

Gender Transition Guidelines for Faculty, Students, and Staff Members

Purpose

This guideline sets forth recommendations to address the needs of transgender and gender non-binary faculty, students, and staff transitioning at NYU Langone Health, and clarifies the approach on how the law should be implemented in situations where questions may arise about how to protect the legal rights or safety of such faculty, student, and staff. This guideline does not anticipate every situation that might occur with respect to transgender or gender non-binary faculty, students, and staff, and the needs of each transgender or gender non-binary individual must be assessed on a case-by-case basis. In all cases, the goal is to ensure the physical and psychological safety and healthy development of transgender or gender non-binary faculty, students, and staff, while promoting the individual's success, inclusion, and retention and minimizing their marginalization, stigmatization, and exclusion.

Definitions

The definitions provided here are not intended to label faculty, students, or staff but rather to assist in understanding this guideline. Faculty, students, or staff may or may not use these terms to describe themselves.

Gender

The actual or perceived sex, gender identity, and gender expression including a person's actual or perceived gender-related self-image, appearance, behavior, expression, or other gender-related characteristic, regardless of the sex assigned to that person at birth.

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.

Gender expression

A person's characteristics and behaviors (such as appearance, dress, mannerisms, speech patterns, and social interactions) that may be perceived as masculine, feminine, or neither.

Chosen Name

The name a person chooses for others to call and refer to them as. Many transgender people are able to obtain a legal name change from a court. However, some transgender people cannot afford a legal name change or are not yet old enough to legally change their name. They should be afforded the same respect in verbal interactions for

their chosen name as anyone else who uses a name other than their birth name. Additionally, chosen name is also relevant from a cultural competency lens as people from various cultures may use a chosen name in verbal interactions that is different from their legal name.

Cisgender

A person whose gender identity aligns with those typically associated with the sex assigned to them at birth.

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. For example, a person whose sex assigned at birth was female but who identifies as male is a transgender man.

A person whose sex assigned at birth was male but who identifies as female is a transgender woman. Some people described by this definition do not 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 an employer’s nondiscrimination policies to apply to them.

Gender Non-Binary

This term describes people who have, or perceived to have, gender characteristics and/or behaviors that do not conform to traditional or societal expectations. Keep in mind that these expectations can vary across cultures and have changed over time. This person may not identify as either male or female.

Genderqueer is another term used by some with this range of identities.

Gender Non-Conforming

A term used to describe a person whose gender expression differs from gender stereotypes, norms, and expectations in a given culture or historical period. Terms associated with gender non-conformity include, but are not limited to, gender expansive, gender variant, or gender diverse.

Intersex

A term used to refer to a person whose sex characteristics (chromosomes, hormones, gonads, genitalia, etc.) do not conform with a binary construction of sex as either male or female. This term may not be the same as a person’s gender identity and is not the same as a person’s sexual orientation.

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 longer period of time, while for others it is a one- or two-step process that happens more quickly. Transition may include “coming out” (telling family, friends, and coworkers); changing one’s name and/or gender or sex on legal documents; changing one’s physical appearance to be complementary to their gender identity; and, for many transgender people, accessing medical treatment such as hormones and surgery.

Sexual orientation

A person's physical or emotional attraction to people of the same, neither or both, 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 (cisgender) people.

LGBTQ+

A common abbreviation that refers to the lesbian, gay, bisexual, transgender and queer or questioning individuals. While LGBTQ+ are the most commonly used letters in the acronym, there are many other identities and sexualities. LGBTQ+ operates as an umbrella term for the community. Other umbrella terms for the community are "queer" or "queer and trans."

EVERYONE HAS A . . .

- Sex Assigned at Birth
- Gender Identity
- Gender Expression
- Sexual Orientation

Privacy

Transgender and gender non-binary faculty, students, and staff have the right to discuss their gender identity or expression openly, or to keep that information private. The transgender or gender non-binary faculty, student, or staff gets to decide when, with whom, and how much to share their private information. Information about individual's transgender status (such as the sex they were assigned at birth) can constitute confidential medical information under privacy laws like HIPAA.

