City of Madison
Resource Guide for a Gender-Inclusive Workplace

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Introduction

Purpose

This resource guide is intended to address the needs of transgender, gender non-conforming, and nonbinary employees, and to protect the legal rights and safety of all employees. This guide provides tools and resources to help support transgender employees in the workplace.

These guidelines do not outline every situation that might occur, and the needs of each employee should be assessed on a case-by-case basis.

The City of Madison does not tolerate discrimination based on gender identity, gender expression, transition status, or sexual orientation.

In all cases, the City's goal is to:

- Ensure the safety and comfort of transgender, gender non-conforming, and nonbinary employees.
- Maintain a safe and affirming process for employees who want to transition in the workplace.
- Prevent stigmatization of employees.
- Create a safe and productive workplace environment for all employees.

Privacy

A transgender, gender non-conforming, or nonbinary employee has the right to decide how much information to share, when to share it, and with whom. Employees have the right to discuss their gender identity or expression openly, or to keep that information private.

An employee's gender identity or transition must be treated with as much confidentiality as any other significant life experience. Coworkers and supervisors must not disclose information that may reveal an employee's transgender status or gender identity to others.

Private and confidential information may only be shared with the transgender employee's consent. Confidential information includes a person's:

- Deadname ("birth name" or "legal name")
- Gender identity
- Transition status
- Medical information
- Any other information that might disclose their transgender identity

Information about an employee's transgender status (such as the sex they were assigned at birth) may constitute confidential medical information under privacy laws like the Health Insurance Portability and Accountability Act (HIPAA).

Names & Pronouns

Employees have the right to be addressed by their chosen name and pronouns, including they/them pronouns or neopronouns. Please note "they" is grammatically correct as a singular pronoun. A court-ordered name or gender change is not required.
https://www.merriam-webster.com/words-at-play/singular-nonbinary-they

Intentionally or persistently using an incorrect name or pronouns is harassment and a violation of the City's Harassment and Discrimination policy. Supervisors and managers should also monitor the workplace regularly to make sure coworkers are using the employee's correct name and pronouns.

The City will provide name tags, badges, nameplates, IDs, business cards, etc., that reflect the employee's name (and pronouns, if relevant), at no cost to the employee when such items are required as a function of their position.

A Human Resources Benefits Analyst can assist employees with name and gender changes on paperwork and computer systems. See the section on Name and Gender Changes below.

Facility Accessibility

Employees have the right to safe and appropriate restroom and locker room facilities, including the right to use facilities that correspond to the employee's gender, regardless of their sex assigned at birth or the status of a medical transition. Transgender employees may determine what facilities they prefer to use. Nonbinary employees may use the facilities of their choice.

Any employee who has a need or desire for increased privacy, regardless of the underlying reason, may use a single-stall or private restroom or locker room, when available. However, no employee will be required to use private facilities. An employee's schedule may also be slightly adjusted, when requested by the transgender employee, so that they may use the locker room that corresponds to their gender before or after other employees. Any alternative arrangements must be provided in a way that allows the employee to keep their transgender status confidential, if desired.

Harassment & Discrimination

City of Madison prohibits harassment, discrimination, and retaliation based on gender identity, gender expression, transition status, sexual orientation, or any other protected class (APM 2-33 and APM 3-5). Harassment and discrimination are serious misconduct, and violations may result in severe penalties.

The City will immediately address any incident of harassment or discrimination, including:

- Investigating the incident
- Taking appropriate corrective action
- Providing employees and staff with applicable resources

If you have experienced or witnessed harassment, discrimination, subtle acts of exclusion (SAEs or microaggressions), or any other issues, contact Civil Rights or Human Resources for support.

Civil Rights: dcr@cityofmadison.com, (608) 266-4910

Human Resources: hr@cityofmadison.com, (608) 266-4615

Creating an Inclusive Workplace

Departments should implement these best practices as quickly as possible, whether or not there is a transgender person in your workplace. You may not know if a coworker is transgender or genderqueer, and these practices will make your workplace more gender-inclusive.

Recognize your Responsibility

If you're in a position of power in a space, recognize that you have the power and responsibility to set expectations for acceptable behavior in that space. This is true whether you are in a broad position of power as a manger or supervisor, or a narrower position when facilitating a meeting. For example, supervisors can lead by example and help make their team a more inclusive space. Meeting facilitators can invite everyone to share their pronouns, and make sure everyone's pronouns are respected.

