Please take a moment to respond to the following question from Kelly Oliver at Dot Foods.

- What bathroom facilities and bathroom policies do you have in place, or plan to put in place, for your transgender employees? Please explain.

*Kelly Oliver, Dot Foods, January 4, 2017*

<table>
<thead>
<tr>
<th>COMPANY, CONTACT NAME</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abbvie</td>
<td>We have not made any modifications to our restrooms nor do we have policies in place for this. I would be very interested in finding out what other companies in the roundtable have done.</td>
</tr>
<tr>
<td>Jeannine Tayeh</td>
<td><a href="mailto:jeannine.tayeh@abbvie.com">jeannine.tayeh@abbvie.com</a></td>
</tr>
<tr>
<td>Bristol-Myers Squibb</td>
<td>Bristol-Myers Squibb currently follows the below OSHA guidance on transgender bathrooms. This was developed at the request of the National Center for Transgender Equality. The document states that companies are required by law to provide restrooms for employees. What OSHA recommends regarding transgender individuals is that they be allowed to utilize the restroom for the gender they identify with and live their lives. It’s recommend as a best practice to have a unisex bathroom available.</td>
</tr>
<tr>
<td>Linda Konrad</td>
<td><a href="mailto:linda.konrad@bms.com">linda.konrad@bms.com</a></td>
</tr>
<tr>
<td>Chubb</td>
<td>Our guidance for HR is as follows:</td>
</tr>
<tr>
<td>Julie Flores</td>
<td>Transgender employees will be permitted to use the facilities that correspond to their gender identity. However, if any employee requests to use single-occupancy or unisex facility they may do so if one is available.</td>
</tr>
<tr>
<td><a href="mailto:julieflores@chubb.com">julieflores@chubb.com</a></td>
<td></td>
</tr>
<tr>
<td>Eli Lilly and Company</td>
<td>I’m attaching our Transgender Employment Guidelines for your reference. There’s a section on bathroom use, etc. This is not yet a policy at Lilly, but we are working to revise to be more “policy-like” and globally focused. Let me know if you have any questions.</td>
</tr>
<tr>
<td>John Patton</td>
<td><a href="mailto:patton_john_d@lilly.com">patton_john_d@lilly.com</a></td>
</tr>
</tbody>
</table>