Management, coworkers, colleagues, and human resources staff should not disclose information that may reveal an individual's transgender status or gender non-binary presentation to others. The transgender and gender non-binary status of an individual is considered confidential and should only be disclosed on a need-to-know basis, and only with the consent of the specific individual. However, transitioning employees are encouraged to participate in the necessary education of their coworkers or colleagues at whatever level the transgender or gender non-binary individual is comfortable.

Official Records

Our organization will change an individual's official record to reflect a change in name or gender upon request from the faculty, student, or staff. Certain types of records, like those relating to payroll, compensation, and benefits accounts, will require a legal name change before the person's name can be officially changed in our records. For faculty, students, or staff with documentation of legal name change, they can go to the HR Portal, click on "My Information/Self-Service," and click on "Name Change." Faculty, students, and staff are able to change their legal name on NYU Langone Health HR systems with one of the following legal documents:

- Court Order

- Divorce Decree
- Driver's License/ID Card
- License/Certification
- Marriage License
- Passport
- Social Security Card

As quickly as possible, HR and Security Administration will make every effort to update ID badge photographs, so the transitioning faculty, student, or staff's gender identity and expression is represented in the gender identity and expression with which the faculty, student, or staff self-identifies. The ID photo change would be at no cost to the individual. For ID name and photo changes, the individual should reach out to HR Talent Acquisition, specifically Reina Mendez at Reina.Mendez@nyulangone.org.

If a transitioning faculty, student, or staff has questions about organizational records or ID documents, they should contact:

Human Resources - Employee and Labor Relations

Email: EmployeeRelations@nyulangone.org

If you would like to call, please call:

- NYU Langone Health: 212-404-3857
- LOH: 212-460-0138
- Brooklyn: 718-630-7280

Names and Gender Pronouns

Upon request, an individual has the right to be addressed by the chosen name and gender pronoun(s) with which the individual self-identifies. A court-ordered name or gender change is not required. The intentional or persistent refusal to respect an individual's gender identity (for example, intentionally referring to the faculty, student, or staff by a name or pronoun that does not correspond to the individual's gender identity) can constitute harassment and is a violation of NYU Langone Health Policy and the *New York City Human Rights Law*. If you are unsure what pronoun(s) a transitioning coworker or colleague uses, you may politely ask your specific coworker or colleague how they would like to be addressed.

Personal pronouns take the place of specific nouns that name people, places and things. These words can replace a name to avoid repetition and help ease the flow of sentences.

For example:

Gender Binary	she he	her him	hers his
Gender Neutral	they ze xe xe	them hir xir xem	their hirs zirs xyr

If someone chooses to tell you their pronouns, they are simply letting you know how you can refer to them without you having to make any assumptions. It is worth noting that the list of gender pronouns above is not an exhaustive list as there are other gender pronouns that an individual could use to self-identify.

Restroom Accessibility

Faculty, students, and staff shall have access to safe and appropriate restroom facilities that correspond to their gender identity, regardless of their sex assigned at birth. Any individual 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 faculty, student, or staff, however, shall be required to use such a restroom. Transgender women must be permitted to use the women’s restroom, and transgender men must be permitted to use the men’s restroom. If any individual does not want to share a multi-person restroom with a transgender coworker or colleague, they can make use of an all-gender single-stall restroom, if available. Every individual has the right to determine the most appropriate and safest restroom option for them, which may change over time.

Locker Room Accessibility

All faculty, students, and staff have the right to use the locker room that corresponds to their gender identity. Any individual who has a need or desire for increased privacy, regardless of the underlying reason, can be provided with a reasonable alternative changing area, such as the use of a private area, or using the locker room that corresponds to their gender identity.