Sharing Pronouns

Sharing your pronouns with your name normalizes talking about pronouns and disrupts the idea that you can assume pronouns based on a person's appearance.

- Introduce yourself with your pronouns.

  Example: My name is Nadia and I use she/her pronouns.

- Include pronouns in your Zoom name, email signature, and nametags.

  Examples: Bobby Chao (she/her) *or* Bobby Chao – she/her

- As a meeting host, invite people to add pronouns to their Zoom name, nametags, or introductions if they feel comfortable doing so.

  Example: Welcome, everyone! I'd like to start with introductions. Please introduce yourself with your name, pronouns if you're comfortable with sharing, department, and what brought you here.

Things to Avoid

- Don't assume people's pronouns based on their name, their voice, or the way they look.

- Don't ask other people for their pronouns. They may not feel comfortable sharing.

- Don't share pronouns only when you think the group includes a transgender person, as that person could feel called out. Sharing pronouns is a good practice all the time.

Using Gender-Inclusive Language

Using inclusive language will make your workplace safer and more inclusive for your coworkers and members of the public.

Simple changes, like saying "all genders" instead of "both genders," help to establish and reinforce the importance of acknowledging and including transgender people in our communications.

To learn more about using inclusive language, see the [Gender-Inclusive Language Style Guide](#).

If You Don't Know Pronouns

Sometimes we need to talk to or talk about people whose pronouns we don't know. When this happens, you can use they/them pronouns, or avoid using pronouns entirely. Also, avoid gendered honorifics and forms of address like Mr., Mrs., Ms., Sir, Ma'am, etc.

They/them pronouns are neutral in theory, but they can also make people feel called out, especially transgender women and Black transgender people. If the person can hear you, for example if you are serving someone at a customer service desk, avoiding pronouns is a better practice.

Example: This customer needs a copy of the application.
Not: She needs a copy of the application.

Restrooms

Per this policy, all employees are welcome to use the restroom and locker room of their choosing. Don't comment about a coworkers' change of restroom.

If someone asks where the restrooms are, provide directions for all nearby restrooms, including single-stall all-gender restrooms. Do not make assumptions about which restroom they might use.

Supporting your Transgender Coworkers

If someone shares with you that they are transgender, gender non-conforming, or nonbinary, you can thank them for sharing that information with you, and ask what you can do to support them.

Use and respect the name, language, and pronouns your coworker uses to describe themself. Challenge transphobic comments from coworkers, whether or not a transgender person is present.

If you are not sure how to navigate a situation, **asking questions is a good place to start**! Every person is different, and different people's wishes may vary. It is okay to ask a transgender coworker how you can best support them. When you have the space to speak to them privately, you could ask questions like:

- If someone uses the wrong pronouns for you when you are present, would you like me to call it out, or let you decide how to address it?
- (If someone uses multiple pronouns, like they/them and he/him) How do you like people to use your pronouns? Would you like me to alternate, or use one more than the other?

Learning a New Name or Pronouns

Practice the new name or pronouns with your other coworkers. If you are talking about a transgender coworker, hold each other accountable for using the correct name and pronouns.

Practice on your own. Repeat phrases using the correct name and pronouns. Examples:

- **Jessica** and I attended a meeting together today. **She** presented on **her** report about engagement in the department. **She** wrote the report **herself**. (she/her pronouns)

When in doubt, you can refer to the person directly by their name.

- **Jessica** and I attended a meeting together today. **Jessica** presented the report about engagement in the department. **Jessica** wrote the report.

What should I do if I make a mistake?

If you make a mistake by using an incorrect name or pronouns, apologize and commit to doing better next time. Use the correct name or pronouns, and move on. Don't ask the person to make you feel better by continuously apologizing or expressing that you "feel bad" about your mistake.

If someone corrected you, thank them for the reminder. Some people prefer this to an apology, which can come with an expectation of forgiveness. Example scripts:

- Thank you for the reminder. **Angelina*** is working on a solution.

- She will be- I'm sorry, **he*** will be attending the meeting.

* By including the person's name/pronouns, you correct your mistake, practice the correction, and help model the right language for others around you.