*(See pages 5-10 for attachment)*
<table>
<thead>
<tr>
<th>Company</th>
<th>Name</th>
<th>Email</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>FM Global</td>
<td>Mary Fox</td>
<td><a href="mailto:mary.fox@fmglobal.com">mary.fox@fmglobal.com</a></td>
<td>FM Global does not have anything in the works to address bathroom facilities for transgender employees; however this may come to the forefront sooner than later for us based on recent conversation with an HR manager. I would be grateful for responses you receive from this question.</td>
</tr>
<tr>
<td></td>
<td>Herman Miller</td>
<td></td>
<td>This is our policy related to use of restroom facilities and I’ve attached our entire guidelines regarding Gender Transition as well. Thank you.</td>
</tr>
<tr>
<td></td>
<td>Heather Brazee</td>
<td><a href="mailto:Heather_Brazee@hermanmiller.com">Heather_Brazee@hermanmiller.com</a></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dana Vandecoeverying</td>
<td><a href="mailto:dana.vandecoevering@intel.com">dana.vandecoevering@intel.com</a></td>
<td>Intel put the following policy in place: One multi-stall restroom at each campus in the U.S. is an All Gender Restroom. Intel’s current policy for the past several years is that anyone can use any restroom that corresponds to the gender with which they identify, regardless of their birth assigned gender.</td>
</tr>
<tr>
<td>John Deere</td>
<td>Gail Henderson</td>
<td><a href="mailto:HendersonGailW@johndeere.com">HendersonGailW@johndeere.com</a></td>
<td>Our employees use the restroom for the gender they identify with. We have put in some unisex restrooms in some of our locations available for anyone who would like to use them.</td>
</tr>
<tr>
<td>Johnson &amp; Johnson</td>
<td>Harriet Stein</td>
<td><a href="mailto:STEIN@its.jnj.com">STEIN@its.jnj.com</a></td>
<td>We don’t currently have a bathroom policy for transgender employees.</td>
</tr>
<tr>
<td>Kohl’s</td>
<td>Katie Wesner</td>
<td></td>
<td>We currently do not have a bathroom policy in place for transgender Associates and have not yet begun discussions on.</td>
</tr>
<tr>
<td>Company</td>
<td>Employee</td>
<td>Message</td>
<td></td>
</tr>
<tr>
<td>------------------</td>
<td>-------------------</td>
<td>------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:katie.wesner@kohls.com">katie.wesner@kohls.com</a></td>
<td></td>
<td>potential policies being implemented in the future. I am very interested in learning what other members are doing.</td>
<td></td>
</tr>
<tr>
<td>Marriott</td>
<td>Betsy Kiss</td>
<td>Hi Kelly – the restroom/locker language below is part of a larger document we have – Guidelines on Gender Identity in the Workplace:</td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:Betsy.Kiss@marriott.com">Betsy.Kiss@marriott.com</a></td>
<td>Permit the associate to use single-sex restrooms and locker rooms that correspond to his/her full-time gender identity or gender expression, regardless of his/her sex assigned at birth, anatomy, medical history, appearance or sex indicated on his/her identification. A transgender or gender non-conforming person should NOT be required to use a single occupancy restroom or locker room, although if they request to do so, the request should be granted if possible. Do not impose unreasonable restrictions on the associate’s use of restroom and locker room facilities, such as limiting the hours when a transgender or gender non-conforming person may use a single-sex restroom or locker room, or requiring the person to post a sign on the door indicating that a transgender or gender non-conforming person is using the facilities. Let me know if you have any questions.</td>
<td></td>
</tr>
<tr>
<td>Prudential</td>
<td>Maureen Corcoran</td>
<td>We do not have a formal written policy and do not have plans to create one. The expectation in our organizations is that individuals use the bathroom in line with the gender they present to the world. We have not had issues of concern raised around this to date resulting from the experience of bathroom users. Where we have individuals transitioning in organizations, there have sometimes been questions about what will be the expectation going forward or we have anticipated those questions. In those cases and as part of a general educational effort, we have deployed our BH consultants to offer information sessions and opportunities for discussion, all to good ends. We also reinforced our expectations of our employees around transgender issues and all issues related to gender, productive behavior and zero tolerance for discrimination by holding a Gender Continuum Symposium last year which was streamed to all employees.</td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:maureen.corcoran@prudential.com">maureen.corcoran@prudential.com</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sodexo</td>
<td>Jodi Davidson</td>
<td>At Sodexo we don’t have a specific policy, since our employees are mostly based at our client sites. That said, we have guidelines, checklists and training to address transgender inclusion. I pulled this language that you might find useful re: restrooms.</td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:Jodi.Davidson@sodexo.com">Jodi.Davidson@sodexo.com</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Travelers</strong></td>
<td><strong>Travelers policy states:</strong></td>
<td></td>
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</tr>
<tr>
<td>---------------</td>
<td>-----------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wendy Roy</td>
<td>A transgender individual has the right to use the restroom appropriate to their gender presentation. If gender-neutral (single occupant, locked facilities signed for both sexes) are available, a transitioning employee may decide to use them, but it is not a requirement. It is entirely up to them whether they choose to use a gender-neutral restroom. Long term, it is always best for the individual to use the bathroom appropriate to their gender presentation to make the transition easier and adapt into their new gender role. For locations without gender-neutral restrooms, the transitioning employee should be encouraged to use the restrooms appropriate to their gender presentation. Coworkers who have personal concerns about sharing a restroom with a transgender individual should be invited to have an honest discussion with an appropriate manager or HR Generalist. In the long run, coworkers uncomfortable with sharing a restroom with a transgender individual should be the ones asked to travel to a different work area or floor to use the facilities (do not ask the transgender person to go out of their way).</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| **University of Kentucky** | **We do not have a policy on transgender bathrooms, but do provide a website listing the single toilet, lockable restrooms on campus. You can see that page here >>** [https://www.uky.edu/lgbtq/inclusive-restrooms](https://www.uky.edu/lgbtq/inclusive-restrooms) |
| **Erika Chambers** | |
| **erikachambers@uky.edu** | |

| **Yale University** | **Yale University does not currently have a bathroom policy in place, nor are there any current plans to create one.** |
| **Susan Abramson** | |
| **susan.abramson@yale.edu** | To date, here at Yale, the Office of Diversity & Inclusion, the Office of LGBTQ Resources, and the Office of Facilities, are working collaboratively to create a gender neutral restroom in all Yale buildings. We are in the first phase of our process, which included an evaluation of all existing buildings, and a determination to convert existing Unisex restrooms into Gender Neutral Restrooms, ensuring that we are in adherence to all State of CT building codes. |
Eli Lilly and Company
Transgender Employment Guidelines