Dress Codes

Faculty, students, and staff may follow dress code and grooming standards consistent with their gender identity, expression, and role within the organization. Please refer to policy 4.8 Dress Code, located in chapter 4, “Workplace Conduct,” found in “Human Resources Policies and Procedures.”

Discrimination and Harassment

It is illegal to discriminate or harass on the basis of gender identity and expression. Please refer to policy 4.5 “Avoiding Workplace Harassment and Discrimination,” located in Chapter 4, “Workplace Conduct” found in “Human Resources Policies and Procedures.”

Examples of violations include but are not limited to the following:

1. Failing to Use the Name or Pronouns with Which a Person Self-Identifies

- a. Intentional or repeated refusal to use a person’s name, pronouns, or title. For example, repeatedly calling a transgender woman “him” or “Mr.” after she has made clear that she uses she/her and Ms.
- b. Refusal to use a person’s name, pronouns, or title because they do not conform to gender stereotypes. For example, insisting on calling a non-binary person “Mr.” after they have requested to be called “Mx.”
- c. Conditioning a person’s use of their name on obtaining a court-ordered name change or providing identification in that name. For example, faculty, students, and staff may not refuse to call a transgender man who introduces himself as Manuel by that name because his identification lists his name as Maribel.
- d. Requiring a person to provide information about their medical history or proof of having undergone particular medical procedures in order to use their preferred name, pronouns, or title.

2. Refusing to Allow People to Utilize Single-Gender Facilities and Programs Most Closely Aligned with Their Gender based on How They Self-Identify

- a. Prohibiting a person from using a particular program or facility because they do not conform to gender stereotypes. For example, a women’s shelter may not turn away a transgender woman because she looks too masculine. Similarly, a men’s shelter cannot deny service to a transgender man because he does not look masculine enough.
- b. Prohibiting a transgender person from using the single-gender program or facility most closely aligned with their gender identity. For example, a public university cannot prohibit a transgender man from using the men’s restroom.
- c. Requiring a gender non-conforming person to provide identification or proof of their gender in order to access the appropriate single-gender program or facility.
- d. Barring a non-binary student from a single-gender after-school program out of concern that they will make other students uncomfortable.
- e. Forcing a transgender, non-binary, gender non-conforming, or intersex person to use a single-occupancy restroom instead of a shared restroom.

3. Gender Stereotyping

- a. Making unwelcome jokes about a person’s sexuality based on their nonconformity with gender norms.
- b. Overlooking a female employee for a promotion because her behavior does not conform to the employer’s notion of how a woman should behave at work.
- c. Enforcing a policy in which men may not wear jewelry or make-up at work.

4. Imposing Different Uniforms or Grooming Standards Based on Gender

- a. Maintaining grooming and appearance standards that apply differently to men or women or which have gender-based distinctions. For example, requiring different uniforms for men and women, or requiring that female bartenders wear makeup.
- b. Requiring employees of one gender to wear a uniform specific to that gender.
- c. Permitting only women to wear jewelry or requiring only men to have short hair. By contrast, requiring all servers, to always have long hair tied back in a ponytail or away from their face is not a violation unless it is applied unequally based on gender.
- d. Permitting cisgender women but not transgender women who are residents at a drug treatment facility to wear wigs and high heels.

5. Engaging in Retaliation

- a. Repeatedly assigning a person to work the least desirable shifts contrary to the normal practice of rotating those shifts equally among staff because the person made an internal complaint of discrimination.
- b. Demoting or firing a person because they have filed an internal complaint, a complaint with the New York City Human Rights Commission or filed their own case in civil court.
- c. Failing to grant accommodations for a person otherwise not required under the law but that are routinely provided by the employer because the person was interviewed as a witness in a coworker's case alleging discrimination.
- d. Refusing to advance a program participant to the next stage of the program despite their successful completion of the previous stage because the participant raised concerns about unequal treatment.

LGBTQ+ Friendly Workplace Experiences

Health Insurance & Benefits

You can access the InsideHealth HR portal to learn more about all the LGBTQ+ friendly benefits offered to eligible employees and students. After your hire date, log on to www.atnyulmc.org and click on "Benefits" for more details.

