


PBP FORM 290  PITTSBURGH BUREAU OF POLICE <i>"...accountability, integrity and respect."</i>		SUBJECT: "TRANSGENDER & GENDER NON-CONFORMING EMPLOYEES"		ORDER NUMBER: 20-2
		CALEA STANDARD: NONE		PAGE 1 OF 5
RE-ISSUE DATE: 08/30/2016	EFFECTIVE DATE: 8/30/2016	ANNUAL REVIEW DATE: AUGUST	RESCINDS:	AMENDS:

1.0 PURPOSE

- 1.1 The PBP does not tolerate discrimination on the basis of sex, race, color, ancestry, religion, national origin, age, disability, sexual orientation, gender identity, gender expression marital status, medical condition, or any other characteristics protected by federal or state law. This is designed to create a safe and productive workplace environment for all employees.
- 1.2 This publication sets forth guidelines to address the needs of those perceived to be transgender and/or gender non-conforming employees and clarifies how the law should be implemented in situations where questions may arise about how to protect the legal rights or safety of all employees. These guidelines do not anticipate every situation that might occur with respect to transgender or gender non-conforming employees, and the needs of each employee must be assessed on a case-by-case basis. In all cases, the goal is to ensure the safety and comfort of all employees while maximizing the workplace integration and minimizing stigmatization.

2.0 DEFINITIONS

- 2.1 The definitions provided here are not intended to label employees, but rather to assist in understanding this policy and PBP's legal obligations. Employees may or may not use these terms to describe themselves.

Gender Identity: An individual's internal sense of being male or female, or something not defined by traditional definitions of male or female. Gender identity is generally determined in the early years of an individual's life and, if different from the individual's physical gender, may result in increasing psychological and emotional discomfort and pain. The way an individual expresses his or her gender identity is frequently called "gender expression," and may or may not conform to social stereotypes associated with a particular gender.

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

Transgender: Individuals with a gender identity that is different from the sex assigned to them at birth. Someone who was assigned the male sex at birth but who identifies as female is a transgender woman. Likewise, a person assigned the female sex at birth but who identifies as male is a transgender man. Some individuals who would fit this definition of transgender do not identify themselves as such, and identify simply as men and women, consistent with their gender identity. The guidance discussed in this policy applies whether or not a particular individual self-identifies as transgender.

Gender Non-Conforming: Individuals who display gender traits which are not generally associated with their birth-assigned sex. Gender non-conforming individuals may or may not identify as male, female, or transgender. Also known as gender-variant, gender atypical or androgynous.

Transition or Realignment: The process of beginning to live in accordance to one's gender identity. Individuals may seek some form of medical treatment such as counseling, hormone therapy, electrolysis, and reassignment surgery. Most individuals, however, will not pursue some (or any) forms of medical treatment. Transitioning may also include the emotional task of telling one's family, friends, and co-workers, and the process of changing one's name and gender on legal documents and identification.

Sexual Orientation: A person's physical and 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 different from

gender identity and expression. A transgender person's sexual orientation can be straight, gay, lesbian, or bisexual, just like non-transgender people.

LGBTQIA: An abbreviation that stands for Lesbian, Gay, Bisexual, Transgender, Questioning, Intersex, and Asexual, & (represents additional identifiers on sexual orientation and gender identity spectrum).

3.0 Privacy

- 3.1 An employee's transition should be treated with as much sensitivity and confidentiality as any other employee who is going through a significant life experience. Transgender employees have the right to discuss their gender identity or expression openly, or to keep that information private. The transgender employee decides when, with whom, and how much to share their private information. If a transgender employee does choose to share information about their own gender transition, they are reminded that they are still subject to the PBP's Policy #20-1 No Discrimination/No Harassment/No Retaliation Policy and Reporting Procedure, which protects all employees from discussions about sexual matters while at work.
- 3.2 Operations staff, personnel staff, and co-workers should not disclose information that may reveal an employee's transgender status or gender non-conforming presentation to others. 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. That kind of personal or confidential information may only be shared with the transgender employee's consent and with co-workers who truly need to know to do their jobs. If the employee is in the process of transitioning from one gender to another, guidance for preparing co-workers and providing workplace sensitivity training is presented in the section below titled *Transitioning on the Job*.

4.0 Names / Pronouns

- 4.1 An employee has the right to be addressed by the name and pronoun that correspond to the employee's gender identity, upon request or learning of the request. All members of the PBP shall use the name and pronoun requested by the employee. This applies to verbal and written communication, regardless of the supervisor's perception of the employee's gender expression. If you are unsure what name or pronoun a transitioning co-worker might prefer, you can politely ask them how they would like to be addressed as well as offer your own name and gender pronouns.

