



Transgender and Gender Diverse Policy

Policy Number: PP 1-5

Effective Date: 1/13/2023

Approved By: Chris Blue, Town Manager

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POLICY

The Town of Chapel Hill does not discriminate in any way on the basis of sex, sexual orientation, gender identity, or gender expression. This policy is designed to create a safe, inclusive, and productive workplace environment for all employees.

PURPOSE

In accordance with the Town values of equity, safety, and responsibility, the purpose of this policy is to set forth guidelines to address the needs of transgender and gender non-conforming employees. The goal is to ensure the safety, comfort, and healthy development of transgender or gender non-conforming employees while maximizing the employee's workplace integration and minimizing stigmatization of the employee. All employees regardless of age are covered by this policy.

R.E.S.P.E.C.T. VALUES



Equity: Although we may hold different roles in the organization, we all work toward the common goal of serving the Town and the Town's residents and customers. Therefore, we seek and support policies and actions that are administered consistently and fairly to everyone regardless of rank, tenure or personal background.



Safety: We strive to maintain our own mental and physical well-being and the well-being of those around us. We are dedicated to a work environment that minimizes risk of injury or accident. We are also dedicated to an environment that provides for honest and courteous discussion of workplace issues without fear of repercussion.



Responsibility: We acknowledge that our duties impact the jobs of many other employees. We take ownership over our roles within the organization as a way to demonstrate our consideration for the time and efforts of our fellow employees as well as pride in our own work.

APPROVAL

Chris Blue, Town Manager

A handwritten signature in dark ink, appearing to read 'C. Blue', is written over a light blue horizontal line.



Transgender and Gender Diverse Procedures

Policy Number: PP 1-5

Effective Date: 1/13/2023

Approved By: Cliff Turner, Human Resources Development Director

PROCEDURES

Privacy

Transgender and non-binary employees have the right to discuss their gender identity or expression openly, or to keep that information private. The transgender employee gets to decide when, with whom, and how much to share their private information. Information about an employee's transgender status (such as the sex they were assigned at birth) can constitute confidential medical information under privacy laws like HIPAA.

Management, human resources staff, or coworkers should not disclose information that may reveal an employee's transgender status or gender non-conforming presentation to others. That kind of personal or confidential information may only be shared with the transgender employee's consent.

Official Records

The Town of Chapel Hill will change an employee's official record to reflect a change in name or gender upon request from the employee. Certain types of records, like those relating to payroll and retirement accounts, may require a legal name change before the person's name can be changed. Most records, however, can be changed to reflect a person's preferred name without proof of a legal name change. The Town of Chapel Hill Name Change Form is located at the end of this document as Appendix B.

A transgender employee has the right to be addressed by the name and pronoun corresponding to the employee's gender identity. Official records will also be changed to reflect the employee's new name and gender upon the employee's request.

As quickly as possible, the town will make every effort to update any photographs at the transitioning employee's workplace so the transitioning employee's gender identity and expression are represented accurately.

If a new or transitioning employee has questions about town records or ID documents, the employee should contact their department's HRD partner.

Names/Pronouns

An employee has the right to be addressed by the name and pronoun that correspond to the employee's gender identity, upon request. A court-ordered name or gender change is not required. The intentional or persistent refusal to respect an employee's gender identity (for example, intentionally referring to the employee by a name or pronoun that does not correspond to the employee's gender identity) can constitute harassment and is a violation of this policy and constitutes Detrimental Personal Conduct. Repeated violations can subject an employee to disciplinary action in accordance with Town policies and procedures.

If you are unsure what pronoun a transitioning coworker might prefer, you can politely ask your coworker how they would like to be addressed.

Transitioning on the Job

Employees who transition on the job can expect the support of management and human resources staff. HRD will work with each transitioning employee individually to ensure a successful workplace transition.

[A sample transition plan is attached at the end of this document.](#)

Sex-segregated job assignments

For sex-segregated jobs, transgender employees will be classified and assigned in a manner consistent with their gender identity, not their sex assigned at birth.