LGBTQ+ Health Awareness Week Events

The National Coalition for LGBT Health sponsors an annual National LGBT Health Awareness Week to promote LGBTQ+ health equity.

Annual NYU Langone Participation in NYC Pride March

NYU Langone faculty, students, and staff can participate in NYC's Pride March via NYU Langone's sponsorship.

LGBTQ+ Advisory Council

Our LGBTQ+ Advisory Council includes advocates from across the NYU Langone community. Council members are professionals who patients, faculty, students, and staff can turn to for support. They advocate for inclusive policies, create opportunities to build community, and lead educational efforts around LGBTQ+ health.

No Cost Counseling from CCA Employee / Student Assistance Services (EAP/SAP)

CCA helps NYU Langone employees, students, and their families maintain their emotional well-being. You can access these confidential services to help you deal with feelings and situations involving stress, anxiety, depression, relationship and family challenges, substance abuse disorders and much more. You can speak to a Master's or PhD-level counselor (24/7) as well as access valuable LGBTQ+ resources from the CCA website.

www.myccaonline.com

Company Code: NYULH

Toll-free Help Line: 800-833-8707

More LGBTQ+ Friendly Workplace Experiences, inclusive of benefits offerings, can be found on the HR Portal.

Transitioning at NYU Langone

Creating an optional transition plan can help smooth an individual's gender transition by reducing uncertainties and giving everyone involved a common roadmap to from which to work. It is important to remember that these are only suggestions. It is up to the faculty, student, or staff to decide how to move forward with their transition.

The following optional steps in an on-the-job and on-campus transition for a transgender or non- binary faculty, student, or staff at NYU Langone Health was created and vetted in a collaborative effort by Human Resources, transgender and non-binary employees, the Transgender and Non- Binary Patient and Family Advisory Council, the LGBTQ+ Patient Community Liaison Manager, and the LGBTQ+ Advisory Council. These proposed steps can be adapted to fit an individual person or department. Although not required but suggested, this transition plan document may be used as a supplemental tool for the purposes of planning a transition. The faculty, student, or staff member may contact the following stakeholders in order to receive assistance on transitioning at NYU Langone:

Human Resources - Employee and Labor Relations

Email: EmployeeRelations@nyulangone.org

If you would like to call, please call:

NYU Langone Health: 212-404-3857

LOH: 212-460-0138

Brooklyn: 718-630-7280

LGBTQ+ Patient Community Liaison Manager, Patient Experience

Kevin.Moore@nyulangone.org or 646-501-9927

Advance Preparation: Transition Plan

The following are optional recommendations to support transgender and gender non- binary faculty, students, and staff.

1. At the individual's discretion, the transgender faculty, student, or staff will meet with the transition team of their choice:
 - All faculty, students, and staff may reach out directly to HR Employee Relations and/or the LGBTQ+ Patient Community Liaison Manager.
 - In addition to the above and at the transgender or gender non-binary individual's discretion,
 - **PhD students, Graduate Assistants, and MD/PhD students** can request to include Dr. Naoko Tanese, Associate Dean for Biomedical Sciences, Director, Vilcek Institute of Graduate Biomedical Sciences, and Professor, Department of Microbiology. Dr. Tanese's email is Naoko.Tanese@nyulangone.org.
 - **MD and MD/PhD students** can request to include Dr. Linda Tewksbury, Associate Professor, Department of Pediatrics and Associate Dean for Student Affairs. Dr. Tewksbury's email is Linda.Tewksbury@nyulangone.org.
 - **Graduate Medical Education (GME) Physicians: Interns, Residents, and Fellows** can request to include Dr. Donna Phillips, Clinical Professor of Orthopedic Surgery & Pediatrics, Director of GME Quality and Safety, Assistant Residency Program Director, and Director of Orthopedic Resident Assessment. Dr. Phillips' email is Donna.Phillips@nyulangone.org.
 - **Post-Docs** can request to include Dr. Keith Micoli, Assistant Dean for Postdoctoral Affairs. Dr. Micoli's email is Keith.Micoli@nyulangone.org.
 - **Faculty** can request to include Dr. Joan Cangiarella, Associate Dean for Education, Faculty and Academic Affairs. Dr. Cangiarella's email is Joan.Cangiarella@nyulangone.org.
 - The faculty, student, or staff shares their gender identity and the various ways they intend to transition.
 - All members of this transition team should familiarize themselves with the organization's policies, guidelines, and any other relevant resources that provide educational information about transgender and gender non-binary matters.
 - The transition team is responsible in fostering a diverse, inclusive, and physically and psychologically safe environment for the transgender and non-binary individual in a way that promotes their integration, engagement, and success in the health system.
 - Consider any specific issues that need to be addressed sooner rather than later.
 - Whether there will be an educational workshop (a "Transgender 101") given to colleagues in the department where the transitioning faculty, student, or staff works and studies.
 - What changes will be made to records and systems, and when. For example:

