

Draft

Board Policy 3.27: TRANSGENDER EMPLOYEE POLICY

Adopted x/x/xx

Introduction. Eastern Wyoming College is committed to fostering, cultivating, and preserving a culture of diversity and inclusion among employees and students that is free from discrimination. The College's most valuable asset is its people. The collective sum of the individual variances, life experiences, knowledge, innovation, self-expression, and unique capabilities and talents employees invest in their work represents a significant part of the College's culture, achievements, and its reputation. Thus, EWC embraces its employees' differences in age, color, disability, ethnicity, family or marital status, gender (including gender identity, pregnancy, gender expression, and transgender status), language, national origin, physical and mental ability, political affiliation, race, religion, sexual orientation, socio-economic status, veteran status, and other characteristics that make employees unique.

Applicability. In addition to Board Policies 3.0 - 3.2, this policy applies to College practices and procedures regarding recruitment and selection, compensation and benefits, training, professional growth and development, promotions, transfers, social and recreational activities, layoffs, terminations, and the ongoing creation of a work environment built on the premise of gender and diversity equity. College employees have a responsibility to treat others with dignity and respect at all times that contributes to a work environment free from discrimination. Employees are expected to exhibit conduct that reflects inclusion during work, at work functions on and off-campus, and at all other College-sponsored and participative events.

Employees who believe they have been subjected to discrimination that conflicts with this policy should seek assistance from their supervisory chain or Human Resources.

Definitions. Provided to assist in understanding this policy, the College's legal obligations, and to educate employees.

- **Gender Identity.** A person's innate, deeply felt psychological identification as male or female regardless of their physical attributes or assigned sex at birth.
- **Gender Expression.** An individual's external characteristics and behaviors (e.g. appearance, dress, mannerisms, speech, and social interactions) that are defined as either masculine or feminine.
- **Transgender.** An individual whose gender identity does not correspond to their assigned sex at birth. A transgender person may or may not represent themselves as a gender different from their sex assigned at birth. Some individual's may go through a transition period from one gender to the other.
- **Transition/Transitioning.** The process of changing one's gender from the sex assigned at birth to the opposite gender. During this period, transgender individuals often seek medical treatment such as hormone therapy, electrolysis, counseling, and/or reassignment surgery. Transition may also include informing others and changing name/sex on legal documents. The extent of the transition varies by individual and may range from nothing at all to gender reassignment surgery.
- **Gender Non-confirming.** A person who displays gender traits that are not normatively associated with their biological sex. Gender-variant behavior is cultural.

Administrative Rule 3.27.1: COLLEGE AND CO-WORKER RESPONSIBILITIES

Through co-workers and the supervisory chain-of-command, the College will help protect the personal and medical privacy rights of transgender, gender non-confirming, and/or transitioning employees. Employees will not disclose information that may reveal an employee's transgender status or gender non-confirming presentation to others. Employees will call transgender and transitioning employees by the name and pronoun with which they identify whether transitioning, transitioned, or gender non-confirming.

Human Resources Duties. HR will process and consider transgender employee requests for reasonable accommodation and, upon request, help them develop a transition plan. Upon receipt of a written request/notification, HR will update official personnel records to reflect the employee's new gender and name after a transitioning employee has fully transitioned to the gender consistent with their gender identity. Appropriate legal documentation is required. In accordance with applicable coverage policies, HR will ensure that transitioning employees continue to receive their benefits and participate in all benefit programs. HR will provide guidance and consultative services to supervisors and co-workers regarding transgender and transitioning employees. In cooperation with other work centers, HR will make every effort to update photographs, name badges, and business cards of the transitioning employee to ensure gender identity and expression are represented accurately.

Restroom Facilities. All employees have a right to safe and reasonable access to restroom facilities, which includes the right and access of transgender employees to use a restroom that corresponds to their gender identity. Consequently, once a transgender or transitioning employee begins living and working in the gender that reflects their gender identity and presentation, the employee is permitted access to restrooms and locker room facilities corresponding with their full-time gender identity. Reasonable accommodations for access to restrooms or locker rooms may be necessary to ensure privacy, dignity, and respect for any employee.

Administrative Rule 3.27.2: TRANSGENDER EMPLOYEE OPTIONS

Transgender, gender non-confirming, and/or transitioning or recently transitioned employees have the right to decide when, with whom, and how much to share of their personal information; exceptions include data that is required by law and regulation for personnel purposes. Employees should consider communicating with their supervisor about their circumstances, intentions, needs, and concerns.

If an employee intends to transition, the transitioning employee is encouraged to disclose their intention to transition to their supervisor and HR to assist in creating a reasonable transition plan that will include a communications related section. A transgender employee, who desires to change their name, pronoun, and gender identification in employee records must notify HR in writing. The notice must include their preferred name, pronoun, and gender and when the change takes effect. Legal documentation may be required before personnel records can be changed.

An employee may submit written requests for reasonable accommodation(s) to HR, along with supporting health care provider documentation, for any medical condition that arises as the result of a transition.