

NTMA Workplace Gender Transition Guidelines



Developed in conjunction with
Transgender Equality Network
Ireland (TENI)



1. Table of Contents

- 1. TABLE OF CONTENTS2
- 2. DOCUMENT CONTROL.....3
- 3. SUPPORT AND UNDERSTANDING5
- 4. DEVELOPING A TRANSITION PLAN12
- 5. LIST OF APPENDICES.....14

2. Document Control

Revision History

Version	Date	Supersedes	Status	Summary of Changes
V0.1	18/11/2020		Draft	
V0.2	01/12/2020	0.1	Draft	Minor changes to include output of Legal Review
V.1	07/12/2020	0.2	Final	Approved by the EMT and the CEO's of NAMA, SBCI and HBFI

Next Scheduled Review

Q4 2021

Distribution

Location	Audience
NTMA Policies and Procedures Register	All NTMA employees

Approval

This Guideline has been reviewed and approved by the NTMA Executive Management Team, the Chief Executive Officer of NAMA, and the Chief Executive Officer of the SBCI and the Chief Executive Officer of HBFI.
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Document Responsibility

The Chief People Officer (CPO) is responsible for ensuring that this document is kept up to date and reflects any required changes. This document will be reviewed in line with best practice by the Inclusion and Diversity Manager in consultation with the NTMA LGBT+ Committee. Subsequent changes to facilitate the better operation of this Guideline document may be approved by the CPO.
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Data Protection

Any personal data, including any special categories of personal data, collected and processed by the NTMA in connection with this Policy will be processed in accordance with the NTMA Data Protection Policy and the NTMA Employee Data Protection Notice, both of which are available on the intranet.

3. Support and Understanding

3.1. Understanding Gender

People are assigned male or female at birth. This is fine for most as the majority of people feel that their gender identity is aligned with the one assigned to them. However, for a small number of people their gender identity does not match their assigned gender. This can result in a sense of unease or dissatisfaction for the individual which may be so intense that it can lead to depression and anxiety and have a harmful effect on their daily life.

Transgender or 'Trans' is an umbrella term which is used to describe people who feel this sense of misalignment. As 'Trans' is an umbrella term, it is important to say that it also includes a range of gender identities such as non-binary and gender queer. These are terms used by people who experience their gender identity and/or gender expression as falling outside the gender binary of male or female. Just as the term 'transgender' is an umbrella term, people under the non-binary umbrella may describe themselves using one or more of a wide variety of terms e.g. gender fluid, bigender and gender neutral. A glossary of terms is available in [Appendix 3](#).

3.2. Understanding Transitioning

Transitioning is the process by which an individual begins to live as a member of another gender. This process may involve a few, or many steps. People generally begin the transition process on their own before seeing a therapist or doctor. This 'social transition' may include changes to hairstyle, clothing, name and pronoun changes, and use of different bathrooms or changing rooms etc. Some people may only ever transition to this extent. Additional transition steps might also include legal changes e.g. through a Gender Recognition Certificate, and medical changes through gender confirmation surgery or hormone replacement therapy. It is important to note that there is no single "right" way to transition. We must respect the individual's right to transition to whatever extent they feel is appropriate for them.

3.3. Supportive Environment

The NTMA is committed to supporting gender identity, expression and transitioning within the workplace. When an employee begins to transition, it will bring change for the individual and for their colleagues. The trans employee, co-workers and management will need to respond, accept and adapt to the change. It is vital at all times, to provide a respectful and supportive environment for transitioning employees. It is important for all involved to remember that each experience is unique to the individual and should be treated as such.

3.4. Transition Process

3.4.1. Taking the first step

The first step for an employee wishing to transition is to contact their immediate manager and the designated Human Resources (HR) contact. A full list of all relevant contacts is available in [Appendix 2](#). If an employee needs help to make this initial contact, they can avail of additional support from the NTMA LGBT+ Team. If the initial contact is made with HR, it is important at some point that the employee's immediate manager becomes part of their support team. The employee should be prepared to speak about their intentions, needs and concerns. Contact should be made by the employee well ahead of the employee's planned transition date to ensure supporting arrangements can be put in place in a timely manner.