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Purpose:

Lilly does not discriminate in any way on the basis of sex, sexual orientation, gender identity, or gender expression. This guidance is designed to create a safe and productive workplace environment for all employees.

This guidance sets forth course(s) of action to address the needs of transgender and gender non-conforming employees and clarifies how applicable laws should be implemented in situations where questions may arise about how to protect the legal rights or safety of such employees. This guidance does not anticipate every situation that might occur with respect to transgender or gender non-conforming employees, and the needs of each transgender or gender non-conforming employee must be assessed on a case-by-case basis. In all cases, the goal is to ensure the safety, comfort, and healthy development of transgender or gender non-conforming employees while maximizing the employee’s workplace integration and minimizing stigmatization of the employee.

Definition of Terms

The definitions provided here are not intended to label employees but rather to assist in understanding this guidance and Lilly’s legal obligations. Employees may or may not use these terms to describe themselves.

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. Everyone has a gender identity.

Gender expression
An individual’s characteristics and behaviors (such as appearance, dress, mannerisms, speech patterns, and social interactions) that may be perceived as masculine or feminine.

Transgender
An umbrella term that can be used to describe people whose gender identify and/or expression is different from their sex assigned at birth.

- A person whose sex assigned at birth was female but who identifies as male is a transgender man (also known as female-to-male transgender person, or FTM).
- A person whose sex assigned at birth was male but who identifies as female is a transgender woman (also known as a male-to-female transgender person, or MTF).
- Some people described by this definition don’t 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 Lilly’s nondiscrimination policies to apply to them.

Gender non-conforming
This term describes people who have, or are 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 could also change over time.
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 long 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 the name and/or sex on legal documents; 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 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 people.

Transsexual
A transsexual person has changed, or is in the process of changing, his or her physical and/or legal gender (also known as sex) to conform to his or her internal sense of gender identity. The term can also be used to describe people who, without undergoing medical treatment, identify and live their lives full-time as a member of the gender opposite their birth sex.

LGBT
A common abbreviation that refers to the lesbian, gay, bisexual, and transgender community.

EVERYONE HAS A...
- Sex assigned at birth
- Gender identity
- Gender expression
- Sexual orientation

Privacy
Transgender employees have the right to discuss their gender identity or expression openly, or to keep that information private. The transgender employee gets to decide when, with whom, and how much to share their private information. 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.

Management, HR staff, or coworkers should not disclose information that may reveal an employee’s transgender status or gender non-conforming presentation to others. That kind of personal or confidential information may only be shared with the transgender employee’s consent and with coworkers who truly need to know to do their jobs.

Official Records
Lilly will change an employee’s official record to reflect a change in name or gender upon request from the employee. Certain types of records, like those relating to payroll and retirement accounts, may
require a **legal name change** before the person’s name can be changed. Most records, however, can be changed to reflect a person’s preferred name without proof of a legal name change.

A transgender employee has the right to be addressed by the name and pronoun corresponding to the employee’s gender identity. Official records will also be changed to reflect the employee’s new name and gender upon the employee’s request.

If a new or transitioning employee has questions about company records or ID documents, the employee should contact HR Direct ([hrdirect@lilly.com; 317/433-9000; 877-676-4745](mailto:hrdirect@lilly.com)).

### Names/Pronouns

An employee has the right to be addressed by the name and pronoun that correspond to the employee’s gender identity, upon request. A court-ordered name or gender change is not required. 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 this guidance. If you are unsure what pronoun a transitioning coworker might prefer, you can politely ask your coworker how they would like to be addressed.

### Transitioning on the Job

Below are a list of questions and answers related to workplace transition that should be helpful to employees, coworkers, and supervisors.