- Legal Name change,
 - NYU Langone ID badge,
 - Outlook Email address,
 - Licensure (if applicable), etc.
- Gender-affirming benefits coverage.
 - How current policies against discrimination and benefits protect the faculty, student, or staff member.
 - How the dress code will be followed.
 - The expected plan for use of gender-specific facilities, such as restrooms and locker rooms.
 - Any time off required for medical treatment, if known.
2. Create the Transition Plan. Make sure it addresses all of the following areas:
- If the faculty, student, or staff chooses to make an official announcement, the faculty, student, or staff can advise management and the transition team how, and in what format, the person’s co-workers or colleagues should be made aware of the faculty, student, or staff member’s transition. It is up to the individual to decide if they would like to make some co-workers or colleagues aware of their transition on a one-on-one basis before it is officially announced, if there is a formal announcement.
 - The date when the transition will officially and formally occur, if the individual opts for a formal announcement. This means the date that the faculty, student, or staff will change their gender expression, name, and pronouns in the academic health system. The faculty, students, or staff member may choose to begin using the restroom and locker room associated with their gender identity on this date as well. The faculty, students, or staff member will know best when this should occur as they will be able to determine all relevant factors to be considered when choosing this date. It is worth noting that pronouns and use of restrooms and locker rooms may change over time depending on one’s gender identity and expression, and the transition team and department must accommodate for these changes.
 - Decide if any training will be given to co-workers or colleagues. This is at the discretion of the individual faculty, student, or staff member.

Additional Resources for Faculty, Students, Staff, and Departments

- [Human Rights Campaign – Explore Transgender](#)
- [NYU Langone LGBTQ+ Advisory Council](#)
- [NYU Langone Staff Handbook](#)
- [NYU Grossman School of Medicine Student Handbook](#)
- [Transgender Law Center](#)
- [University of California, San Francisco \(UCSF\), Transgender Center of Excellence](#)

Sources Used

- Chevron Transition Guidelines
- Ernst & Young Transition Guidelines
- Gay & Lesbian Equality Network, Workplace Gender Identity & Transition Guidelines
- GLAAD Reference Guide – Glossary of Terms - Transgender
- Human Rights Campaign Foundation, *Transgender Inclusion in the Workplace: A Toolkit for Employers*
- NASA Guidelines on Gender Transition
- New York City Commission on Human Rights, *Legal Enforcement Guidance on Discrimination on the Basis of Gender Identity or Expression: Local Law No. 3 (2002); N.Y.C. Admin. Code § 8-102(23)*
- NYU Langone Staff Handbook
- NYU LGBTQ+ Advisory Council
- Out & Equal Workplace Advocates, *Workplace Gender Identity & Transition Guidelines*
- Transgender Law Center, *Model Transgender Employment Policy: Negotiating for Inclusive Workplaces*

