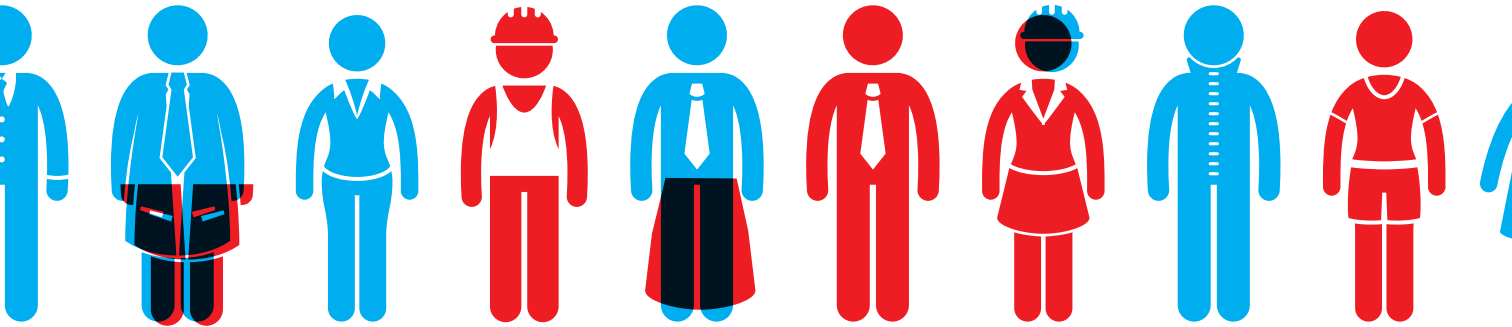


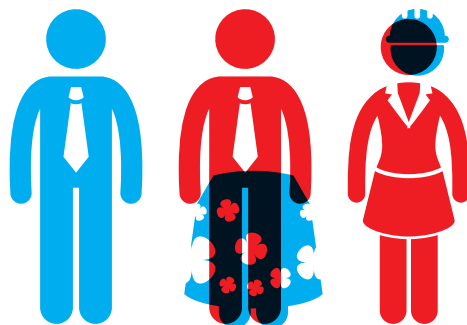
TRANSGENDER PEOPLE

AT WORK



tips and information for employers and employees

TRANS-
GENDER
PEOPLE
AT
WORK



introduction

Chances are that, whilst you are reading this, somewhere in Flanders or Brussels an employer or employee is struggling with their gender identity. But: how to tell your colleagues? How to tell your boss that from now on you want to go through life in a new gender role? And how do you deal with that as either boss or colleague?

These are questions the Flemish government and transgender organisations often receive from transgender people or from employers having to deal with transgender employees. It only proves that employers are very concerned about their transgender employees' well-being and care about the atmosphere at work. That is why they want specific information on how to act openly, correctly and respectfully with regards to all their employees, customers and suppliers.

The Flemish government wants to lend a helping hand. Since 2009 transgender people are specifically targeted by the Flemish government's policies. These led to, for example, the establishment of a decree stating the right to a new diploma mentioning the transgender person's new name. They also helped creating a Transgender Infopoint (transgenderinfo.be) where everyone with questions regarding transgender issues can go for help. The many questions received on a

daily basis by the Infopoint only go to prove its necessity.

This information brochure by the Flemish government serves to specifically answer these questions in terms of work environment. This issue is mainly aimed at employers but also at counsellors and ombudsmen, HR-managers, diversity consultants, job consultants, project developers for career and diversity policies, prevention advisors and employees.

This brochure aims to be a practical tool, containing a number of tips and testimonies. Transgender employees tell about their experiences on the work floor and about how they, their employers and their colleagues deal with it creatively. You will find useful addresses, information about transgender issues, about the usefulness of a transgender friendly workplace and about the legislative framework. A glossary will explain certain terms used in this brochure.

This brochure has been issued by Equal Opportunities in Flanders and the department of Work and Social Economy. The contents of this brochure came about with the help of several organisations. We would like to thank, therefore, following organisations and some individual experts for their cooperation: UNIZO, Voka, ABVV,

ACLVB, ACV, VDAB, the Diversity and Equal opportunities Unit of the Flemish government, Policy Research Centre on Equality Policies, Transgender Infopoint, çavaria, Casa Rosã, Gender-Express. More thanks to everyone who was courageous enough to share their story with us. These testimonies show that reactions from employers and colleagues help them (or maybe not) to be themselves, even at work.

Work is much more than 'bread on the table'. Work offers a framework, a social environment and is a place where we spend a lot of our active time. It is therefore important we feel good there and that means everybody, including transgender people, because every talent counts on the job market

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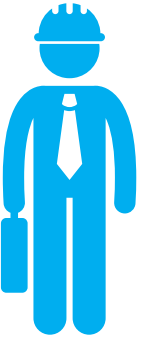
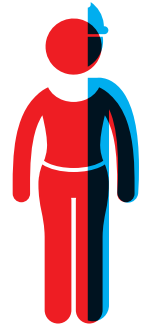
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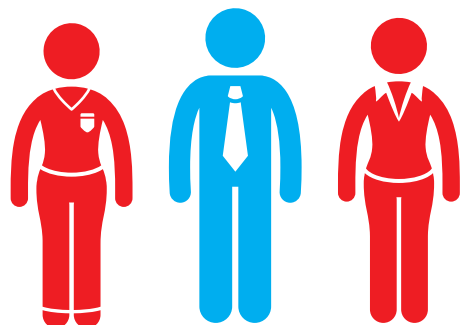
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TRANS-
GENDER
WHAT?



“Is it a boy or a girl?” It is often the first question asked when a baby is born. We then expect a clear answer and we also presume that later in life the child will *feel* like a boy or a girl.



However, this is clearly not the case for everyone. For transgender people, their biological sex does not (fully) correspond with their internal identity. A transgender person is therefore a person whose gender identity, i.e. their inward experience of being man or woman, is different from what you would expect based on their biological sex.

The word transgender covers a wide range of identities and expressions. Usually we discern three main categories.

Many people want to live full-time in a different gender role from the one that ‘fits’ their biological sex. Often they want hormone treatment and/or surgery to make their body fit the identity they’re experiencing. That process is called gender reassignment treatment or a gender transition.

Other people do not feel at ease being labelled man or woman and combine both male and female characteristics or have an androgynous expression.

A third category of people only temporarily want to make the transition from a male to a female role or the other way round.

This brochure focuses mainly on the experiences of the first two groups.

All stories of transgender people are

very different and very personal. This brochure’s starting point is what they have in common. Transgender people as a group make it clear to us there is more than just ‘man’ or ‘woman’. And mainly: biological sex is not the same as gender identity.

