

Transgenders in the workplace essay sample



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Much of the discrimination that is faced by the transgender people comes from the same place that anti-gay discrimination stems from. LGBT (Lesbian, Gay, Bisexual, and Transgender) people challenge the “ norms” that society has placed, in the workplace and in life, on how men and women should act.

“ Transgenders face many adversities not only in life, but in the workplace as well.”

Since everyone is curious as to what a transgender person is, allow me to shed some light on this. A transgender person is a person who sees themselves as another sex that they were not biologically born to. While it was thought at one point in time to be a gender disorder, it has been proven not to be but some psychologists still use this as a clinical term.

Transgender people have been around since the dawn of man and the earliest records indicate that in 1530 BC an Egyptian queen named Hatsheput took the throne and was the second queen to rule Egypt until 1482 BC. Hatsheput learned of a disapproval from a predecessor so she started dressing in mens clothing, and also wore a false beard which signified kingship to Egyptian people.

Studies have reported that the transgender community lives under extreme psychological pressures that active military do not exude. Some 55% of transgender people live with a very high case of social anxiety. The normal level of social anxiety that is faced by the American population is only 6. 8%, and active military is at 8. 2% as shown on the graph below (Cristian, 2013).

Figure 1. Insidious: Extreme Pressures Faced by Trans People. (Cristan, 2013).

Most acts of discrimination experienced by transgender persons originate from strict traditional beliefs placed around a misunderstanding of sexual conceptions of a society. Societies founded on religious doctrine have strict morals, which involve individuals under the umbrella label of the LGBT(Lesbian, Gay, Bisexual, and Transgender) who fail to conform to these strict morals and guidelines, and in turn are shunned upon.

Transgender people today still fight for equal rights just as gay people fight for the equality of marriage. One of the hardest hit places in this fight is in the workplace. Currently there are no laws that prohibit an employer from firing a person just because they are transgender or gay, and nine out of ten Americans think that there is, believe it or not this type of discrimination is legal in most states. The sad part is once a transgender person is fired from a position, there is nothing that they can do legally, yes they can pick up a picket sign and throw some words around, but it still will not help their cause. The National Center for Transgender People states that “ Transgender people face extreme conditions with finding jobs, and transgender people also experience unemployment at twice the national rate.” (Crosby, 2011). A recent survey that transgender people participated in stated that “ 90% have experienced some type of harassment or mistreatment on-the-job “(Davis, 2009) pg. 1.

The transgender population faces significantly higher rates of housing, unemployment, rape and assaults. Discrimination with housing adds to the

homeless rate. Unemployment rates drive an involuntary forced participation in such economies like sex work which yields a higher rate of spreading or contracting HIV, AIDS, and other various sexually transmitted diseases. While violence and discrimination narrows the life expectancy, it also produces other psychological disorders. With the lack of equal rights and discrimination faced by the transgender people it is damaging to their wellbeing. Gender-based discrimination and victimization were found to be independently associated with suicide attempts. A population made up of 41% transgender people had a history of trying to kill themselves (American Psychological Association, 2012).

It has been very unclear if transgender people are protected under the Title VII provisions that harbor discrimination against people based on their sex. It has left 700, 000 transgender people in legal limbo which has forced them to rely on their landlords, employers, principles, and various others stations to live, eat, and function like the rest of the nation (Gates, 2011). In December 2011, the 11th circuit court which covers the states of Georgia, Mississippi, and Florida ruled that Title VII does outlaw discrimination against transgender workers. Also in April 2012, the Equal Employment Opportunity Commission declared that transgender federal employees will be protected from discrimination under the Title VII. While this decision only applies to federal workers, the judicial system uses this as a guideline for other transgender discrimination cases. Since 1994, activists have worked to pass the Employment Non-Discrimination Act, or ENDA, which would ban discrimination in the workplace based on gender identity which in turn would protect transgender people. However, getting these bills passed at a state

judicial level are struggling to gain support by local conservative politicians. In the graph below are the current states that have discrimination protection to the Lesbian, Gay, Bisexual, and Transgender population. It also shows which states currently have none.

Figure 2. State Landscaping. Less Than Half of US workers Are Protected From Anti-Lesbian, Gay, Bisexual, and Transgender Discrimination Under State Laws. Note. Crosby Burns. October, 2011.

