender identity. Any employee who has a need or desire for increased privacy, regardless of the underlying reason, can be provided with a reasonable alternative changing area such as the use of a private area, or use of the locker room 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 maintain the confidentiality of their transgender status.

**Dress Codes.** Rollins does not have dress codes that restrict employees' clothing or appearance on the basis of gender. Transgender and gender non-conforming employees have the right to

comply with the dress requirements for any role or department in a manner consistent with their gender identity or gender expression.

**Transitioning at Work.** Each transgender individual is likely to have different preferences about making their gender expression transition known to their coworkers, and the specific steps and timing of a transition may vary. This is also true about how open the individual wants to be about the transition to others. As a result, it is inappropriate to prescribe a fixed set of transition guidelines. Should an employee notify the College of their intention to transition during their employment, the College will work with the individual to develop a transition plan that meets her/his individual needs to the extent possible.

As early as is comfortable, the transitioning individual is encouraged to disclose his/her intention to transition to key personnel who can assist with and be supportive of the process. A transgender employee may first wish to express his/her intent to transition to a coworker or peer ally with whom (s)he has a trusting relationship, a representative of the Office of Human Resources, Title IX Office, the Prism LGBTIQQA resource group, or a member of the Diversity Council. Individuals planning a gender transition may wish to utilize a support team to assist with the various aspects of his/her transition. The primary role of a support team would be to assist in developing a plan that provides support and guidance to the transitioning individual relative to their employment setting at Rollins. The strategies would be tailored to the individual and his/her own plan for their gender transition process and timetable. A support team can address many issues that might occur in relation to the employment setting during the gender transition process, including, but not limited to, the following:

- Creating a communication plan that includes when and how the transition process will be communicated and to whom; This may include determining the timing and manner of informing supervisors and coworkers, and/or arranging for others from the College community to stand as an ally with the employee during this process;
- Educating co-workers, peers, and other members of the College community that may have concerns or questions about gender identity, gender expression, and/or the individual's transition in general;
- Determining when the individual will begin changing their outward expressions of their gender identity in their workplace, such as dress, behavior, grooming style;
- Determining when the individual will begin using the sex-segregated facilities that match their gender identity;
- Assistance with accommodating leave time that may be needed for medical procedures and recovery.

**Role of Managers.** The support of department heads and managers is important to an employee who has articulated his/her desire to transition or that (s)he is transgender. Sensitivity to the needs and concerns of the individual is an important part of this process. With appropriate notice, managers are expected to provide sufficient flexibility to meet the transitioning individual's needs for medical or personal appointments related to his/her transition. Time off for medical procedures should be treated in the same way as other requests for paid time off (PTO) or medical leave.

#### IV. Related Policies or Applicable Publications

**Nondiscrimination.** Rollins Nondiscrimination Policy 030.00 expressly prohibits discrimination on the basis of gender identity and gender expression. Any incident of discrimination, harassment, or violence based on gender identity or expression will be given immediate and effective attention, including, but not limited to, investigating the incident, taking suitable corrective action, and providing employees and staff with appropriate resources. Any complaint alleging violation of Rollins Non-Discrimination policy may be address by employees under Rollins Non-Discrimination Grievance Procedure for Faculty and Staff.

#### V. Additional Resources

U.S. Department of Labor, Policies on Gender Identity: Rights and Responsibilities

<https://www.dol.gov/oasam/programs/crc/20130712GenderIdentity.htm>

Human Rights Campaign, Transgender Inclusion in the Workplace: Recommended Policies and Practices

<http://www.hrc.org/resources/transgender-inclusion-in-the-workplace-recommended-policies-and-practices>

Society for Human Resource Management, Supporting Transgender Employees

<https://www.shrm.org/hr-today/news/hr-magazine/pages/0915-transgender-employees.aspx>

American Psychological Association, Transgender People, Gender Identity and Expression

<http://www.apa.org/topics/lgbt/transgender.aspx>