(More qualified information about differences within the group of transgender people can be found in the issue ‘Everything you always wanted to know about transgender people, but were afraid to ask’, see p. 33.)

probably more transgender people than you think

It is quite impossible to tell how many transgender people there are in our society for it is a very diverse group. Moreover, not all transgender people go through a legal and medical gender transition, and are therefore unregistered as transgender. That is why transgender people are a 'hidden' group in our society.

According to official state numbers, only 631 people in total officially changed the gender marker on their birth certificate in Belgium between 1993 and 2012. (68% from man to woman, 32% the other way round). [1]

That number however is only the tip of the iceberg. According to recent estimates produced by the Belgian medical sector, 1 out of a 1,000 to 2,000 natal males and 1 out of 2,000 to 4,000 natal females feel a conflict between their felt gender identity and their sex assigned at birth. [2]

Only a very limited number of transgender people go through a complete medical gender reassignment. According to Belgian figures, it concerns only 1 in 12,900 men and 1 in 33,800 women. [3] The huge majority of all transgender people seems to choose for limited or no medical treatment and is therefore not visible in any statistics.



FACTOID!

Transgender people are higher educated and more unemployed than the average.

Flemish studies reveal that transgender people have a higher educational level than average and are more likely to be working in in the (semi-) public, social profit or NGO-sector. They are significantly less active in the private sector. [4]

Belgian studies show that the transgender unemployment figures are high: if we take the group of graduates up to their retirement age, we see no less than 19% unemployed and 7% either long term unable to work or ill. Of those who do work (74%), 15% is self-employed. [5]

Half of those transgender people still in the closet and therefore not daring to do anything about their gender feelings will blame 'work'. They are afraid to either run into trouble at work or even be dismissed. A lot of transgender people who are very open about it do indeed report problems at work. It's usually immediate colleagues who will express negative reactions. No less than a quarter of all transgender people changed jobs because of their gender identity, because they wanted to avoid problems or because they already had encountered problems. [5]

in all layers of society

You'll find transgender people in all layers of the population, in all age groups and in all sectors. It is quite possible for your male colleague at work to present himself in a male role, but in his private life he might prefer to assume a female expression. Or, you're not quite sure whether the person delivering the beer barrels is a man or a woman. It is also possible that the company's doctor is now a man who used to live as a woman.

visible or maybe not

Some transgender people start a gender role reversal or transition when they have a job. Others completed their transition long before that. Or maybe there are colleagues of yours who have been toying with the idea for a while now, but who do not dare to come out.

Some live in their new gender role without new acquaintances noticing it. Others still have unwanted visible physical characteristics of their biological sex.

Some people with a trans-history do not wish or need to look back on that history and would prefer to keep it a secret whereas other people are very open about it.

transgender people on the job market

“Support from your boss is very important”

“I worked as a chef at my parents’ very busy establishment. It made my transition easier: my parents always defended me. The only problem was when certain customers kept calling me by my previous gender’s name. When my transition started, some customers brought guests along to gossip but my parents were always there for me and explained what happened. It gave me more self-confidence. That support is very important.

An employee who had worked for us for 21 years took over our family business in the end. He hired new employees who did not particularly fancy working with a transgender person. The new owner didn’t react and that was very humiliating. When those new employees eventually left, he apologised but the damage had been done. You need your boss’ support and then everything will fall into place.”

What is so special about transgender people that we feel this brochure is a necessity? The answer is easy: transgender people are not special but are unfortunately too often considered taboo and that has consequences for their well-being at work and for their position on the job market.

International studies show for example much higher than average unemployment figures for transgender people, frequent bullying because of gender presentation and regular conflicts when people have to share bathrooms and dressing rooms with transgender colleagues. Any bullying or discrimination can have a lifelong impact on their self-confidence and work participation.

All this can be avoided by a pro-active and alert approach, of which more in following chapter. Not only your transgender employee will reap the benefits but also you, the employer.

Working on an internal transfriendly work environment and an external transfriendly image can only be beneficial for your organisation or company.

If someone starts a gender transition or assumes a different gender expression, this does not have any negative influence on their professional capabilities, on the contrary. If transgender people are allowed to be themselves, their self-confidence, openness and

general well-being will grow. Those are all elements which can have a positive influence on their work ethos and commitment.

An open and positive atmosphere at work will also lead to higher productivity and enthusiasm among your employees. As person in charge, your attitude is often decisive for it has an important impact on the culture in your company or organisation.

If an employee feels like they cannot be themselves at work, they might eventually quit their job. You can therefore, as employer, not only loose a very talented employee if your workplace is not transfriendly, it is also possible this employee disappears from the job market forever.

“We will make sure you will be fully integrated as a man”

“It is not an obvious thing to do, coming out when you’re 43, especially right at the start of your transition. There is a lot of uncertainty.

I had just started at a new department and the very jovial branch manager promised his full support: “We will make sure you will be fully integrated as a man and I will personally deal with any problems or discrimination.” He asked me how I wanted to go about informing my forty immediate colleagues. I chose the short pain: personnel meeting with only one ‘hot item’ on the agenda, i.e. my transition. Enormous amazement but care in equal measure. At my request for open communication all questions of my colleagues were answered and that led to a quick acceptance of my new gender identity.

When, way back in 1983, I embarked on my career with the Belgian Royal Mail, I had never imagined an employer could be so flexible. My woman’s outfit was in no time exchanged for a man’s and I was given a locker in the gents’ dressing room where I immediately felt at ease. All the times I was absent from work because of surgery were not a problem and my colleagues just did my work for me. Pay slips and other official documents were after my 21 years of

service remarkably quickly adjusted after my name change became official.

It is that full support and acceptance that really inspired me and in the meantime I have also been promoted twice. A dream came true. Thank you, bpost.”

Samuel’s story

“Not allowed to use the first name I had chosen for myself”

“Two to three years ago I began using a first name I had chosen for myself because it fit my gender identity. At work, my line manager refused point blank to call me by that name and neither was I allowed to use that name during working hours when addressing customers or colleagues of my own or other departments. At that time, it really put a huge dent in my self-confidence. Before, I was very motivated to work there but afterwards I knew very quickly I wouldn’t work there for much longer. Regretfully, really, because I did really love my work environment.”

respondent from ‘Life as a transgender in Belgium’ [5]

Combination makes every company unique

Without talent there is no innovation, no knowledge and no creativity. Moreover, talent offers extra opportunities. No two companies have the same competence pool and it's that combination of knowledge, skill and employees' attitude which sets every company apart regardless of disability, roots, age, religion or gender identity."