5.0 Official Records

- 5.1 Transgender employees have the right to be addressed by the name and pronoun corresponding to the employee's gender identity. The PBP will change an employee's official record to reflect a change in name and/ or gender upon request. A court-ordered name or gender is required by law and all changes must be completed at the Department of Personnel & Civil Service Commission. 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 the Policy #20-1 No Discrimination/No Harassment/No Retaliation Policy and Reporting Procedure. If a new or transitioning employee has questions about Department records, identification cards, transitioning on the job, or other transgender-related issues, the employee should contact the Wellness Coordinator.

6.0 Restroom Accessibility

- 6.1 Employees shall have access to restrooms 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 or private restroom, when available. However, no employee 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. Transgender women must be permitted to use the women's restroom and transgender men must be permitted to use the men's restroom. The decision about which restroom to use should be left to the transgender employee to determine the most appropriate and comfortable option for them.

6.2 Some employees – transgender or non-transgender – may desire additional privacy. Where possible, the effected unit should make available a unisex private or single-stall restroom that can be used by any employee who has a need for increased privacy, regardless of the reason. If a single-stall restroom is not available, another option might be to install an "Occupied/Unoccupied" sign and an interior slide lock on the door of a multi-stall restroom, which could be used by any employee desiring additional privacy. Under no circumstances may the PBP require an employee to use facilities that are unsanitary, potentially unsafe for the employee, or located at an unreasonable distance from the employee's work station.

7.0 Locker Room Accessibility

7.1 All employees have the right to use the locker room that corresponds to their gender identity. Employees are not required to provide proof or have undergone any particular medical procedure (including gender reassignment surgery) in order to have access to facilities designated for use by a particular gender. Any employee who has a need or desire for increased privacy, regardless of the underlying reason, may be provided with a reasonable alternative changing area, such as the use of a private room. An employee's schedule may also be slightly adjusted so that they may use 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, according to their needs.

8.0 Dress Codes

8.1 The PBP does not have a dress code that restricts employees' clothing or appearance on the basis of gender. All employees must comply with PBP's Policy #21-01 on Personal Appearance of Uniformed Member of Bureau of Police and #21-02 Personal; Appearance of Non Uniformed Member of Bureau of Police.

9.0 Transitioning on the Job

9.1 Transgender employees who transition on the job can expect the support of PBP's Command Staff. The Wellness Coordinator will work with each transitioning employee individually to ensure a successful workplace transition.

9.2 Any employee of the PBP who desires to transition from one gender to another, is strongly encouraged to contact the Wellness Coordinator. This initial contact may also be requested by the employee's unit Commander or Supervisor with the consent of the transitioning employee. The Wellness Coordinator will assign a specific contact/liaison who will work with the transgender employees to assist them in making the transition as smooth as possible. The Wellness Coordinator will assist the employee with name changes on the department's paperwork and computer systems, will work as a liaison with the employee's unit of assignment to assist with changes in restroom and/or locker room accessibility if requested, and can help to coordinate educational training for the employee's co-workers prior to the transition date. The Wellness Coordinator should periodically contact the transitioning employee to determine if the employee has any concerns.

9.3 The transitioning employee's Unit Commander/Supervisor should also assign a supervisor (minimum rank of Sergeant) from his/her staff to act as the employee's primary point of contact regarding transition issues while at work on a day to day basis. This supervisor should be educated on basic transgender terminology and transition issues, and should be a support to the transitioning employee.

10.0 Sex-Segregated Job Assignments

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

11.0 Discrimination / Harassment

11.1 It is unlawful and violates PBP policy to discriminate in any way against an employee because of the employee's actual or perceived gender identity (GO #20-1 No Discrimination/No Harassment/No Retaliation Policy and Reporting

Procedure). 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.

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

Additional Resources

CITY OF PITTSBURGH

Personnel & Civil Service Commission (PCSC)
414 Grant Street, Room 431
Pittsburgh, PA 15219
412-255-2384

Diversity & Inclusion Initiatives Coordinator-Certified Safer Space
412-255-2392

Human Resources Manager/EEO Officer
412-255-2042

Commission on Human Relations
414 Grant Street, Room 908
Pittsburgh, PA 15219
412-255-2600
412-255-2042

EAP – 1-800-647-3327
lifesolutionsforyou.com

LOCAL

Delta Foundation of Pittsburgh
deltafoundation.us

Persad Center
persadcenter.org

Central Outreach Wellness Center
centraloutreach.org

Trans YOUNiting
facebook.com/Trans-YOUNiting

NATIONAL RESOURCES

Dignity & Respect Campaign
dignityandrespect.org

National Center for Transgender Equality
transequality.org

National LGBTQ Task Force

thetaskforce.org

Transgender Law Center
transgenderlawcenter.org

Trans People of Color Coalition
transpoc.org

Transgender Community of Police and Sherrifs
tcops-international.org

TGI Justice Project
tgijp.org

Approved By:



Cameron McLay
Chief of Police