3.4.2. Advice for Managers and Human Resources

When an employee communicates their intention to transition, the reaction and support that they receive is critical. A sensitive and considered approach will help to support a positive outcome for all involved. It may be frightening for an employee to make themselves vulnerable to a colleague, particularly if that colleague is their manager. The HR representative and the LGBT+ contacts can provide advice and assistance for managers working with a transitioning employee. Regardless of knowledge level it is important to demonstrate understanding, sensitivity and ensure confidentiality throughout what may be a difficult conversation for the individual in question.

3.4.3. Right to Privacy

It is important for all those involved in, or aware of the process to remember that all information disclosed relating to a person's gender identity and expression must be treated as confidential. Confidential information will only be disclosed with the person's prior consent unless there is a serious concern that there may be a threat to the safety or life of the individual, or where it is otherwise required by the operation of law. All necessary precautions to ensure the safekeeping and accuracy of all records containing personal information must be taken. Where information is recorded or shared, the terminology used must be respectful. The Glossary of Terms contained in [Appendix 3](#) of this document may be used as a guide for what is considered acceptable language.

3.4.4. Initial conversation

When an employee communicates their desire to transition, reassure them that:

- the NTMA will be as supportive as possible;
- they are covered by the existing policies such as the NTMA Workplace Equality Policy, and the Dignity and Respect Policy and;
- the conversation and any information provided will be held in confidence (all concerned must recognise that at a point in time certain information will have to be disclosed e.g. to advise colleagues in advance if a change in appearance is planned etc., these steps will be handled with all due sensitivity at all times consulting the employee in question. It is important to note the emphasised sentence below).

There are several questions that will help determine how the transition process will work. It is important to be conscious that the initial conversation is likely to be stressful for the individual. **They must be allowed to dictate the pace at which information is provided.** While an initial list of questions is provided in the next section, it may not be feasible or sensible to ask all of these questions in the initial meeting. This process can be continued during follow up meetings as required. A more detailed overview of this process is provided in Section 4. A sample Transition Checklist is also provided in [Appendix 1](#).

3.4.5. Initial Questions

- Does the employee have a preference as to their main point of contact who will manage the transition with them? (e.g. their manager, HR representative)
- Do they know the extent to which they would like to transition at this point in time? If relevant note any immediate requirement for sick leave.
- Do they expect to change their name? If yes, ask what name and pronoun the employee will use (e.g. he, she, they or no pronoun).
- Discuss a timeframe for the transition.
- Ask whether the employee feels comfortable to transition under their current working arrangements, any desired changes should be discussed with the HR Department.
- Ask the employee if there is anything else that the Agency can do to help at this time.
- Schedule a follow up meeting to discuss and agree an action plan. Ensure they know who they can contact if they have questions in the meantime.

All meetings should be handled professionally with understanding and positivity. Remember the questions listed above may, if relevant, be asked over a series of meetings. Where additional questions are required, they should be respectful of the individual, intended to create a positive working environment for the individual, and must not be excessive.

3.5. Additional Elements

3.5.1. Appearance Standards

All employees are permitted to dress in a manner that is consistent with their gender identity and in a manner suitable to the professional working environment.

3.5.2. Access to facilities

It is important that we are accommodating and sensitive to the needs of our employees and that trans employees have access to facilities to the same extent as other employees. It is also important that they feel comfortable to use these facilities. The NTMA provides gender neutral bathrooms on each floor. Gender neutral changing rooms are also available in the basement area of the building. Trans employees may use the facilities that correspond to their gender identity. A transitioning employee will not be required

to use the bathroom or changing room of their designated sex at birth after they have begun transitioning.

3.5.3. Health benefits for NTMA employees

The NTMA Sick Leave Policy sets out the sick leave arrangements for all NTMA Employees. Employees may also avail of the Employee Assistance Programme ([EAP](#)), this provides free and independent confidential counselling services for employees and their families.

3.5.4. Addressing concerns of co-workers and clients

A lack of knowledge about trans issues has the potential to create misunderstanding and tension in the workplace. Training and awareness sessions will be offered to all employees on an ongoing basis to help develop understanding and awareness. When an employee communicates their desire to transition and to move forward with the process additional preparatory training and awareness sessions will be made available to the employee's immediate colleagues. These will provide important information for co-workers on what to expect when the individual begins to transition. It will also help to promote a positive work environment and to establish a level of understanding with the proposed changes. Proactively addressing concerns at this stage can help prevent future misunderstandings.