*Jo Libeer,
Managing Director Voka,
the Flemish network of companies*

Behind every transgender person leaving work, there is not always a negative story however. Sometimes transgender people will very consciously choose to resign when they start transitioning. They will look again for employment as soon as their transition is behind them and their ID has been updated. It allows them to start their new professional life at a different location with a clean slate as either man or woman.

Others will take the chance – now that they can dare to be themselves at last – to realise old dreams and will start new studies or look for work in a brand new sector which they always felt would fit better with who they really are.

A new start

"As a man I had my training in the commercial sector. I was the no.1 salesperson, travelled the world and was brilliant in dealing with people. However, deep inside I was very unhappy because I felt like a woman. How could I ever sell that? I looked for help and after a long search I decided to take charge of my life. I became honest with myself, about who I really was. Selling and the whole commercial world, it didn't feel comfortable anymore. I entered courses and I am now a health care professional, realising my old dream to work in the health care sector. My motivation inspired me to be one of the best in my graduation year and I was immediately offered a job where I did my internship. My talent to deal with people really is very helpful now".

“This time the subject is Greenpeace and not my transsexuality”

After discussions with management, I informed my work colleagues. I specifically waited until ‘Transgender’ was the subject during the ‘diversity program’. First I held a speech about transgender issues and the misconceptions related to it. At the end of my speech I said it was Solange who had helped me with it. On the overhead screen there was a picture of me as a woman, but nobody recognised me so I had to say: “I am Solange.” Again you could cut the atmosphere with a knife, although I did provide canapés and drinks afterwards.

(...)

Work’s Christmas Party. Is this the last outing? I want to be sure this time so I’m at the hairdresser’s in the morning. When my hair is beautifully done up, I have more self-confidence. When I arrive at the party, there are a few fleeting glances in my direction. A few of my colleagues haven’t seen me for a year. I get complimented on my new look. Obviously my colleagues also suffer from the prejudice that transgender people do not dress properly and usually behave and dress outrageously. Gradually, however, these glances disappear and we are ready to start dinner.

(...)

Union meeting in Antwerp and I keep on thinking all of them have seen me as a woman. Wrong. I board the train again, I am getting used to it. I start talking to someone from Greenpeace. This time the subject is Greenpeace and not my transsexuality. I consider that to be a step in the right direction. I can’t talk about myself all the time, can I? We alight from the train together in Antwerp and wish each other good luck. At the union’s building there were no specific glances or remarks. Maybe I behave more normal. A couple of women raise their thumb: my transition is a success.

(...)

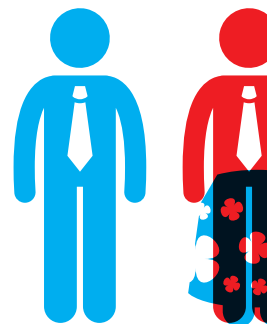


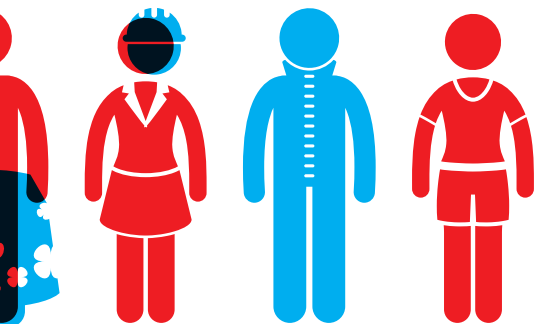
In order to celebrate my official name and gender change, I wanted to wet the baby’s head. First job that day though is an employees’ training course involving six hours of theory. Afterwards a quick visit to the hairdresser’s and then home to celebrate. 42 people turned up. It was fun. Such a shame I could not talk to everybody and thank them for their 5 dummies and baby clothing. Luckily, I received a lot of other presents as well.

extracts from Solange’s diary

HOW TO PURSUE A TRANS- FRIENDLY POLICY?

TIPS AND PROCEDURES





How do you, as an employer, deal correctly with a transgender employee? What to do if a transgender person applies? What if an employee does not dare to express their feelings? What if one of your employees starts their transition? And what if a transgender person is no longer transgender? In the following part you will find tips, procedures and several possible scenarios.

These are not rules set in stone. Rather they are guidelines in order to have the situation developing positively for all parties.

If you respect following guidelines, you will achieve an awful lot.

- Do not make an issue out of the fact your colleague is transgender and use their chosen form of address. If you are not sure what form they prefer, then simply ask them.
- Adjust mail boxes, e-mail address, name labels or badges. It does not take a lot of effort but has huge symbolic value, and can be done without any problems – even without a legal first name change.
- Talk openly and honestly with your employee, respecting their privacy.

when a transgender person applies

Many transgender people have often suffered prejudices and discrimination after their outing. There is also the possibility they no longer want to be seen as 'trans'. A job-applicant may therefore not mention anything during the application process and legally there is no obligation whatsoever to disclose their transgender status.

Sometimes it is an unavoidable subject during an interview because it is possible for the person's cv to 'out' them. The job-applicant may broach the subject themselves in order to explain certain gaps in their career or because their legal status does not correspond with their social presentation. This elected communication does not constitute a valid reason not to hire this applicant and must be treated with all possible discretion.

Until very recently there was no legislation available giving transgender people the right to receive new diplomas or certificates adjusted to their new gender. When therefore, any employee would request proof of

studies, applicants with a trans-history were often forced to explain what's what. Thankfully, that situation has changed: since 1 September 2012 people who have received a change in name or first name in compliance with the law on names and first names, can file a request to have their study documents replaced by new ones with their new name. Read more on p. 32

when a transgender person suppresses their identity

Many employees with transgender questions or issues do not dare to act because they are afraid of negative reactions at work or for fear of losing their job. This continuous wondering whether or not to be open about their wish for a gender transition or gender role reversal can negatively influence the employee's efficiency and productivity and the relationships with their colleagues.

A clear policy of equal opportunities or diversity or any other signals stating that, as an employer, you welcome minority groups will increase the chance that your transgender employee who is still working in their original gender role will be encouraged to come out.

Afraid to come out

"I am 36 years old and doctor. Ever since I was a young child I suffered from serious feelings of gender dysphoria. I am a woman in a man's body. The only solution I can see is a complete transition. In view of that process, I have already changed jobs because studies show that the average Flemish person does not like going to a Muslim doctor (50%) or gay doctor (20%). There are no figures available in terms of transgender doctors, but those other ones are not very encouraging. That, for me, was the reason to go and take up an administrative position.

I still have to organise how I am going to come out at work, but a date has been set. I do not expect any immediate problems like dismissal but there are a few smaller and more subtle problems which seriously frighten me and sometimes even give me nightmares.