Restroom Accessibility

Employees shall have access to the restroom corresponding to their gender identity. Any employee who has a need or desire for increased privacy, regardless of the underlying reason, will be provided access to a single-stall restroom, when available. No employee, however, shall be required to use such a restroom. All employees have a right to safe and appropriate restroom facilities, including the right to use a restroom that corresponds to the employee's gender identity, regardless of the employee's sex assigned at birth. That is, transgender women must be permitted to use the women's restroom, and transgender men must be permitted to use the men's restroom. That decision should be left to the transgender employee to determine the most appropriate and safest option for them. Some employees – transgender or non-transgender – may desire additional privacy. Where possible, an employer will make available a unisex single-stall restroom that can be used by any employee who has a need for increased privacy, regardless of the underlying reason.

Locker Room Accessibility

All employees have the right to use the locker room that corresponds to their gender identity. Any employee who has a need or desire for increased privacy, regardless of the underlying reason, can be provided with a reasonable alternative changing area such as the use of a private area, or using the locker room that corresponds to their gender identity before or after other employees. Any alternative arrangement for a transgender employee will be provided in a way that allows the employee to keep their transgender status confidential.

PROCEDURES
CONT.

Dress Codes

The Town of Chapel Hill does not have dress codes that restrict employees' clothing or appearance on the basis of gender. Transgender and gender non-conforming employees have the right to comply with company dress codes in a manner consistent with their gender identity or gender expression.

Discrimination/Harassment

It is unlawful and violates town policy to discriminate in any way (including, but not limited to failure to hire, failure to promote, or unlawful termination) against an employee because of the employee's actual or perceived gender identity. Additionally, it also is unlawful and contrary to this policy to retaliate against any person objecting to, or supporting enforcement of legal protections against, gender identity discrimination in employment.

The Town of Chapel Hill is committed to creating a safe work environment for transgender and gender non-conforming employees. Any incident of discrimination, harassment, or violence based on gender identity or expression will be given immediate and effective attention, including, but not limited to, investigating the incident, taking suitable corrective action, and providing employees and staff with appropriate resources.

Health Insurance Benefits

The Town of Chapel Hill will only enter into health insurance contracts that include coverage for transition-related care. Benefits related to transitioning can be found in the [Town's benefits digest](#).

PROCEDURES
APPROVED BY

Cliff Turner
Human Resources Development Director



DEFINITIONS

(Definitions courtesy of Human Rights Campaign)

- A. **Gender identity:** One's innermost concept of self as male, female, a blend of both or neither – how individuals perceive themselves and what they call themselves. One's gender identity can be the same or different from their sex assigned at birth.
- B. **Gender expression:** External appearance of one's gender identity, usually expressed through behavior, clothing, body characteristics or voice, and which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine.
- C. **Transgender:** An umbrella term for people whose gender identity and/or expression is different from cultural expectations based on the sex they were assigned at birth. Being transgender does not imply any specific sexual orientation. Therefore, transgender people may identify as straight, gay, lesbian, bisexual, etc.

DEFINITIONS (CONT.)

- D. **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. While many also identify as transgender, not all gender non-conforming people do.
- E. **Transition:** A series of processes that some transgender people may undergo in order to live more fully as their true gender. This typically includes social transition, such as changing name and pronouns, medical transition, which may include hormone therapy or gender affirming surgeries, and legal transition, which may include changing legal name and sex on government identity documents. Transgender people may choose to undergo some, all or none of these processes.
- F. **LGBTQIA+:** An acronym for “lesbian, gay, bisexual, transgender, queer, intersex, and asexual” with a “+” sign to recognize the limitless sexual orientations and gender identities used by members of our community.
- G. **Non-Binary:** An adjective describing a person who does not identify exclusively as a man or a woman. Non-binary people may identify as being both a man and a woman, somewhere in between, or as falling completely outside these categories. While many also identify as transgender, not all non-binary people do. Non-binary can also be used as an umbrella term encompassing identities such as agender, bigender, genderqueer or gender-fluid.

