



Transgender Experience in the Workplace

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This document will look to survey and address the experiences that transgender people have related to the workplace. The contents of this document will be divided into three sections. The first section will go over the empirical research surrounding transgender workplace experience. The second section will talk about what has been done in response to problematic experiences in the workplace for transgender people. The third and final section will offer further suggestions to improve the transgender workplace experience.

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Section I: Empirical Research on Transgenders in the Workplace

Unemployment

Research as far as back as 2015 reports the discrimination and disparities the transgender community face when it comes to employment. According to the [2015 USTS](#):

- **15% of respondents are unemployed - compared to 5% unemployment across whole U.S. population**
- Unemployment rate by race/ethnicity for transgender people
 - **Overall: 15%**
 - **American Indian: 23%**
 - **Asian: 10%**
 - **Black: 20%**
 - **Latinx: 21%**
 - **Middle Eastern: 35%**
 - **Multiracial: 22%**
 - **White: 12%**
- **16% of respondents reported losing their job because of their gender identity or expression**
- **27% reported being fired, denied a promotion, or not being hired for a job they applied for because of their gender identity or expression**

Recent research within the last two years has also revealed that transgender people still face discrimination when it comes to being hired or retaining employment. This is despite the fact that anti-discrimination policies have been put in place in more recent years (see *Section II*).

According to a [2020 report by the Center for American Progress](#):

- **53% of transgender individuals expressed that discrimination affected their capacity to be hired**
- **47% of transgender individuals reported that discrimination had an impact on their ability to retain employment**

According to a [September 2021 study by the Williams Institute at UCLA](#):

- **49% of transgender employees reported experiencing employment discrimination¹ due to their gender identity**

Furthermore, the recent COVID-19 pandemic has led to disproportionate rates of unemployment in the transgender community compared with the general population. According to [research by the Human Rights Campaign:](#)

- **19% of transgender people became unemployed due to the COVID-19 pandemic, compared to 12% of the general population**
- **26% of transgender people of color became unemployed due to the COVID-19 pandemic, compared to 12% of the general population**

Workplace Harassment

The previous subsection noted the discrimination that transgender people faced when it comes to employment. Even for those transgender people who are fortunate enough to retain their job, they still face harassment in the workplace.

The [2015 USTS](#) notes that:

- **15% reported being verbally harassed, physically attacked, and/or sexually assaulted because of their gender identity or expression**
- **23% reported being mistreated due to their gender identity or expression.** Such mistreatment includes:
 - Being forced to use mismatched restroom
 - Told to present wrong gender in order to keep job
 - Boss or coworker sharing private information about gender status without permission

According to a [September 2021 study by the Williams Institute at UCLA:](#)

- **44% of transgender employees reported experiencing verbal harassment²**
- **22% of transgender employees reported experiencing sexual harassment within the past five years**

¹ Employment discrimination refers to being fired or not hired

² This harassment comes from supervisors, co-workers, and even customers.

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Income

Recent research has also revealed the income disparities between transgender people and the general population. A [2019 report by the Williams Institute at UCLA](#) found that:

- **29.4% of transgender people are in poverty³**

On top of this wage disparity for transgender people in normal conditions, the COVID-19 pandemic has worsened the situation with income.

[According to research by the Human Rights Campaign:](#)

- **27% of transgender people have had a paycut due to COVID-19, compared to 7% of the general population**
 - **37% of transgender people of color have had a paycut**
- **54% of transgender people have had their work hours reduced due to COVID-19, compared to 23% of the general population**
 - **58% of transgender people of color have had their work hours reduced**
- **27% of transgender people have been forced to switch part-time due to COVID-19, compared to 5% of the general population**
 - **30% of transgender people of color have been forced to switch part-time**
- **59% of transgender people are very concerned they cannot pay their bills on debt, compared to 15% of the general population**
 - **67% of transgender people of color are very concerned they cannot pay their bills on debit**

Suicide Ideation

There are a number of risk factors for suicidality in the transgender community. While some of these risk factors apply to the general population, some risk factors are *unique* to transgender people. According to the [2015 USTS](#), one of these unique suicidality risk factors include⁴:

- **Transgender discrimination in education, employment, housing, health care, places of public accomodation, or from law enforcement**

³ This is compared to the **10.5% poverty rate of the general population in 2019**, according to the [United States Census Bureau](#)

⁴ This fact is also mentioned in another long-form piece by Cloud Dancers, *Transgender Suicide Prevention*.

Section II: Workplace Representation and Anti-Discrimination Measures

Anti-Discrimination Policies

As [CNN reported on June 15, 2020](#), *Bostock v. Clayton County* ruled that, in accordance with *Title VII* of the 1964 Civil Rights Act, it is federally prohibited to discriminate against transgender people due to their gender identity. As the [National Center for Transgender Equality \(NCTE\) write](#), it is now “illegal to fire, refuse to hire, harass, or otherwise discriminate against you because of your gender identity, gender transition, sex assigned at birth, or transgender status.