Firstly, I have a lot of meetings. I presume that a doctor in transition will be looked at strangely. That will be very uncomfortable for me and I will feel ashamed, definitely because you're not really 'passable' when you're in transition. Gossip also makes me feel uncomfortable and that is bound to happen. Secondly, I sometimes have to make speeches, during which I am afraid of possible reactions. Suddenly my audience will face 'a man in woman's clothes'. Those will be the moments I will feel very

uncertain or even humiliated. Thirdly, I am bound to shock certain people and colleagues, especially older people who respect me and for whom this will be completely unexpected. I do enormously fear their reaction, especially because it could ruin our professional relationship. For all these reasons, I am nervous about coming out. I hate to disappoint people and I am afraid that is bound to happen."

Laura's story

when an employee starts a transition

When one of your employees changes gender role and maybe undertakes a gender transition, a whole team changes. Such an announcement is an exciting and intense event for any transgender person. Everybody chooses their most appropriate moment and style.

When one of your employees changes gender role, a lot of other things are involved. What follows is an overview of important stages:

What do you clearly agree on at an individual level?

When an employee starts gender role reversal, it is of the utmost importance for employer and employee to make clear agreements. Any plan of approach designed together has much more chance of success and will increase mutual trust.

These questions are best tackled together:

- When does your employee want to appear in their chosen gender role and change their personal details and forms of address?
- Does your employee want to remain in their current position or would they prefer to be transferred?
- Does your employee want to inform their colleagues, line manager, customers or pupils or do they prefer you do it? When and how are you going to inform colleagues, customers or pupils? Will they need extra information or training by an independent body?
- What agreements do you make regarding clothing, dressing rooms and the use of bathrooms?
- What adjustments are needed in your systems and databases?
- Who do colleagues turn to with questions and remarks? To the employee themselves or to an appointed body or person?
- How long is the process expected to take and how is it expected to shape up? What are the periods of absence to be expected and what agreements can you make in order to plan these periods of absence due to surgery?
- Is the employee sufficiently protected by the existing privacy legislation and against bullying and by existing insurance policies? If not: how will you change them?

How do you announce a gender role reversal on the work floor?

It is advisable to inform colleagues, customers or pupils if they have known the employee previously in a different role. Training must take place at two levels: on the one hand there needs to be general information in terms of the transgender issues and on the other hand there needs to be individual information in order to understand better the situation of the person involved. This information must, however, at the same time take into account the person's right to privacy: there is definitely no need to say more than is needed.

Sometimes an employee will take a short career break before returning to work in their new gender role. Others prefer to keep working and inform their colleagues before the weekend or their holidays that changes are afoot. It is in any case of the utmost importance to make clear agreements, where possible with support from HR-manager, social department or the counsellor or ombudsman.

As an employer you can stress all of management's legal obligations and declare all bullying unacceptable. Such a supportive message from senior management should prevent a lot of problems

Keep in mind following issues when making such an announcement: [5]

- Give sufficient quality and factual information about transgenderism, satisfying all colleagues' curiosity.
- Do not go into too much detail regarding any specific personal issues.
- Respect the transgender employee's wishes and their right to keeping personal medical details confidential.
- Give information in such a way and form appropriate for the public for whom it is meant.
- Give details as to how and where colleagues can find more information about transgenderism.
- Clearly indicate the correct forms of address for the transgender employee.

Mail from Corneel to his colleagues at the airport

Dear colleague,

There is something I have been meaning to tell you. I'd rather do it personally, but because so many people are involved, it's practically impossible, hence this somewhat impersonal mail.

You will have no doubt seen I am not the most feminine woman on the block. There's a reason for that: I never considered myself a woman. I have always lived a reasonable masculine role and during the last ten years I have begun to realise that is no longer enough. I have tried for a very long time to make it work but have finally decided something had to give. I have therefore decided to have my exterior fit my interior and become a man. That involved a very long process.

I visited the Ghent University Hospital's gender team, whose team of doctors and psychologists helps people with their gender transition. First there was the screening stage after which I started treatment. That involves me using male hormones resulting in certain physical changes: a lower voice, male hair growth and more muscles.

In the future I want to live my life as Corneel and I would appreciate it very much if you could sympathise with that. This will obviously also mean that, as soon as I have changed uniform, I would like to be called Corneel and that you'll have to refer to me as 'he', 'him' and 'his'.

I do fully understand it will take some getting used to but fundamentally not a lot will change. I will remain the same person I have always been and my physical changes will only be very slowly noticeable and audible. Simply put, I shall slowly but surely receive a different 'jacket'.

I also understand this is quite a non-conventional message and people will need time to get used to the idea. In the end that does not matter. I also needed that time

.Corneel

Corneel wrote this message after discussing it with his managers.

He had just started his hormone treatment and had not really planned to come out already but the introduction of a new uniform sped up this process. Corneel made an appointment with his managers. He was nervous, but needn't be. His head of department was momentarily lost for words but the manager was overjoyed Corneel hadn't come to offer his resignation. Corneel was immediately ordered a man's uniform. He was allowed to decide for himself when and how to inform his colleagues or have them informed. He chose to send an e-mail himself.

Message from the HR-manager after Karen had been outed by a colleague

Karen had already had a managerial function for a few years when she decided to live in her new gender role. She informed her employer. They reacted very badly: it wouldn't and couldn't be allowed on the work floor. Karen was forced to live her social gender role reversal only outside of work. This forced 'double life' was hard to take. She was 'outed' when she bumped into a colleague during the weekend and they informed a number of other colleagues. News, of course, spread like wildfire. This is a clear example of how not to go about it.

Both Karen and her employer had to face the facts because of gossip. In that situation a quick and clear reaction is advisable. For Karen it came eventually by way of an e-mail by her HR-manager to all her colleagues.

Dear colleagues,

Diversity and equality are important values in our company. The well-being of our employees is something we take to heart. That is why transgender people also receive all necessary support and opportunities. That includes Karen. The company therefore offers her the chance to live her female gender role at work from now on. Her position and job description obviously do not change.

Management understands that this new situation will require some adjustment from everybody. However, we are also convinced everybody will deal with it with the necessary respect and understanding.

If you would like more information, please contact HR or Karen herself.

Signed by HR-manager.

When do you have to respect an employee in their new gender role?

It is preferable for employers to treat their employees according to the gender they identify with, regardless of their legal gender. It does not matter whether or not your employee legally changed their first name, underwent medical gender reassignment treatment or whether or not they legally changed the gender marker on their birth certificate.

The basic rule is to treat your employee with respect for their identity. Practically speaking this means that you use their preferred forms of address and their new first name even though there might not be many visible physical changes.