**Q:** Who is charged with helping a transitioning employee manage his/her workplace transition?

**A:** HR and/or **Global Diversity and Inclusion (GDIV)** staff will assist a transitioning employee with developing a communication plan for their supervisor and coworkers and any other workplace items the transitioning employee deems necessary during the process. **Lilly PRIDE** (People Respecting Individual Differences Equally), our LGBT employee resource group, can also offer support and guidance at the transitioning employee’s request.

**Q:** What can a transitioning employee expect from Lilly management?

**A:** Advocacy, encouragement, support, and attention to workplace needs.

**Q:** What are management’s expectations of....

**A:** **Staff and Transitioning Employees:** Normal standards of courtesy and consideration when interacting with other employees and people with whom the company has business dealings. Employees are expected to be sensitive to the concerns and values of others.

See **Conduct in the Workplace**.

**Employee Resource Group (PRIDE):** Advocacy, encouragement, support, and acting as a resource for transitioning employee, coworkers, and management as necessary.

**Q:** What’s the procedure for implementing transition-related workplace changes?

**A:** The transitioning employee should initiate communication with their:

- Immediate supervisor;
- HR Employee Relations Rep (contact **HR Direct** for the Employee Relations Rep assigned to your area); or a
- **GDIV Consultant**
**Restroom Accessibility**
Employees shall have access to the restroom 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 restroom, when available. No employee, however, 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. That is, transgender women must be permitted to use the women’s restroom, and transgender men must be permitted to use the men’s restroom. That decision should be left to the transgender employee to determine the most appropriate and safest option for them.

Some employees – transgender and non-transgender – may desire additional privacy. Where possible, Lilly will make available a single-stall restroom that can be used by any employee who has a need for increased privacy, regardless of the underlying reason. For example, if an employee does not want to share a multi-person restroom with a transgender coworker, they can make use of this kind of option, if available.

**Locker Room Accessibility**
All employees have the right to use the locker room that corresponds to their gender identity. Any employee who as 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 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.

**Dress Codes**
Lilly does not have dress codes that restrict employee’s clothing or appearance on the basis of gender. Transgender and gender non-conforming employees have the right to comply with company dress codes in a manner consistent with their gender identity or gender expression.

**Discrimination/Harassment**
It is unlawful and violates Lilly policy to discriminate in any way against an employee because of the employee’s actual or perceived gender identity. Additionally, it also is unlawful and contrary to this guidance to retaliate against any person objecting to, or supporting enforcement of legal protections against, gender identity discrimination in employment.

See [Equal Employment Opportunity](#) and [Conduct in the Workplace](#).
Resources
This guidance was adapted from Model Transgender Employment Policy, negotiating for inclusive workplaces. Transgender Law Center. http://translaw.wpengine.com/issues/employment/modelpolicy

External Links:
Human Rights Campaign www.hrc.org/workplace/transgender
Gender PAC www.genderpac.org
Gender Education & Advocacy www.gender.org
Out & Equal Workplace Advocates www.outandequal.org
Parents, Family & Friends of Lesbians and Gays www.pflag.org
Donna Rose - Transgender Consultant www.donnarose.com
Transgender at Work www.tgender.net/taw
National Center for Transgender Equality www.nctequality.org
Harry Benjamin International Gender Dysphoria Association www.hbigda.org
WPATH Standards of Care for Gender Identity Disorders http://wpath.org/Documents2/socv6.pdf
World Professional Association for Transgender Health http://www.wpath.org/
Indiana Transgender Rights Advocacy Alliance (INTRA) www.intraa.org/

Books:
“As Nature Made Him” by John Colapinto
“Wrapped in Blue - A Journey of Discovery” by Donna Rose
“Becoming a Visible Man” by Jamison Green
“My Husband Betty: Love, Sex, and Life with a Crossdresser” by Helen Boyd
“She’s Not the Man I Married: My Life with a Transgender Husband” by Helen Boyd
Herman Miller

Gender Transition Guidelines

Just as there are gay, lesbian and bisexual employees at Herman Miller, Inc. (HMI), there are also employees who are transgender. Some are out – i.e., open about their gender identity or expression and others may not be.

However, given that many transitioning employees must come out to their employers in order to live consistently with their gender identity full-time, employers necessarily become involved in an employee’s gender transition.