If a coworker uses incorrect pronouns for someone, quickly correct them and use the correct pronouns.

- "As a reminder, Jordan uses they/them pronouns!"

Neopronouns

Neopronouns are personal pronouns that a person may use in place of "she," "he," or "they". Anyone can use neopronouns, but they are most often used by transgender and nonbinary people.

Some examples include xe/xem/xyr, ze/hir/hirs, and ey/em/eir.

- **Xe** wrote a book **xemself**. I bought **xyr** book from **xem**.
- **Ze** wrote a book **hirself**. I bought **hir** book from **hir**.
- **Ey** wrote a book **emself**. I bought **eir** book from **em**.

This is not a comprehensive list of neopronouns. If someone asks you to use pronouns you don't know, you can google the pronouns to learn how to use them, or ask Organizational Development or EAP for resources on the pronouns. Don't rely on the person to explain their pronouns repeatedly.

Multiple Pronouns

Some people use more than one set of pronouns. This may mean that any of those pronouns are okay, or it may mean that they want people to use pronouns interchangeably. Example:

- **He** wrote a book **themself**. I bought **their** book from **him**. (he/they pronouns)

Subtle Acts of Exclusion (Microaggressions)

Subtle Acts of Exclusion (SAEs) are commonly known as microaggressions. They send out subtle signals of who belongs in a space — and who doesn't belong. An act of exclusion doesn't have to be intentional for it to be alienating or harmful. For example, someone trying to motivate their staff might say, "I appreciate all the men and women in this room." That's a kind sentiment **and** it excludes nonbinary people.

If you hear someone use the wrong pronouns, make a transphobic comment, or use exclusive language, it's important to intervene! Even if there is not a transgender person present, allowing this behavior creates an unwelcoming work environment for transgender employees.

Learn more about Subtle Acts of Exclusion: https://fitzbetweentheshelves.com/2021/02/22/antiracist-read-subtle-acts-of-exclusion-by-dr-tiffany-jana-and-michael-baran/

Acts of Exclusion Against Trans People

Here's how to avoid some common acts of exclusion against transgender people:

- Never share information about a person's transgender status without permission. This is personal information, and it is up to that person to decide who to share it with.

- Don't ask about a transgender person's genitals, surgical status, sex life, or "real name." Similarly, don't ask prying questions about their personal history, or how they realized they are transgender.

- Don't make assumptions about a person's sexual orientation or gender.

- Don't tell people that their pronouns are grammatically incorrect.

- Avoid backhanded compliments. While you may intend to be supportive, comments like the following can be hurtful or insulting:

    o "You're so pretty, I would have never known you were transgender."

    o "You look just like a real woman."

    o "I'd date him even though he's transgender."

    o "You're so brave."

    o "You'd pass so much better if you wore more/less make-up, had a better wig, etc."

Report an Issue

If you're experiencing exclusion at work and would like support or would like to request training for your unit, contact Organizational Development in Human Resources.

Organizational Development: organizationaldevelopment@cityofmadison.com, (608) 266-4615

Transitioning in the Workplace

Transitioning means different things to different people. For some people, transitioning might mean changing one or more aspects of their gender presentation. It may mean asking their coworkers to use their chosen names and pronouns. It could also include surgery, medication, or other medical procedures. Transgender and genderqueer employees may choose to take part in any or none of these.

Any City employee who wants to transition is encouraged to contact the Human Resources Benefits Coordinator (benefits@cityofmadison.com or 608-266-4615) to help identify any necessary resources or support. The employee's supervisor or manager can also contact Human Resources **with the consent of the transitioning employee**. Employees always have the right to decide what information they want to share with others.

Resources for Transitioning Employees

Human Resources staff can work with transitioning employees individually to ensure a successful workplace transition.

The City's Benefits Coordinator can help facilitate changes in restrooms or locker rooms, establish inclusive best practices in the work environment, facilitate name and gender changes, and coordinate educational training for coworkers as needed.

Benefits Coordinator: benefits@cityofmadison.com, (608) 266-4615

The City provides accommodations for medical procedures in the form of additional leave, changes to the work environment, or light duty. Contact the Accommodations Specialist to learn more.