This also means you implement all possible and necessary material adjustments, i.e. easy things such as employee's badge, letter box name or their e-mail address. But this also includes less obvious things such as the use of dressing rooms and bathrooms and clothing regulations which are best organised in line with the new gender role. Of course, you discuss these matters with your employee. It is definitely unacceptable to send the said person straightaway to the disabled toilet. Although it could be

possible that the employee will request the privacy of their own changing room or a different time to get changed during their transition period. A lot depends on circumstances and options and with a bit of goodwill it is definitely possible to find a solution.

As far as clothing regulations are concerned, it is obvious employees will dress as is expected for other men or women in the company or organisation.

Also take care of all other ways of communication within your organisation: business cards, website, pay slips, letters from HR etc. One simple click of a mouse in the internal database will prevent a lot of personal discomfort.

What repercussions will a transition have on the work floor?

In most cases the employee's gender will have no bearing on their capacity to do their job. Should an employee embark on gender reassignment treatment, certain stages may have an impact on their absenteeism.

Diagnosis and guidance by a specialist can take a few years. Because of a lack of specialists in this field, it is quite possible your employee will need a few hours travelling time for their appointment and will therefore not be

at work for either half a day or even an entire day.

If surgery takes place, periods of absenteeism can last from one week up to twelve weeks, depending on which procedures are required. It is best to timely announce and plan these periods of absenteeism after discussions between employer and employee. It goes without saying that unannounced and sudden periods of absence at a very busy time for the company will cause annoyance and upheaval, also with colleagues.

This entire transition process can take years and it will be a time during which the appearance of said person will not always be clearly 'male' or 'female'. It is possible that the employee will ask to work in a different – less public and responsible – position during that period. It is easier for large organisations to accommodate such an internal transfer, especially if they can use said employee at a different location. If you choose that option, it is best for this change to coincide with the social gender role reversal. Smaller companies will obviously struggle more in case of internal transfer although it remains important for the employee to still feel comfortable at work. The fact that an internal transfer is not an option is definitely no cause for dismissal.

It is possible that your employee during any transition will ask for holidays for medical consultations. During the recovery period after genital surgery, your employee might have to do some wound treatment during their work breaks. It pays to discuss it beforehand, without entering into too much detail and to choose the appropriate room.

FACTOID!

What does it really mean: gender role reversal?

A transwoman (born a boy) will assume a more feminine appearance (clothing, jewellery, hair-do, make-up, breast implants). Should she choose hormone treatment, she will get breasts, curves and more feminine facial features. A beard can be epilated. Some transgender people will undergo facial feminisation surgery to soften their facial features. Genital surgery and breast enlargement are also options.

A transman (born a girl) will assume a more masculine appearance. Should he choose hormone treatment, he will get beard growth and generally more body hair, deeper voice, more muscle (and thus a more masculine physique). It is also feasible to have female features such as breasts, uterus and oviduct removed. Genital surgery is of course also an option.

Hormone treatments can cause tiredness at the start. Transwomen become more emotional and their muscle mass decreases. Transmen become more aggressive or more easily annoyed and their muscle mass increases. It takes some time to adjust to these changes and to try to get them balanced. Many transgender people describe this period afterwards as their second puberty, with all the emotional consequences that entails. This search for and development of a new 'me' can also result in experiments with style of clothing and hair-do.

“The secret? Dialogue”

“As a transsexual person I have been brilliantly embraced by the communications agency where I was working. I started working there right when I started my ‘real life test’, so they ‘met’ Fran from the moment I applied. From that very first day onwards, we talked very openly about it.

Everybody was very understanding when I had unexplainable tears and tantrums. Colleagues reacted very positively when I tried yet another look. They also took me to meet their clients. Afterwards I heard that in the beginning one of my colleagues described the situation to the customer – all with good intentions – but they stopped doing it after a while: “We trust you and that should be sufficient as introduction”, he said. “After a while, the customer will no longer see the transsexual, they will see Fran.”

I could not have wished for a better environment to go through my transition. The secret? Dialogue. We talked an awful lot. I tried to give plenty of background information so that my colleagues could understand what I was going through, they listened and kept asking questions, but always after checking with me whether that was ok, when they wanted more information. I shall remain forever grateful to them.”

Fran's story

What with relationships at work?

Sometimes people find it hard to accept a colleague's gender role reversal. It is also possible customers do not particularly like a transgender person in your company or organisation.

Transgenderism is – despite growing attention – still relatively unknown. Transgender employees do in any case deserve support from their employers during discussions or when explaining their situation to colleagues or customers.

If any problems arise between colleagues or with customers, it could be useful to invite a third, independent party, in order to shed some light on the situation, or to mediate. Often fear or annoyance is born out of prejudices or ignorance. Female colleagues might be afraid of a ‘male’ transwoman in the dressing room, because they assume that the transwoman ‘is really a man’.

It's also possible that your employee no longer exhibits the expected social behaviour based on their biological sex and that might take some getting used to by colleagues. In addition to all physical and psychological changes, the relationships within a team could change.

when a transgender person is no longer transgender

“I will change but everything I know and do remains the same”

“I work as shop steward in a large bike shop. I experienced little problems when I came out. My motto was: ‘I will change, but everything I know and do remains the same.’ My professionalism was never questioned, not by my boss nor my colleagues or customers.

As soon as I started my ‘real life test’, I was given access to the ladies’ bathrooms, as it should be. I never received a single remark. A separate dressing room was not necessary because I leave home in work clothes, which are pretty unisex anyway: trousers, T-shirt, shirt or jumper and steel tipped shoes.

Sometimes colleagues make ‘mistakes’ as in calling me by my old name or using my old gender’s pronouns in the presence of customers. That is so not nice and also a bit sad.

In order to survive as a woman in this macho-world, you must stand up for yourself, especially verbally. And also: you need to laugh with their silly jokes about women.”

Sara’s story

Many people who have undergone their social, medical and legal transition do not consider themselves as a transgender person any more but as a fully-fledged man or woman. All medical treatment they went through is considered to be part of their medical privacy. Their ‘trans-chapter’ belongs to history and is of no importance anymore. It would then be very inappropriate to keep on calling them transgender or transsexual.

Privacy is very important for this group. If the employer or a colleague gets to hear about their transgender background or history in any other way, this information must comply with the privacy legislation. More information on p. 30.

when an employee is simply not an m or f

It is important to stress that not all transgender people want or start a transition from man to woman or the other way round. Some transgender people feel most comfortable when mixing elements of both gender roles. They are not man or woman, but they are both or neither. This group gives rise to the most questions: it is becoming common knowledge that people undertake a transition but it still seems weird that some choose even other options, apart from 'male' or 'female'. Some people will for example choose a different first name and may even have an androgynous appearance but do not require any further medical help. Other transgender people on the other hand will proceed with medical treatment such as hormone treatment or breast removal and then feel like they have arrived where they want to be.