There have been acts that have been passed that protect transgender persons. In the Sexual Orientation Non-Discrimination Act of 2003 the purpose of this act is to combat discrimination based on any of the following grounds: gender, ethnic origin, religion or other beliefs, and sexual orientation.

A plus for the transgender population has been by the means of the Health and Human Service Department that has stated that “ The Affordable Care Act (also known as Obama care) has put a prohibition on sex-based discrimination that includes transgender Americans “(Flock, 2012). In a letter from the National Center on Transgender Equality it states that “ Sex discrimination prohibition extends to claims of discrimination based on gender identity or failure to conform to stereotypical notions of masculinity and femininity” (Flock, 2012). Obama care is to be implemented by January 2014 and its sole purpose is to prohibit insurers from experiencing discrimination against or charging higher rates for any person based on their gender ([Http://www. obamacarefacts. com](http://www.obamacarefacts.com)). Another area that transgender people have issues with is insurance. Be it life or employer-based health

insurance there are obstacles and challenges that will be in the way.

Medically necessary treatments and procedures required by the World Professional Association for Transgender Health Standards of Care for Gender Identity Disorders should be included in the employer provided health care and short term disability coverage.

In order for this to happen, employers need to collaborate with their insurance providers and administrators to remove clauses that involve transgender prohibitions and focus on providing inclusive transgender insurance coverage. Because the lack of research data about transgender people it has led to a lack of funding for transgender health coverage. Coverage and requirements are a little different than a regular person who is not faced with a gender identity disorder. Hormone therapy, counseling sessions, gender reassignment surgery, and plastic surgery are just a few insurance items that a transgender person might/will face along their journey. These items can be very expensive and can range anywhere from \$7-\$24, 000 for a male to female reassignment, and \$50, 000+ for a female to male reassignment. Copays vary from insurance to insurance and in most cases results in a transgender person paying for their surgeries.

There is a high level of psychological counseling requirements that have to be undertaken before surgery can be achieved. Some reassignment cases have lasted anywhere from a year to one study that lasted almost 29 years. It depends on the individual and their level of dedication to the reassignment. If they are in the very beginning stages of the transition, then it will be a longer road than someone that has already determined what type of person they want to be. Transgenders will stop at nothing to acquire the

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life that they want to live, and will go through all the troubles and tribulations on that path of success.

Another issue faced amongst the transgender people is the social acceptance level amongst peers, coworkers, and family. Transgender people face the same discrimination that gay and bisexual people face. It is hard for them in a world where they just want to be accepted for whom they are and scorned by society for trying to achieve this. . They are constantly ridiculed for how they choose to live their life, told what they can and cannot do, and where they can and cannot work. Not being able to acquire a job once they go through a transition, or losing their job once they come out to their boss. Evidence suggests that transsexual people are hardworking people who tend to immerse themselves into their work to run away from their inner mayhem (Davis, 2009).

Transgender persons are frequently very intelligent and creative people who can contribute a great deal to a company (Walworth, 2003). It would be in the best interest of a company to acquire and hold on to such a talented employee. Walworth (2003) stated that “ In a highly competitive business environment companies cannot afford to throw away some of their best workers.” The factors that go into helping assist transgender persons follow through with a transition vary in the workplace but could consist of: the office makeup, the type of work that is being done, the amount of time that is spent with vendors and other employees. Every situation must be a custom fit for each transgender person making a transition in the workplace. Being able to sit down with the human resources department at their job will help ease this process along.

Another issue that has been developing and requiring more attention is the problem with transgender persons and public bathrooms. There was an incident at a local Baltimore eatery where a transgender woman tries to enter a woman's bathroom but was confronted by two women that were already inside. They proceeded to assault this woman repeatedly until the transgender woman went into a seizure; all the while an employee of this eatery was recording the attack and laughing. The older assailant received a 5 year prison sentence, and the younger assailant was sent to a juvenile detention center (Valcourt, 2013). It is circumstance like this incident that harbor the fears that transgender persons have when trying to do a simple task like going to the restroom. Something that a non- transgender person takes for granted.

In conclusion, to truly eliminate discrimination in life and in the workplace depends on eliminating stereotypes placed on genders by society. To learn to accept people for who they are, and to learn to see them as any other person, until these things happen there will always be a negative attitude toward transgender people.

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