Accommodations Specialist: accommodations@cityofmadison.com, (608) 267-1156

Transition Plan for Departments

Transitioning employees have a right to decide if, when, or how this toolkit is used. Every employee is different and may have individual needs. Transgender employees who transition on the job can expect the support of department management. Departments should customize this plan to fit your staffing structure and procedures, and modify it with the transitioning employee to meet their individual needs.

1. **Contact appropriate staff**. Supervisors should immediately contact Human Resources, with the employee's approval. If the employee contacted EAP or HR first, staff should immediately contact the employee's Department Head, with the employee's approval.

   Sample talking points: "Thank you for telling me. The City has resources and support for transitioning employees. With your approval, I can contact Human Resources to help plan your workplace transition/coming out."

2. **Provide resources**. Give the employee copies of the City's transition-related policies and support.

3. **Define the employee's transition team**. Discuss with the employee who, if any, they want to work with to plan their transition. This could include the employee's supervisor, HR or EAP staff, the employee's Department or Division Head, and/or a representative from an employee support group. If the transitioning employee desires, their Department Head should assign a supervisor from their staff to act as the employee's primary point of contact regarding transition issues while at work on a day-to-day basis. This supervisor should be trained on transgender terminology and transition issues, and should be a resource for the transitioning employee.

4. **Create a Transition Plan**. Schedule a meeting with the employee's transition team to develop a plan. It may need to address one or more of the following areas:

   - Decide if, when, and how to share information about the employee's transition with their coworkers. See "Communicating with Coworkers" below.

   - Determine what updates should be made to the transitioning employee's records, email address, and any other employee information, and when these updates will be made.

   - Decide what, if any, training will be given to coworkers.

   - Determine dates of any leave, if needed, for pre-scheduled medical procedures.

5. **Communicate with coworkers**. Carry out any desired steps identified in the Transition Plan. See "Communicating with Coworkers" below.

6. **Update employee information**. Be sure that the employees name and/or gender have been updated in all locations (see name and gender change section below).

7. **Follow-up**. Supervisors or HR should briefly check-in with the employee two to three times in the following year to ensure a smooth transition.

8. **Review**. Supervisors should continue monitoring the workplace to ensure coworkers are using the employee's new name and pronouns, and to stop inappropriate behaviors or comments.

Communicating with Coworkers

Employees may have different support needs and wishes around sharing information about their gender, gender presentation, or transition. Coming out is a personal and complex decision, which may be associated with significant fear or apprehension. Employees should never feel pressured to share information with coworkers, support staff, management, or anyone else, and the City should accommodate employee needs to the best of its ability.

As with any other part of the transition process, supervisors or support staff need to work with employees to develop a plan that works for them. Key questions for transitioning employees:

- What information would you like to share?

- With whom would you like to share that information?

- Do you want to share this information yourself, or have an advocate speak on your behalf? Do you want to be present for the conversation?

Communication Plans

Some potential communication plans are:

- **Individual conversations**: Employees may wish to come out to some or all of their coworkers in person. These conversations may happen before, after, in addition to, or instead of other forms of communication.

- **Email**: The Department or Division Head can send an email to the employee's coworkers. Ask the employee whom they would like to include and what information they would like to share. *Employees should keep in mind that all City emails are subject to public records requests*.

- **Meeting**: Hold a mandatory meeting with the employee's coworkers. Ask the employee whom they would like to include. This meeting can include the employee's team, coworkers, and/or division. It can also include HR or EAP support staff. It is up to the employee whether they feel comfortable attending or would prefer not to be there. The Department or Division Head should announce the transition. High-level management should also attend to show solidarity with the transitioning employee.

What to Communicate

The following should be included in any communication the department shares about a transition:

- Tell coworkers what is changing. This may include name, pronouns, gender presentation, or any other aspect of the employee's transition.

- Outline expectations for behavior going forward. Review the City's Prohibited Harassment & Discrimination Policy. Emphasize that the transitioning employee's name, pronouns, gender presentation, and any other aspect of their transition need to be respected.

- Share the guide for coworkers of transitioning employees.

- Announce any training that is going to occur.

- Solicit any questions. Refer questions to HR staff, if appropriate.

Name and Gender Changes

This section is built to guide employees and supervisors through updating City records and documents. If you would like help with any record changes, please contact the City's Benefits Analyst at benefits@cityofmadison.com, or (608) 266-4615.

