Transgender Inclusion Policy [Sample]

# Introduction

This policy is adapted from [The Center for Cultural Power](https://www.culturalpower.org/). At [org name], our team includes employees of varying gender identities and expressions. As an organization dedicated to social justice and progressive values, we celebrate communities of all sexualities, sexes, gender identities, and gender expressions. Our policies in this manual aim to create a healthy and safe environment for trans, agender, gender non-conforming, genderqueer, and gender non-binary employees, contractors, and clients.

# Privacy

Employees have complete and total discretion over information regarding their gender identity and expression. Transgender, agender, gender non-conforming, genderqueer, and gender non-binary employees will never be forced or pressured to publicly or privately share information about their gender identity or expression with [org name]. At any time and for any reason, employees can opt out of answering optional demographic questions related to gender identity and expression.

Private information includes, but is not limited to:

* Sex assigned at birth
* Name given at birth
* Transgender status
* Any decisions regarding gender affirming procedures and hormone therapy

# Records and Personnel Files

Employees who wish to change their name and/or pronouns should let the Director of HR and Operations know; the Director of HR and Operations is committed to making any changes within a timely manner (one week) so the employee’s gender identity and expression is affirmed. This change will be made on any internal and/or external documents (per the employee’s request) including, but not limited to, Staff Contact List, Salesforce, Personnel Files, website, credit card and reimbursement system, etc.

For compliance reasons, legal names are required on the following documents: Payroll documents, retirement account, onboarding and tax paperwork (W-4, state tax form, I-9), and health insurance documents. In all other cases, all documents will reflect the employee’s pronouns and chosen name. When possible, [org name] will include a notation reflecting the employee’s chosen name as an a/k/a on these documents.

# Transitioning

When and if an employee decides to transition, [org name] is committed to affirming the employee’s gender. Employees have the option to develop a Transition Plan with their manager, the Director of HR and Operations, the Chief of Staff, and/or any member of the E-team that they designate.

A Transition Plan could include, but is not limited to:

* Training for employees
* Support in changing name on all internal records and organizational documents
* Updating any external materials, promotional materials, and/or in-office photos to be gender affirming
* Working with the employees to co-create and implement a plan to share relevant information with relevant staff, board, and clients
* Checking in regularly with the staff member on their experience to see if staff, board, and clients are respecting their transition, including but certainly not limited to using the correct name and pronouns.
  + - As a reminder, staff and managers (as mandatory reporters) should report misgendering and/or disrespect based on gender identity and/or transition as harassment under our policy (linked here), so that the situation can be investigated and resolved. The policy encompasses staff, board, and clients.

# Pronoun Usage

All employees will be addressed by the name and pronoun that they designate. [Org name] provides ample opportunities for staff to learn each other's pronouns, including but not limited to—encouraging staff to introduce themselves to one another for the first time using pronouns, to share their pronouns and ask when unsure, and listing pronouns on internal contact lists and our external websites. In cases where an employee is unaware of an individual’s pronouns, they are encouraged to politely ask (and share their own) or defer to using the person’s name (rather than make an assumption about pronouns). Repeated misgendering of an employee is harassment (see harassment section) and is unacceptable.

# Bathrooms/Signage

The central office and venue spaces (including rentals for external trainings and internal all-staff convenings) are required to provide gender-neutral bathrooms and the ability for folks to use the bathrooms they choose.

# Trans and Gender Non-Conforming Health Fund Supplement

## Framing and Values

[Org name] is enacting this benefit to align our HR policies with our progressive values, and to attract and retain trans and gender non-conforming (GNC) employees. All staff should have the right to access high-quality care that allows them to be happier and healthier. Trans and GNC employees may have health care or health-related expenses associated with gender identity that cisgender employees don’t have.

[Org name] will provide the following supplemental trans and GNC health benefits package at no cost to employees. For health care needs, [org name] expects employees to submit to insurance first, and to access this supplement when insurance does not cover the service or when the copay is prohibitively expensive. We are invested in this supplement being clear, beneficial, and easy to use, so if this is not your experience, please share feedback with the Director of HR and Operations.