Nothing but supportive messages for Robin

"It was me who asked my employer last year to have my first name changed in Robin. Before I knew it my e-mail address and log-in details had been adjusted in the company's internal system. My 'bosses' gave me nothing but supportive messages before and after the programme Koppen about drag kings was aired, in which I told my story."

Using the rainbow network Overuit, the Flemish government does away with prejudices

"We at the Flemish government feel it is important for our transgender colleagues to feel comfortable at work. We therefore strive to create an open work environment where differences between colleagues are appreciated. In our rainbow network Overuit, LGBTs and heterosexual people regularly gather for informal activities and to exchange experiences and information. Using Overuit we make sexual orientation and gender identity more of a topic for discussion at work. The Flemish government's HR departments can also contact the Emancipation department for advice and support in terms of transgender colleagues' files."

*Veerle Depauw, acting Flemish
Emancipation civil servant*

if you want to work on a transfriendly image

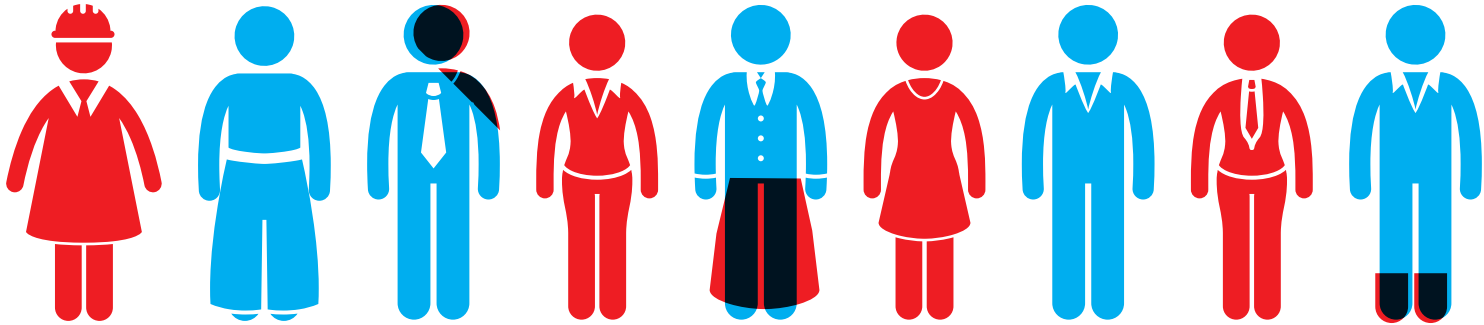
It's obvious that as an employer you do not have to wait until you are faced with a transgender employee. By pro-actively implementing the appropriate policy you can avoid problems further down the line and more importantly you're building an open image.

It can be easy to develop a transfriendly image.

A few examples:

- Include transgender issues in your diversity policy. It will raise awareness in terms of transgenderism with all employees. Include 'gender identity' and 'gender expression' in your non-discrimination policy, just as all other grounds such as race or ethnicity, nationality, gender, sexual orientation, religious beliefs, disability and age.
- If you implement an anti-bullying or anti-intimidation policy, make sure it explicitly includes transphobic bullying. Distribute this policy to all your employees.
- Make all transgender issues subject to respectful discussion. Make sure the contact details of external transgender supporting organisations are made available to your employees through your ombudsmen or counsellors, your organisation's website, your HR department and well-being counsellors. Larger companies can establish their own support network or network for LGBT employees.
- Establish guidelines for your organisation stating that computer and paper data registering your employees' gender must be adjusted as soon as you're informed about an employee starting a gender transition. All internal information and communication channels can easily be changed into the new first name and/or new gender, even though there have not yet been any legal changes in personal data.
- Make clearly visible that transgender people have the right to use bathrooms and dressing rooms which fit their gender identity because it can take years for a legal gender change to be realised. If possible, provide a gender neutral toilet for people who feel man nor woman.
- If in vacancies you explicitly state that all appropriate candidates are encouraged to apply regardless of gender, ethnicity, sexual orientation and so on, please do include gender identity. It will indicate that transgender people are also welcome to apply.
- Publish vacancies also on LGBT websites or in LGBT magazines.
- Check all insurance policies your company offers. It still happens too often that 'transsexuality' will be listed as a serious disease not covered by your policy. As an employer you can ask for an adjusted policy for your company.

MORE INFORMATION



legal framework for trans-inclusion

In order to better assess the position of transgender people on the job market it pays to have knowledge of legislation in terms of transgender issues.

There is for example a law on transsexuality allowing people to change their first name and/or legal gender marker. It is also possible to receive study certificates with that new first name. Then there is a whole raft of protective measures against discrimination or bullying and for the protection of privacy. We go into a bit more detail in following chapter.

The Belgian law on transsexuality

The law of 10 May 2007 on transsexuality gives the right to change the first name and gender on a person's birth certificate and makes an official gender reassignment an administrative affair.

The law imposes strict conditions an applicant must comply with. First names for example can only be changed after a psychiatrist's diagnosis and after cross-sex hormone treatment has been started. An official change of gender marker can only happen after an applicant has gone through several medically irreversible stages. That is why not every transgender person will be eligible for a first name or change of gender

marker or would want to do so. The entire administrative procedure can take several months.

The transgender movement and European human rights organisations and authorities are becoming critical of these very strict medical criteria used by the legislator. Our federal government is therefore evaluating its legislation which could lead to a change in the law in the near future. (On www.transgenderinfo.be you can find all legislative changes since the publication of this brochure.)

FACTOID!

What about contracts, insurance policies, years of service and retirement?

When an employee officially changes gender, all rights and obligations accumulated in their previous official gender will officially remain valid. Article 62bis, § 4, 2nd paragraph of the Belgian Civil Code states that the deed stating the new gender is valid from its inclusion in the birth certificates' register. A gender change is therefore valid from that date and not retroactively. Practically speaking this means that all accumulated rights such as pension contributions and years of service remain. Contracts, deeds or insurance policies signed with the old first name and the old gender remain valid also, which means that no new employment contract needs to be signed.

Bullying or sexually inappropriate behaviour

Exclusion, not getting accepted in the new role and bullying at work: unfortunately, it happens. Guidance and information can help and it is also of the utmost importance there is a contact person within the organisation (for example an ombudsman, the HR department, a manager or counsellor) with whom matters of bullying can be discussed.

Bullying with regards to transgender employees must be dealt with in the same way as any other form of bullying: you do not need a separate policy. Your organisation can, however, explicitly mention transgender people in its anti-bullying policy if other groups are also listed.