There are several ways to assist an employee or employees who express concern regarding the appearance of a trans co-worker. They should be provided with NTMA Policy material such as the NTMA Gender Identity and Expression Policy and the NTMA Dignity and Respect Policy. Once they have had an opportunity to review this material their questions can be addressed one on one or, where several team members have questions, as part of a group discussion. Any employee may discuss any questions or concerns related to these Guidelines or the related Policy with HR and their line manager, who will try to answer the questions raised.

Employees who continue to raise concerns about a trans co-worker should be informed that they must work cooperatively with their colleagues regardless of their gender identity and that failure to do so will be dealt with under the NTMA Disciplinary Procedure.

3.5.5. Name change

Employee records and employment related documents should be retained under the individual's legal name (as reflected on identification documents verified at the start of employment,) unless and until the employee legally changes their name and/or obtains a gender recognition certificate pursuant to the Gender Recognition Act, 2015. The trans status of an employee is considered confidential and should only be disclosed with the prior consent of the employee as per the "Right to privacy" section ([3.4.3](#)).

Where a person's legal name does not match their new name, the new name should be used on publicly available documentation such as email, phone directory, company access badge, name plate etc. In everyday written and oral speech, the new name and pronouns must be used when the employee is ready.

3.5.6. Pronouns

Pronouns indicate the gender of a person being referred to. Trans people may indicate a preferred pronoun for use in referring to their gender e.g. a trans man may use he/him and a trans woman may use she/her. Some people, including those who identify as non-binary may prefer the use of third-party pronouns such as they/them. If there is uncertainty in regard to the correct pronoun to use, it is appropriate to respectfully ask what name and pronouns should be used. In general, it is considered insensitive to refer to someone by the wrong pronouns once their preferred set of pronouns have been established.

3.5.7. Parenthood / next of kin records

Section 19 of the Gender Recognition Act 2015 states that if a person is issued with a Gender Recognition Certificate, it shall not affect the status of the person as the father or mother of a child born prior to the date of transitioning. The NTMA will take this into account in relation to record keeping dealing with, for example next of kin.

3.5.8. Leave benefits for transgender employees

Managers should provide sufficient flexibility to meet the employee's needs for medical appointments directly related to transitioning subject to operational requirements. Time

off for medical procedures directly related to transitioning is to be treated the same as other scheduled medically necessary procedures.

3.5.9. Surgeries

The process of transitioning may include one or more surgeries. A transitioning employee may or may not have these surgeries for any number of personal reasons and, furthermore, surgery in and of itself is not the goal of a gender transition. As with other aspects of the transitioning process, plans should be discussed and communicated only with affected parties in order to manage expectations and to minimise disruption. Medical information, including surgery plans communicated by an employee, should be treated confidentially.

4. Developing a Transition Plan

While we propose the following recommended steps to support the transition of trans employees at the NTMA, we recognise that each experience is unique and as such these steps can be amended to suit the employee's individual needs.

4.1. Advance Preparation

While the trans employee may initially meet with the HR representative and/or their line manager, they must ensure that both are briefed of their intention to transition at an early stage in the process.

The employee, their manager and HR contact must identify an appropriate set of stakeholders who will be involved in the transition. Initially only a small number of people may need to be briefed. This may include the senior manager in the area as well as the person's immediate line manager and HR representative. Consider who needs to be engaged and when. Managers may wish to share information with other managers to garner support and to communicate the upcoming changes. They must secure the employee's approval to do so in advance.

Anyone involved in this process should familiarise themselves with the NTMA Gender Identity and Expression Policy and these Guidelines as well as the NTMA Dignity at Work Policy and other relevant policies e.g. NTMA Sick Leave Policy. Support for all involved is available internally from HR, the LGBT+ contacts as well as externally from the Trans Equality Network Ireland ([TENI](#)).