Updating Employee Information

Some employee information can be updated at any time, before or after a legal name or gender change.

Email, Phone, & Employee Directory

To update your name on electronic records, have an IT Authorized Contact from your department submit a Name Change request on your behalf.
www.cityofmadison.com/employeenet/it/authorizedcontacts
www.cityofmadison.com/employeenet/it/requests/namechange.cfm

Employee ID

To request an updated City ID, contact Human Resources. The $10 replacement fee will be waived for transgender employees who have changed their name or physical appearance.
www.cityofmadison.com/employeenet/toolkit/request-a-city-photo-id

Business Cards, Nameplates, & Name Tags

Supervisors will coordinate reprinting any applicable materials just as they would with a new employee.

Other Systems

Some departments may use other systems that include name or gender information. Supervisors should work with employees to identify and update any other systems their department uses.

Updating Official Records

Some City records can only be updated after a legal name or gender change, including pay stubs and health insurance. Some departments may have other official records that include name or gender information. Supervisors should work with employees to identify and update any other records their department keeps.

As a reminder, employees always have the right to be addressed by their name and pronouns. A court-ordered change is not required except to update records that require legal name or gender.

Name Change

You can update your name on official City records after you change your name with the Social Security Administration. Learn about the SSA process at: faq.ssa.gov/en-US/Topic/article/KA-01981

1. **Official City Records (Personnel Action)**

   Send updated Federal (W-4) and State (W-204 WT-4) tax withholding forms to your Payroll Clerk or central payroll. Payroll staff will process a personnel action to update official City records. If you prefer, Human Resources can also process a personnel action.

Find your Payroll Clerk: www.cityofmadison.com/employeenet/finance/payroll/payroll-clerks

- o **Federal**: www.irs.gov/pub/irs-pdf/fw4.pdf
- o **State**: www.revenue.wi.gov/TaxForms2017through2019/w-204f.pdf

2. **Benefit Records**

   Fill out each applicable form and send them to Human Resources. Find a list of these forms at: www.cityofmadison.com/employeenet/pay-benefits/changes-to-employee-information

   If your Personnel Action (above) has not yet processed, please include copies of your tax withholding forms (W-4 and W-204 WT-4) when sending other forms to Human Resources.

3. **ETF (Health and Retirement Benefits)**

   To update your name in ETF, you will need:

   - o **Proof of identity**: Copy of a driver's license, social security card, or passport, or an original or certified copy of your updated birth certificate.
   - o A **court order** confirming the legal change, if you have changed your first name.

   You can request the update in any of the following ways:

   - o Mail the documents and a note stating that you have changed your name to ETF at:
     Department of Employee Trust Funds
     P.O. Box 7931
     Madison, WI 53707-7931

   - o Send the documents to Human Resources. HR will securely send them to ETF.

   - o Update your name through ETF Online. ETF will contact Human Resources to request your documentation. myetf.wi.gov/ETFmMEBWeb/mMEB/mMEBAuth.jsp

Gender Change

First, you will need a new state ID or court order recognizing your gender.

1. **Official City Records (Personnel Action)**

   Send a photocopy of your new state ID or court order to your Payroll Clerk or central payroll. Payroll staff will process a personnel action to update your gender on official City records. If you prefer, Human Resources can also process a personnel action.

   Find your Payroll Clerk: www.cityofmadison.com/employeenet/finance/payroll/payroll-clerks

2. **ETF (Health and Retirement Benefits)**

   To update your gender with ETF, fill out form ET-2815. You can send your form to ETF or to Human Resources. etf.wi.gov/publications/et2815pdf

3. **Other Benefits**

   Fill out forms for any applicable benefits, and send to Human Resources. Find these forms at: www.cityofmadison.com/employeenet/pay-benefits/changes-to-employee-information

Note: Some City systems, including MUNIS (payroll) and ETF (health and retirement), currently only accept "male" and "female" options. The City continues to advocate for improvements to these systems.

Definitions

The definitions provided here are not intended to label employees, but rather to assist in understanding this policy. Employees may or may not use these terms to describe themselves.

Some terms in this guide may have similar definitions. However, subtle differences mean those terms cannot be used interchangeably.