If somebody becomes the victim of bullying or sexually inappropriate behaviour at work, the federal law of 2002 (as amended in 2007) on the protection against violence, bullying and sexually inappropriate behaviour at work is applied. The victim can call on the internal or external prevention department's advisor (or on their counsellor or union representative).

Parliament also extended the anti-bullying law to include gender identity and gender expression, thereby ensuring that transgender employees are

explicitly protected against bullying at work. (On www.transgenderinfo.be you can find all legislative changes since the publication of this brochure.)

Privacy

All transgender background of any employee must be considered confidential information.

"The right to transsexuality is listed under the privacy header because it concerns both the individual's identity as well as the autonomy to take their lives in their own hands by developing their own unique personality. Transsexuality is therefore protected by article 8 of the European Convention on Human Rights and fundamental freedoms (ECHR) and article 22 of our Constitution." (Frank Hendrickx, Privacy en arbeidsrecht. Die Keure, Brugge, 1999) (Privacy and professional law)

This right to privacy means that a transgender person can autonomously decide about the process they will or will not follow and about the information divulged.

The employee should not justify their personal life or any medical treatment at work.

Should an employee choose to go ahead with transition, that will obviously be visible to their environment. But should that employee then choose

not to talk about themselves or their personal trans-history, that wish must be respected. If said employee decides to confide in their employer or certain employees, that does not mean they want everybody else to know. It is therefore very inappropriate to 'out' someone against their wishes.

As mentioned earlier, an applicant is not obliged to inform an employer about any trans-history or a planned (partial) gender reassignment.

Any employer who summarily dismisses an employee because of their transgender identity or personal life choices, or threatens to do so, does not take into account the employee's right to privacy.

Said employee would then not only be protected by privacy legislation but also by anti-discrimination legislation. More information underneath

Anti-discrimination

Transgender people are protected in Belgium against discrimination at all levels, i.e. the federal, Brussels en Flemish level. Up until 2014 this protection against discrimination existed for 'those who are planning, are undergoing or have already done a gender reassignment change'. This wording meant that not every transgender person enjoyed that protection. An important group of transgender people cannot or does not want to undergo such procedures. Due to the growing international trend to offer all transgender people legal protection against discrimination all governments participating in the inter-federal 'Action plan against homophobic and transphobic violence' agreed in 2013 to expand current legislation with additional bans on discrimination based on gender identity and gender expression. In 2014 such additions were made to the Flemish and federal legislation. (On www.transgenderinfo.be you can find all legislative changes since the publication of this brochure.)

Flanders

The Flemish Equal Opportunities decree of 10 July, 2008 containing the Flemish equal opportunities and equal treatment policy states that "a

less favourable treatment in a similar situation because of transsexuality will considered to be equivalent to a less favourable treatment in a similar situation because of sex" (Chapter IV, header 1, art. 16 § 5).

Legislation banning discrimination based on sex will therefore also protect transsexual people. With the addition of the grounds gender identity and gender expression in 2014 the protection against discrimination was extended to all transgender people.

Moreover, this decree specifies exactly which fields are subject to this prohibition of discrimination: work, health care, education, mobility, housing, culture, youth, social perks and access to and participation in economic, social, cultural or political activities outside of private life.

Federal

The federal law of 10 May, 2007 on the fight against discrimination between men and women, otherwise known as the Gender law, bans direct and indirect discrimination, intimidation based on sex, inappropriate sexual behaviour and incitement to discrimination.

It states: "For the implementation of this law direct discrimination because of a gender reassignment shall be

FACTOID!

Only 50% is out at work

Studies show that only 50% of all transgender employees have completely or partially divulged their trans-background at work. [5] That openness would mainly be required if someone changes gender role while employed, if legal status has (not) yet been adjusted to the social male or female presentation or if diplomas or resume details clearly indicate a gender role reversal.

FACTOID!

Discrimination focal points

Thirteen cities in Flanders have Discrimination Focal Points where citizens can report unfair treatment or discrimination. These centres offer support to victims and can mediate between parties in order for the discriminating behaviour to end.

See for more information and addresses in your area: www.diversiteit.be

made equivalent to direct discrimination because of sex.” (art. 4, § 2) Just as on the Flemish level, legislation banning discrimination because of sex also protects transsexual people. With the addition of the grounds gender identity and gender expression in 2014 the protection against discrimination was extended to all transgender people.

Private relationships, (sexual) intimidation in professional relationships or any offenses listed under different laws or royal decrees or which belong to the authority of regional or community governments are not subject to this law.

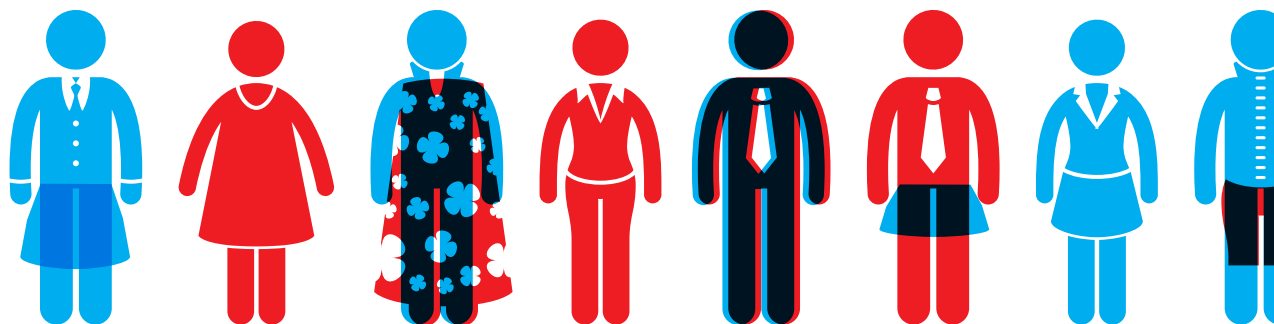
Brussels

The Brussels-Capital Region also has specific legislation which transgender people can call on in certain circumstances. In the ordinance of 4 September 2008 on the fight against discrimination and for equal treatment in terms of employment, both direct and indirect discrimination because of gender reassignment are banned. Based on the ordinance (also from 4 September 2008) on promoting diversity and fight against discrimination within Brussels-Capital Region civil service this protection is also applied to all employees in the public institutions of the Brussels-Capital Region

Study certificates with a new name

People who officially changed their name have the right, since 1 September 2012, to have their study documents fitted with their new name. This should prevent problems when continuing their studies or applying for jobs.