4.2. Elements of the Plan

A joint plan should be formulated between the employee, their manager and HR contact. This should include the following elements:

- The date of the transition, i.e., the first day that individual will begin to present consistently with his or her gender identity, including change of name, pronouns,

dress, grooming, appearance and restroom use. The date of transition will be driven primarily by the employee's situation and concerns.

- How will the employee's team, and external clients be informed of the change? The employee may choose to talk to some of their co-workers to disclose their plans on a one-on-one basis prior to a wider announcement. If the employee is a senior member and there is likely to be media interest, NTMA External Communications should be consulted at an early stage to allow for the development of a media plan.
- What additional training and awareness sessions should be provided to the employee's team and when?
- What changes will be made to records and systems, and when?
- The expected plan for use of gender-specific facilities, such as bathrooms.

4.3. The day of the announcement

The announcement should be made to all employees in the transitioning employee's work area e.g. business unit or corporate function. The announcement should be made by the most senior member of the area e.g. Director and should include a senior operational manager e.g. Head of function. It is important that a clear statement of support is demonstrated. Attendees may participate in person or remotely. The employee can choose whether to attend. It is preferable not to use email to communicate this message but rather to do so in person thereby demonstrating an open and positive attitude to support the change.

The announcement should:

- Clearly state that the transitioning employee is a valued member of staff and has management's full support in making the transition. It should communicate the transition process as an opportunity to offer team support and to develop a positive working environment for all.
- Explain NTMA policy and recommendations.
- Stress that on the transition day the employee will present themselves consistently with their chosen gender identity and should be treated as such; for example, he or she must be called by the new name and new pronouns.
- Lead by example. Use the new name and pronouns in all official and unofficial communication.

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- Answer questions as well as you can, remembering that support is available for any questions that require additional information.
 - If a gender transition workshop is part of the transition plan, take the opportunity to announce it. It must be offered before the day of transition. If employees cannot attend, an alternative catch up session should be offered.

4.4. The first day of full-time workplace gender transition

On the first day of transition, the employee's manager or HR contact should ensure that the following elements are in place.

- The new identification badge with a new name and photo is available.
- Organisation charts (such as on MYHR), mailing lists and other references are updated to the new name.
- HR (and other records relevant to employee management) are updated to reflect the changes effective from the first day of transition, i.e.
 - a) New name (except to the extent that the employee's legal name is required to be used as set out in paragraph 3.5.5 above.)
 - b) Change the gender marker; and
 - c) Update the email address if it contains the old name.

The manager should plan to be on site with the employee the first day to make introductions, support the employee, ensure respectful and inclusive treatment.

4.5. Review

Ongoing reviews will be arranged every three months for the first year between the employee, line manager and the HR Department, to assess if there are any issues to be resolved, changes that need to be made etc.

5. List of Appendices

[Appendix 1 – Sample Transition Checklist](#)

[Appendix 2 – Helpful Contacts](#)

[Appendix 3 – Glossary of Terms](#)

Appendix 1 – Sample Transition Checklist

Sample Transition Checklist			
Detail and Tasks	Overview Details		Notes
Who needs to know initially?			Include HR contact and line manager. May also include relevant senior manager. Remember to get consent to share information in advance.
Planned date of transition:			
New name in full if known:			
	Responsible Person	Completion Date	
Communication with the individual's team, and members of other teams with whom they work closely. Consider the date of Announcement (see. Sec. 4.3)			Who will tell colleagues? Will the individual be present? When will this take place? Where will this take place? What information will be provided?
Communication with externals such as contractors, clients etc.			As above
Team training specific to their team member's transition.			To include a catch-up session if necessary
System and record changes, inclusive of HR, Finance, Security and Facilities system changes. (see Sec. 3.5.2)			
Name badges and business cards			
Desk / door name plates			
Social Media / Website considerations			
Involvement of external communication team / Media plan			
Date of follow up meetings with individual and transition team, i.e. their manager and HR representative.			
Update mailing lists etc.			
Date of 3 month follow up meeting			
Who will store this checklist and related information to ensure confidentiality is protected?			