[An article by the Washington Post](#) noted that this policy was further reinforced by President Joe Biden in 2021, who “issued a sweeping executive order [13988] making it clear that gay and transgender people are protected against discrimination in schools, health care, the workplace and other realms of American life.

Aside from federal prohibitions, various Fortune 500 companies have their own nondiscrimination policies that protect transgender people. According to a [2021 summary by the Human Rights Campaign](#):

- **96% of Fortune 500 companies include ‘sexual orientation’ in their nondiscrimination policies**
- **94% of Fortune 500 companies include ‘gender identity’ in their nondiscrimination policies**

Despite these policies put in place, transgender people still face discrimination in the workplace. *Section I* of this document mentions research from 2021 regarding the discrimination that transgender people continue to face such as employment discrimination and harassment in the workplace.

In the case of ongoing transgender discrimination, the [NCTE recommend](#):

- **“Resolving the issue through your company” or**

- ***“Filing a charge of sex discrimination with the U.S. Equal Employment Opportunity Commission” or***
- ***“Filing a complaint with a state or local civil or human rights agency”***

More robust descriptions of these procedures can be found on their website.

Workplace Equality Index

The *Human Rights Campaign* is an organization in the United States that advocates for LGBTQ+ equality. Recently, they created a [“Corporate Equality Index” \(CEI\) for the year of 2021](#) that details the best places to work in the United States when it comes to LGBTQ+ equality. [The HRC recognizes](#) “767 businesses that [meet] all the criteria to earn a 100 percent rating and the designation of being a 2021 “Best Place to Work for LGBTQ Equality.”

Similarly, the United Kingdom has [an LGBTQ+ charity group called Stonewall that also created a “Workplace Equality Index”](#) that lists the top 100 employers in the United Kingdom when it comes to LGBTQ+ equality in 2020. Unfortunately due to the COVID-19 pandemic, they could not run an Equality Index for 2021. However, they are currently working on a 2022 Equality Index.

Trans Inclusive Health Care

The [Human Rights Campaign also note](#) the trans-inclusive health care coverage that companies provide in 2021:

- ***71% of Fortune 500 companies now provide trans-inclusive health insurance coverage compared to only 34 percent in 2015.***
- ***Over 91% of CEI rated companies offer trans-inclusive health insurance coverage***

Trans Inclusive Culture Training

Having anti-discrimination policies in place does not necessarily mean that discriminatory attitudes and practices will cease to occur in the workplace. As such, workplace training is recommended to cultivate a safe environment for transgender people.

When it comes to companies cultivating a trans-inclusive workplace, the [Human Rights Campaign](#) found that:

- **92% of CEI rated employers offer practices to support LGBTQ diversity competency**
- **90% of CEI rated employers have training for ‘New Hires’ that clearly point out their nondiscrimination policies that protect transgender people**
- **84% of CEI rated employers have managers or supervisors undergo training concerning gender identity and sexual orientation**

Section III: Further Suggestions

Further Consideration for Transgender Employees

[A 2020 article by Harvard Business Review](#) notes that “companies that are LGBTQ+ friendly usually focus more on the ‘LGB’ than on the ‘TQ+.’”

This might explain the fact that among the LGBTQ+ community, transgender people face the most discrimination in the workplace, as pointed out by the [Center for American Progress](#)⁵ and [Human Rights Campaign](#).⁶

So despite the fact that nondiscrimination policies and practices are put in place to protect LGBTQ+ people, there is still a discrimination disparity between transgender people and the rest of LGBTQ+. As such, we suggest actions such as further research on why this disparity exists and reinforced practices and training focused on protecting transgender people in the workplace.

⁵ For instance, 62% of transgender Americans have experienced discrimination compared to 36% of LGBTQ people

⁶ For instance, 54% of transgender people have had their work hours reduced compared to 30% of LGBTQ people.

Further Trans-Inclusive Training

Section II of this document noted that over 80% of Fortune 500 companies offer training that cultivates a trans-inclusive workplace. Of course, these companies are only a small fraction of the total workplaces. As such, it's unclear how many of the total workplaces offer training and practices that build a trans-inclusive environment.

However, we have also noted in *Section I* that despite federal and company policies in place that protect transgender people from discrimination in the workplace, such discrimination still occurs for a large percentage of transgender workers. As such, we recommend further trans-inclusive training in place for other businesses to reduce the amount of discrimination that transgender people face in the workplace.

Guide to Transitioning in the Workplace

In *Section II*, we mentioned the fact that over 90% of Fortune 500 companies have nondiscrimination policies that protect transgender people, as well as over 80% of Fortune 500 companies offering diversity training that cultivates a trans-inclusive workplace

However, what is not so clear is what the formal process looks like for a person who is in the middle of transitioning while working, or would like to do so. As of writing this document, there does not seem to be any universal guidelines on how a person should approach the workplace while transitioning.

As such, we suggest companies establish such guidelines, advising employees how they should go about the workplace mid- or post-transition. For instance, such guidelines should mention who to speak to about one's transition and what personal and official information needs to be updated.

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