Agender: A person who does not identify with a gender.

Ally: A person who is not LGBTQ+ but shows support for LGBTQ+ people and promotes equality.

Androgynous: Identifying and/or presenting as neither distinguishably masculine nor feminine.

Asexual: A person who does not experience sexual attraction.

Assigned Female/Male at Birth (AFAB/AMAB): Describes the biological sex a person was assigned at birth, based on external sex characteristics. This may or may not match the person's gender.

Biphobia: Prejudice, fear, discomfort, or hatred of bisexual people.

Bisexual: A person emotionally, romantically or sexually attracted to more than one gender, though not necessarily simultaneously, in the same way, or to the same degree.

Cisgender: A person whose gender is aligned with the sex assigned to them at birth.

Coming out: The complicated, multi-layered, and ongoing process by which a person discovers, accepts, and shares their sexuality and/or gender.

Deadname: The name assigned to a transgender person at birth. Referring to a person by their deadname ("deadnaming") is harmful and constitutes harassment.

Gay: A person who is emotionally, romantically, or sexually attracted to members of the same gender.

Gender confirmation surgery: A surgical procedure by which a transgender person's physical appearance is altered to resemble physical characteristics socially associated with their gender.

Gender dysphoria: Clinically significant distress caused when a person's assigned birth gender is not the same as the one with which they identify.

Gender-expansive: A person who doesn't identify with traditional gender roles.

Gender expression: How a person expresses their gender. Gender expression can include hair, clothing, behavior, speaking voice, and more. Includes the ways a person does and doesn't conform to socially defined behaviors of masculinity or femininity.

Genderfluid: Not identifying with a single fixed gender. A person whose gender may shift.

Gender (Gender identity): A person's concept of self as a man, woman, both, or neither. A person's gender can be the same or different from their sex assigned at birth.

Gender non-conforming: A broad term referring to people who do not behave in a way that conforms to the traditional expectations of their gender, or whose gender expression does not fit neatly into a category.

Genderqueer: A person who rejects notions of static categories of gender and embraces a fluidity of gender and often, though not always, sexual orientation. They may see themselves as being both man and woman, falling completely outside these categories, or somewhere in between.

Homophobia: Prejudice, fear, discomfort, or hatred of people who are attracted to the same sex.

Intersex: An umbrella term used to describe a wide range of natural bodily variations. In some cases, these traits are visible at birth, and in others, they are not apparent until puberty. Some chromosomal variations of this type may not be physically apparent at all.

Lesbian: A woman who is emotionally, romantically, or sexually attracted to other women.

LGBTQ+: An acronym for "lesbian, gay, bisexual, transgender, and queer."

Living openly: A state in which LGBTQ+ people are comfortably out about their sexual orientation or gender, where and when it feels appropriate to them.

Nonbinary: An umbrella term for people who do not identify exclusively as a man or a woman. Nonbinary people may identify as being both a man and a woman, neither a man nor a woman, or somewhere in between. While many also identify as transgender, not all nonbinary people do.

Outing: Revealing a person's sexual orientation or gender to others without their permission. Being outed can have serious repercussions on employment, economic stability, personal safety, and religious or family situations.

Pansexual: A person who can be emotionally, romantically, or sexually attracted to all or any genders.

Queer: Used to express fluid identities and orientations. Often used interchangeably with LGBTQ+.

Questioning: A person who is in the process of exploring their sexual orientation or gender.

Same-gender loving: A person who experiences attraction to people of the same gender.

Sexual orientation: How a person characterizes their sexuality, or their attraction to other people.

Transgender: Describes people whose gender is different from the sex they were assigned at birth. Being transgender does not imply any sexual orientation. Transgender people may identify as straight, gay, lesbian, bisexual, etc.

Transitioning: The steps a transgender, gender non-conforming, or nonbinary person takes to find congruence in their gender. During a transition, it is often other people who are transitioning how they see the individual's gender, and not the person themselves. Transitioning is not a single moment in time. For the person, these changes are often less of a transition and more of an evolution. Some people socially transition, whereby they might begin dressing, using different names and pronouns, and/or be socially recognized as another gender. Others undergo physical transitions in which they modify their bodies through medical interventions.

Transphobia: Prejudice, fear, discomfort, or hatred of transgender people.