

**TITLE: INCLUSIVE WORKPLACE**

**POLICY:**

NewYork-Presbyterian Brooklyn Methodist Hospital does not discriminate in any way on the basis of protected characteristics including but not limited to; sex, sexual orientation, gender identity, or gender expression. This policy is designed to create a safe and productive workplace environment for all employees.

**PURPOSE:**

To set forth guidelines to address the needs of our transgender and gender non-conforming employees. This policy does not anticipate every situation that might occur with respect to transgender or gender non-conforming employees, and the needs of each transgender or gender non-conforming employee must be assessed on a case-by-case basis. In all cases, the goal is to provide a safe and comfortable environment for our transgender or gender non-conforming employees while maximizing the employee's workplace integration and minimizing stigmatization of the employee.

**APPLICABILITY:**

All employees

**PROCEDURE:**

**A. DEFINITIONS**

The definitions provided here are not intended to label employees, but rather to assist in understanding this policy and the legal obligations of NewYork-Presbyterian Brooklyn Methodist Hospital. Employees may or may not use these terms to describe themselves.

**Gender identity:** A person's internal, deeply-felt sense of being male, female, or something other or in-between, regardless of the sex they were assigned at birth. Everyone has a gender identity.

**Gender expression:** An individual's characteristics and behaviors (such as appearance, dress, mannerisms, speech patterns, and social interactions) that may be perceived as masculine or feminine.

**Transgender:** An umbrella term that can be used to describe people whose gender identity and/or expression is different from their sex assigned at birth.

- A person whose sex assigned at birth was female but who identifies as male is a transgender man (also known as female-to-male transgender person, or FTM).
- A person whose sex assigned at birth was male, but who identifies as female is a transgender woman (also known as male-to-female transgender person, or MTF).

Some people described by this definition don't consider themselves transgender – they may use other words, or may identify simply as a man or woman. A person does not need to identify as transgender in order for the Hospital's nondiscrimination policies to apply to them.

**Gender non-conforming:** This term describes people who have, or are perceived to have, gender characteristics and/or behaviors that do not conform to traditional or societal expectations.

**Transition:** The process of changing one's gender from the sex assigned at birth to one's gender identity. There are many different ways to transition. For some people, it is a complex process that takes place over a long period of time, while for others it is a one – or two-step process that happens more quickly.

**Sexual orientation:** A person's physical or emotional attraction to people of the same and/or other gender. Straight, gay, and bisexual are some ways to describe sexual orientation. It is important to note that sexual orientation is distinct from gender identity and expression. Transgender people can be gay, lesbian, bisexual, or straight, just like non-transgender people.

## **B. PRIVACY**

Transgender employees have the right to discuss their gender identity or expression openly, or to keep that information private. It is up to the transgender employee 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) may constitute confidential medical information under privacy laws like HIPAA.

Information that may reveal an employee's transgender or gender non-conforming status generally should not be disclosed. That kind of personal or confidential information may only be shared with the transgender employee's consent or with Hospital employees who have a business need to know (e.g. in connection with Employee Benefits).

### **C. OFFICIAL RECORDS, NAMES and PRONOUNS**

NewYork-Presbyterian Brooklyn Methodist Hospital will change an employee's official record to reflect a change in name in accordance Hospital policy. An employee may also request a change in gender for the purposes of Hospital records.

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, pronoun and gender upon the employee's request. In addition, any photographs at the transitioning employee's workplace, will be updated as soon as possible.

If a new or transitioning employee has questions about company records or ID documents, the employee should contact Human Resources.

### **D. TRANSITIONING ON THE JOB**

Employees who transition on the job can expect the support of management and Human Resources. HR will work with each transitioning employee individually to ensure a successful workplace transition. When meeting with a transitioning employee to help plan the changes, the following items should be addressed:

1. Who is charged with helping a transitioning employee manage his/her workplace transition
2. What a transitioning employee can expect from management
3. What management's expectations are for staff, transitioning employees, and any existing lesbian, gay, bisexual, transgender, (LGBT) employee resource group in facilitating a successful workplace transition, and
4. What the general procedure is for implementing transition-related workplace changes, such as adjusting personnel and administrative records, and developing an individualized communication plan to share the news with coworkers and clients, if requested by employee.

### **E. SEX-SEGREGATED JOB ASSIGNMENTS**

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

### **F. 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.

#### **G. 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 reasonably alternative changing area such as the use of a private area. Any alternative arrangement for a transgender employee will be provided in a way that allows the employees to keep their transgender status confidential.

#### **H. DRESS CODE**

Transgender and gender non-conforming employees are expected to comply with the Hospital's dress codes in a manner consistent with their gender identity or gender expression.

#### **RESPONSIBILITY:**

Vice President of Human Resources or Designee

#### **POLICY DATES:**

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