The legal basis for this procedure was contained in the decree of 29 June, 2012 on the necessary provisions for the organisation of the educational system.



looking for information

The best place to be for a whole range of information about and for transgender people and their environment is **the Transgender Infopoint (TIP)**. You can contact them every Thursday and Friday to have your questions answered on free phone number 0800 96 316 or via e-mail address contact@transgenderinfo.be. TIP is for everybody, i.e. also for people not in a medical procedure and for those who are not transgender. Employers and colleagues are also more than welcome. Their website offers information about all sorts of issues and is constantly updated: www.transgenderinfo.be.

For all those who want an in-depth introduction into the subject, please read the **brochure 'Everything you wanted to know about transgender people, but were afraid to ask'**, issued by Equal Opportunities in Flanders, edited and distributed by **cavaria**. This is a free brochure and if you want it sent to you, you only pay post and packaging. You can order it on www.cavaria.be/mediatheek, where you will also find a PDF you can print.

About transgender organisations?

Çavaria

Defends the rights of LGBTs in Flanders and Brussels.

Kammerstraat 22, 9000 Ghent

T 09 223 69 29

F 09 223 58 21

info@cavaria.be

www.cavaria.be

Çavaria is an umbrella organisation for more than 120 affiliated organisations. These organisations have equal say and receive support and training. Çavaria campaigns, informs, raises awareness, lobbies and forms opinions. Its website contains an overview of all transgender organisations.

The Transgender Infopoint website also contains such a summary: www.transgenderinfo.be.

About rights and discrimination?

Everybody who has a complaint about discrimination related to sexual orientation, disability or health situation, age and ethnicity, can contact the inter-federal Centre for Equal Opportunities or one of the 13 Discrimination Focal Points. On www.diversiteit.be you will find all their locations in Brussels and Flanders.

With complaints related to gender, gender identity or gender expression you can contact the Institute for Equality between Women and Men at <http://igvm-iefh.belgium.be/en/>.

You can also call the **Holebifoon** hotline with complaints about unfair treatment and discrimination based on gender and sexual orientation on following free number:

0800 99 533

www.cavaria.be/holebifoon/meld-discriminatie

About the subject 'transgender'?

If, after reading the brochure "Everything you've always wanted to know about transgenderism" and consulting the Transgender Infopoint's website, you would like to read more, you can always contact **RoSa vzw**, a Belgian documentation centre, library and archive for equal opportunities, feminism and women's studies. They also distribute quite some information about (trans)gender issues. You can consult their 'Transgender booklist (published after 2005)' or the 'Transgender articles (also published after 2005)' or their on-line database using keywords such as 'transgender', 'transsexuality' or 'transvestism'.

www.rosadoc.be
Koningsstraat 136, 1000 Brussels
Tel.: 02 209 34 10
info@rosadoc.be

About the Flemish government's equal opportunities policy?

The group of transgender people is and has been the focus of attention for the Flemish government's equal opportunities policy since 2009. You can find more information about that policy at Gelijke Kansen in Vlaanderen (Equal Opportunities in Flanders), the team within the Flemish government which prepares the Flemish Minister for Equal Opportunities' policies, implements them, evaluates and coordinates them. **Gelijke Kansen in Vlaanderen** campaigns, develops instruments, provides subsidies, finances expert research, establishes a legal framework and develops indicators which allow for the policies' progress to be monitored. Moreover, Gelijke Kansen in Vlaanderen stimulates and coordinates all other equal opportunities initiatives of any other Flemish departments and agencies.

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big words

This brochure contains quite a bit of specific terminology. Here we explain its meaning

gender

literally sex, but the word mostly refers to all social and cultural interpretations of masculinity and femininity in society.

gender expression

the internally experienced gender feeling as it is expressed by hair-do, clothing, language or behaviour.

gender identity

the internally experience of being man or woman or otherwise.

gender queer

people with both male and female identity characteristics or who would like to transcend them. Their identity is located somewhere in-between male and female or combines both aspects. It is therefore possible for a transgender to feel neither man nor woman or both. Sometimes a transgender person will undergo (partial) physical adjustments in order to match their body to their gender identity.

gender role

the behaviour expressed by a person in order to correspond to society's expectations of behaviour as usually expressed by a man or a woman.

gender team or gender experts

a team of psychiatrists, psychologists, sexologists, endocrinologists, surgeons with expertise in transgenderism.

LGBT

Lesbian, Gay, Bisexual and Transgender

passable

a transgender person is considered passable when people they do not know cannot tell from their appearance whether they are a transgender person or not. He will therefore be perceived as a man and she as a woman.

real life test

that period of time during which a pre-op transgender person is 'tested' on their gender identity's stability. Medical practitioners used this period as a litmus test to see if the social reversal really did bring a solution to the gender conflict. This test is no longer a prerequisite in the medical transition process.

transgender or trans

umbrella word for transvestism, transgenderism and transsexuality and all other forms of gender variance.

transition

process during which somebody transfers from a male gender role to a female or the other way round, often coinciding with hormone treatment

and possibly surgery. A transition can also coincide with a legal gender reassignment.

transsexuality

when someone's gender identity and biological sex are conflicted, which can lead to serious psychological tension. This tension can be relieved by living in the desired gender role and possibly reassigning the body via medical procedures such as surgery or hormone treatments. Transsexuality thus has nothing to do with sexuality: it has to do with gender identity, not with sexual feelings. That's why not everybody likes using this word.

transvestism

when someone's gender identity mainly corresponds with their biological sex, but he or she wants to sporadically express another gender identity using clothing, language, behaviour, posture. This transition often only takes place in secret. Transvestites will mostly live their public life in accordance with their biological sex making them invisible at work.

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colophon

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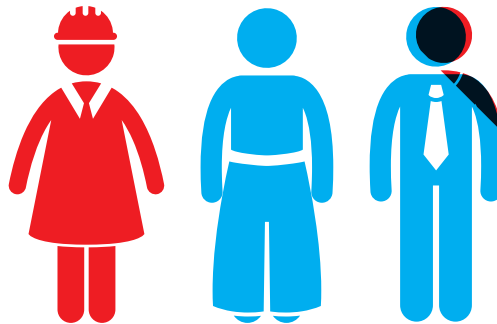
Thanks to all people sharing their stories with us.

Design: zap all people

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Go for it, together

"Each company, each employer and each employee is unique. In an SME, an employer is very close to the employees. Employer and employee would both prefer to look jointly for the solution to any challenge, even when the subject of transgenderism raises its head. It is precisely this approach that will set apart the SME, free from all differences and rich in diversity of all sorts."

*Karel Van Eetvelt,
UNIZO Managing Director, (The Belgian
Organisation of Self-Employed Entrepreneurs – Enhanced Entrepreneurship).*

www.gelijkekansen.be