[Org name] acknowledges that the services covered by health insurance companies are subject to change, and we are hopeful that we will soon live in a world where a policy like this will not need to exist. We’re committed to providing this benefit though the full year of [year], and we will re-evaluate each year to ensure that trans and gender non-binary folks get the health care they need (whether by a supplement from [org name] or through health insurance that adequately covers needs).

## Eligibility

The supplement will be available to trans and gender non-conforming employees (with the intention that these terms encompass everyone that identifies as part of the trans spectrum) who work 60% time or more. Above and beyond 60% time, this amount is not prorated depending on hours worked. For example, employees who work 60% time and 80% time are eligible for the same benefits, analogous to the way that our health insurance costs are structured.

Because we understand that we may not know employees’ gender identities, and because one’s understanding of their own gender identity evolves over time, the Director of HR and Operations will introduce this supplement to all new employees upon hire and will regularly give staff-wide email reminders about the benefit.

Employees will never be required or asked to present any documentation establishing their gender identity in any way. Employees simply need to tell the Director of HR and Operations that they would like to begin using this supplement. The Director of HR and Operations will then confirm that the employee understands the policy and process and has the attached reimbursement form. For questions about eligibility or accrual, employees can contact the Director of HR and Operations.

## Funding

This health benefit is designed to supplement costs not covered by primary insurance—recognizing that some gender identity-related care may not be currently covered by health insurance policies or may have prohibitively high copay costs (for example: prescriptions, appointments, procedures). Trans employees can access this benefit at any point over the course of their employment.

Employees covered by the policy will accrue $500 per month, with maximum annual accrual at $6,000. All funds for the calendar year will be accessible for the employee at the beginning of each calendar year, to decrease barriers to needed care. Unused funds will not carry over from year to year: all unused funds will expire on 12/31 each year. Since this is a taxable benefit that will be reimbursed through payroll, the Finance team will "gross-up" benefits, so that the actual amount paid-out is net of any taxes.

This benefit is designed to be flexible and fit the needs of the employee and can be used regularly or irregularly. Beneficiaries may use funds from the supplement multiple times per month or year as necessary, provided that expenditures do not exceed the annual allotment of $6,000.

## Accessing Funds: Reimbursement or Payment Upfront

[Org name] trusts our employees to only use this supplement for gender identity-related care, after submitting to insurance for coverage. There is no formal “approval” process because beneficiaries and their health care providers are the only people who should make health decisions. For that reason, specific prescriptions, procedures, and services have not been named as “covered” or “not covered” by this supplement. Anything that is gender identity-related care and which is not covered by your insurance plan, or has prohibitively high copay costs, is automatically covered by this health benefit. This includes necessary expenses related to medical procedures not covered—including travel, lodging, care-giving, and incidentals for accessing services from a provider that is a long distance from the employee’s home.

Employees do not need to submit receipts for approval; employees only need to submit a simple reimbursement request form (attached at the end of this policy) to the Finance Coordinator, which will include the total costs, the date the costs were incurred, and the current date. In situations where costs might be prohibitively expensive (e.g., preventing the employee from accessing care in the first place), eligible employees may pay for services upfront using their business credit card. Employees would code this cost to “Employee Benefits” and include a note that this payment is designated from the Trans Health Fund; they would also need to provide a receipt if $75 and over (consistent with our Credit Card policy). If the cost is prohibitively expensive and staff can't pay via credit card, please reach out to the Finance Coordinator or Partner, Finance and Data to discuss options for pre-reimbursement.

The Finance Coordinator will be responsible for tracking all accrual and reimbursements. Any concerns about the process can be brought to the Director of HR and Operations or the Chief of Staff for review and accountability.

The Employer is committed to timely payout of accrual. Reimbursements will be issued within 14 business days of submitting the reimbursement form via Payroll, with the rare exception during winter office closure. When using accrued benefits, Employees must submit the reimbursement form within three months of the date of incurring the expenses. Only expenses incurred during employment with the Employer are eligible for reimbursement.

# Reimbursement Form

## Trans and Gender Non-Conforming Health Fund Supplement

Complete and email to Finance Coordinator at [email address].

A downloadable version of this form is available on [link to template document].

|  |  |
| --- | --- |
| Employee Name: | Date of Request: |
| **Date expense incurred** | **Expense total amount** |
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Employee Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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