Appendix 2 – Helpful Contacts

Helpful Contacts		
Name	Title	Contact
Elaine Timpson	LGBT Committee Chair	elaine.timpson@NTMA.ie
Jim Deery	LGBT Committee Member	Jdeery@NTMA.ie
Aideen Murphy	Inclusion and Diversity Manager	Aideen.Murphy@NTMA.ie
The NTMA Employee Assistance Programme	EAP	free-phone 1800 995 955 / email eap@vhics.ie
Transgender Equality Network Ireland	TENI	353 (0)1 873 3575 / email office@teni.ie

Appendix 3- Glossary of Terms

Gender identity

Gender identity refers to a person's innate, deeply felt psychological identification as male or female, which may or may not correspond to the person's body or designated sex at birth (meaning what sex was originally listed on a person's birth certificate). Gender identity is distinct from the term "sexual orientation". Trans people may identify as straight, gay, lesbian or bisexual.

Gender expression

Gender expression refers to the external behaviours that are socially defined as either masculine or feminine, such as dress, grooming, mannerisms, speech patterns and social interactions. Social or cultural norms can vary widely and some characteristics that may be accepted as masculine, feminine or neutral in one culture may not be assessed similarly in another.

Trans

Trans people are individuals whose gender identity and/or gender expression differs from the sex they were assigned at birth. Trans is an umbrella term that includes people of different gender identities and gender presentations and includes people who are transsexual, cross-dressers or otherwise gender non-conforming. Many trans people wish to live as a member of the gender with which they identify and this may involve changing names, hormone therapy or surgery. The process is referred to as 'transitioning' (see below). Not all trans people wish to transition. Some people do not identify as either male or female but see themselves as being on a gender spectrum between male and female and would consider themselves as being both.

Non-binary

Non-binary is an umbrella term for gender identities that fall outside the gender binary of male or female. This includes individuals whose gender identity is neither exclusively male nor female, a combination of male and female or between or beyond genders. Similar to the usage of transgender, people under the non-binary umbrella may describe

themselves using one or more of a wide variety of terms e.g. gender fluid, bigender and gender neutral.

Transitioning

Transitioning is a process through which some trans people begin to live as the gender with which they identify, rather than the one assigned at birth. Transitioning might include social, physical or legal changes such as coming out to family, friends, co-workers and others; changing one's appearance; changing one's name, pronoun and sex designation on legal documents (e.g. driving license or passport); and medical intervention (e.g. through hormones or surgery). A medical transition may include hormone therapy, sex reassignment surgery and/or other components and is generally conducted under medical supervision based on a set of standards developed by medical professionals.

Transsexual

A Transsexual person identifies as 'opposite' to the sex assigned to them at birth. The term connotes a polarised view of gender between female and male, moving from one polar identity to the other. The term 'transsexual' is contentious. Historically the term was used to describe a trans person who has had gender reassignment surgery. However, many trans people reject the term, given it can be incorrectly interpreted as focusing on sexuality or sexual behavior rather than "gender identity".

Crossdressers and transvestites

A transvestite or crossdressing person is someone who at times wears clothing, jewelry and/or make-up not traditionally or stereotypically associated with their assigned sex. There is generally no intention or desire to change their gender identity or assigned sex and has no relation to sexual orientation.

Intersex people

An intersex person is someone who was born with a condition where their reproductive or sexual anatomy doesn't fit the typical definitions of female or male. There are many different intersex conditions, and the issues faced by intersex people can be similar to those faced by trans people. However, there can be significant differences between the

experiences of trans people and intersex people (for example, an intersex person might undergo gender assignment surgery rather than reassignment). Many intersex people do not identify as trans.

Sexual orientation

“Sexual orientation” is the preferred term used when referring to an individual’s physical and/or emotional attraction to the same and/or opposite gender. “Heterosexual,” “bisexual” and “homosexual” are all sexual orientations. A person’s sexual orientation is distinct from a person’s gender identity and expression.

Transphobia

Transphobia is the fear, dislike or hatred of people who are trans, or are perceived to challenge gender ‘norms’ of male or female. Transphobia can result in individual and institutional discrimination, prejudice and violence. You do not have to be trans to suffer transphobia. Common examples are making derogatory comments about a man being ‘sissy’ or a woman being ‘butch’: the underlying premise is that there is a ‘normal’ way for men and women to look and behave, and that diverging from that is abnormal.