Guideline Written By

- Justin Fernando, Human Resources
- Derek Forte, Human Resources
- Diana Henkel, Infrastructure, Real Estate Development & Facilities
- Kevin Moore, Patient Experience

Appendix: Frequently Misused Terms

AVOID	USE INSTEAD
<p>"Deceptive," "Fooling," "Pretending," "Posing," "Trap," or "Masquerading"</p>	<p>Gender identity is an integral part of a person's identity. Do not characterize transgender people as "deceptive," as "fooling" or "trapping" others, or as "pretending" to be, "posing" or "masquerading" as a man or a woman. Such descriptions are inaccurate, defamatory and insulting. Instead, simply use the verb "to be." For example, if an individual named Sam self-identifies as a woman, instead of saying "Sam is pretending to be a woman," we should say "Sam is a woman" to affirm Sam's gender identity.</p>
<p>"Tranny," "She-Male," "He/She," "It," "Shim"</p>	<p>These words dehumanize transgender people and should not be used. Please note that while some transgender people may use "tranny" to describe themselves, others find it extremely offensive.</p> <p>We should also note that self-identifying as part of the LGBTQ+ community involves coming out, or revealing oneself to others. We should respect that LGBTQ+ individuals may not have come out to everyone, and it is not up to us to publicly announce their sexual orientation or gender identity.</p>
<p>"transgenders," "a transgender"</p>	<p><i>Transgender</i> should be used as an adjective, not as a noun. Do not say, "Tony is a transgender," or "The parade included many transgenders."</p> <p>Instead, say "transgender people" or "a transgender person," For example, "Tony is a transgender man," or "The parade included many transgender people."</p>

AVOID	USE INSTEAD
"transgendered"	<p>The adjective <i>transgender</i> should never have an extraneous "-ed" tacked onto the end. An "-ed" suffix adds unnecessary length to the word and can cause tense confusion and grammatical errors. It also brings transgender into alignment with lesbian, gay, bisexual, and queer. You would not say that Elton John is "gayed" or Ellen DeGeneres is "lesbianed," therefore you would not say Chaz Bono is "transgendered."</p> <p>Instead, use "transgender."</p>
"transgenderism"	<p>This is not a term commonly used by transgender people. This is a term used by anti-transgender groups to dehumanize transgender people and reduce who they are to "a condition."</p> <p>Instead, say "being transgender." Refer to <i>being transgender</i> instead, or refer to the <i>transgender community</i>. You can also refer to <i>the movement for transgender equality and acceptance</i>.</p>
"sex change," "preoperative," "postoperative"	<p>Referring to a "sex-change operation," or using terms such as "pre-operative" or "post-operative," inaccurately suggests that a person must have surgery in order to transition. Avoid overemphasizing surgery when discussing transgender people or the process of transition.</p> <p>Instead, say "transition" or "gender transition." In reference to any medical care that supports an individual's gender transition, we should say "gender affirming surgery" or "gender affirming procedure."</p>
"biologically male," "biologically female," "genetically male," "genetically female," "born a man," "born a woman"	<p>Problematic phrases like these are reductive and overly-simplify a very complex subject. A person's sex is determined by a number of factors - not simply genetics - and a person's biology does not "trump" a person's gender identity. Finally, people are born babies: they are not "born a man" or "born a woman."</p> <p>Instead, say "assigned male at birth," "assigned female at birth," "designated male at birth," or "designated female at birth." We can also say, for example, "Sam's sex assigned at birth is male."</p>
"passing" and "stealth"	<p>While some transgender people may use these terms among themselves, it is not appropriate to repeat them unless it's in a direct quote. The terms refer to a transgender person's ability to go through daily life without others making an assumption that they are transgender. However, the terms themselves are problematic because "passing" implies "passing as something you're not," while "stealth" connotes deceit. When transgender people are living as their authentic selves, and are not perceived as transgender by others, that does not make them deceptive or misleading.</p> <p>Instead, we should say "visibly transgender" or "not visibly transgender."</p>