APPENDICES

[APPENDIX A – Sample Work Transition Plan](#)

[APPENDIX B – Name Change Form](#)

SCOPE

This policy replaces and supersedes any previous Town policies, departmental policies, handbooks, or unwritten policies or practices covering the same subject.

POLICY HISTORY

The Town maintains additional procedures to protect the transgender community in Chapel Hill

Name of associated procedure, guideline, or manual	Description	Status
Engaging and Building Relationships with Transgender Communities (CHPD)	To establish guidelines for the appropriate, safe, and dignified interactions with transgender individuals by members of the Chapel Hill Police Department.	TBD

POLICY
HISTORY
CONT.

[Anti-Harassment Policy](#)

The Town complies with all applicable laws and promotes a safe workplace environment where employees can work free from intimidation and fear, and be treated with decency and respect. Unlawful harassment, discrimination, and retaliation, as well as unwelcome and inappropriate behaviors damage this environment and are not tolerated.

Policy Number: PP 5-1
Effective Date: July 1, 2019

[Title VI and Non-Discrimination Policy](#)

The policy of the Town is to foster, maintain, and promote equal employment opportunity.

N/A

ADDITIONAL
CONTACTS

Human Resource Development - 919-968-2700 or HR@townofchapelhill.org
Ombuds office - 919-265-0806 or Ombuds@townofchapelhill.org
LGBTQIA+ Employee Resource Group – lgbtqerg@townofchapelhill.org

APPENDIX A

Workplace Transition Plan (courtesy of Human Rights Campaign)

Guidelines should address:

- who in the Town is charged with helping a transitioning employee manage his/her/their workplace transition;
- what a transitioning employee can expect from management;
- what management's expectations are for staff, transitioning employees, and any existing LGBTQIA+ employees
- employee group in facilitating a successful workplace transition; and
- what the general procedure is for implementing transition-related workplace changes, such as adjusting personnel and administrative records, as well as a communication plan for coworkers and clients.
- answers to frequently asked questions about dress codes and restroom use.

Guidelines should be made accessible for employees, supervisors and human resources professionals as needed. They can be shared via:

- The Hive –
 - HRD resources section
 - LGBTQIA+ employee group section
 - Link to from other applicable sections such as employment non-discrimination/ equal employment opportunity policy, dress code, restroom, locker room (if related resources are already provided)
 - Search engine keywords to target: transition guidelines, gender identity, gender expression, transgender, transsexual, cross dress, gender reassignment, sex reassignment, sex change*, transgendered* (* these are not preferred terminology, but are intended to capture potential searches)
- Employee Assistance Program resources (e.g., make available to EAP representatives)
- Human Resources hotline resources

Senior Sponsor

When announcing an employee's plan to transition, utilizing senior management can send a strong message of support for the transitioning employee and set the tone for the Town's expectations of staff going forward. Some employers assign a senior executive to act as a "sponsor" for the transitioning employee to help communicate top-down inclusive

messages and expectations. Managers and Human Resources should reiterate these messages regularly and when needed. The desire to minimize disruption from the day-to-day routine and send the message that business will continue "as usual" should be carefully balanced with coworkers' educational needs.



APPENDIX B:

**Name Change and/or
Change of Address Form**

PLEASE PRINT CLEARLY WHEN COMPLETING THIS FORM TO AVOID ERRORS

Use this form to change your name and/or address.
In addition, provide your current phone number(s) and email address.

☐ **Name Change (**If Applicable)**

Former Name: _____

New Name*:** _____

EMPLOYEE NUMBER: _____

*** When changing your name, a copy of your social security card reflecting your new name must be attached to this form.***

☐ **Address Change (**If Applicable)**

Your Name: _____

Employee Number: _____ **Your New Address:**

Address Line 2: _____ **City,**

State and Zip Code: _____

Phone Number(s): _____ **Email**

Address: _____

Effective Date for Change: _____

*Only the original paper copy is to be returned to HRD or Payroll. Your supervisor, Admin
staff or HRD partner can inter-office the original copy for you.*