These gender transition guidelines were created to help foster dialogue and understanding of transgender issues in the workplace. They include recommendations for employees, Work Team Leaders and People Services on how to provide a welcoming and supportive environment for employees undergoing a gender transition while employed at HMI.

If you have questions concerning your rights or responsibilities as an employee or Work Team Leader, please contact People Services.

Introduction

HMI includes “gender identity” in its equal employment opportunity policies to clarify that discrimination against transgender individuals is prohibited. These guidelines are consistent with the policies mentioned above as well as our workplace philosophy that all employees should be treated fairly and with respect. Gender identity is included in the list of characteristics that are protected under the following HMI policies prohibiting discrimination: “EEO & Affirmative Action” and “Discrimination & Harassment.” An employee’s failure to comply with the above policies may result in disciplinary action up to and including termination of his or her employment.

Definitions:

Transgender

A broad range of people who experience and/or express their gender differently from what most people expect – either in terms of expressing a gender that does not match the sex listed on their original birth certificate (i.e., designated sex at birth), or physically changing their sex. It is an umbrella term that includes people who are transsexual, cross-dressers or otherwise gender non-conforming. Not all people who consider themselves (or who may be considered by others as) transgender will undergo a gender transition.

Gender identity

The term “gender identity” distinct from the term “sexual orientation,” refers to a person’s innate, deeply felt psychological identification as male or female, which may or may not correspond to a person’s body or designated sex at birth (meaning what sex was originally listed on a person’s birth certificate).

Gender-identity disorder/Gender dysphoria

GID is a psychological diagnosis recognized by the American Psychiatric Association. This disorder is marked by severe distress and discomfort caused by the conflict between one’s gender identity and one’s designated sex at birth. Not all transgender people experience gender dysphoria or are diagnosed with GID.

Gender expression

Gender expression refers to all of the external characteristics and behaviors 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 accessed similarly in another.

Transitioning

The term “transitioning” refers to the process through which a person modifies his or her physical characteristics and/or manner of gender expression to be consistent with his or her gender identity. This 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. The transition process typically includes a one-year “real-life experience” in which the individual lives and presents consistently with their gender identity under medical supervision.
Transsexual
A transsexual person has changed, or is in the process of changing his or her physical and/or legal sex to conform to his or her internal sense of gender identity. The term can also be used to describe people who, without undergoing medical treatment, identify and live their lives full-time as a member of the gender opposite their birth sex. Transsexuals transitioning from male to female are often referred to as “MTFs.” Similarly, female to male transsexuals are frequently called “FTMs.”

Cross-dresser
A cross-dresser wears the clothing and/or accoutrements, such as makeup and accessories that are considered by society to correspond to the “opposite sex.” Unlike transsexuals, cross-dressers typically do not seek to change their physical characteristics and/or manner of expression permanently or desire to live full-time as the opposite gender. (Cross-dressers are sometimes called “transvestites,” but that term is considered pejorative.)

Employees who cross-dress some of the time may fear discovery of their cross-dressing, even when on personal time, may lead to discrimination or harassment at work. While cross-dressing off-duty is not related to an employee’s job performance, a person who cross-dresses off-duty is still protected by our EEO policy prohibiting discrimination or harassment based on gender identity.

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.

Guidelines for Employees
If you are a transgender employee, you have the right to be who you are openly. This includes expressing your gender identity without fear or consequences.

Notification of Transition
An employee beginning the transition process should contact his or her Work Team Leader and/or People Services Consultant and be prepared to speak about his or her intentions, needs and concerns. Contact should be made by the employee well ahead of the employee’s planned transition date.

If the initial contact is made with People Services, it is important at some point that the employee’s immediate Work Team Leader becomes part of his or her support team.

Transitioning employees should be prepared to help educate their Work Team Leader, People Services Consultant and others in order to understand what their needs may be.

Internal and external resources to assist transitioning employees in this educational effort are listed at the end of this document.

Appearance Standards
Herman Miller, Inc. has the right to regulate employee appearance and behavior in the workplace for reasonable business purposes. A transsexual employee is permitted to dress consistently with his or her gender identity and is required to comply with the same standards of dress and appearance as apply to all other employees in their workplace and similar position.

The decision as to when and how to begin real-life experience remains the employee’s choice. Generally, the employee may dress in accordance with what is directed by the employee’s treating physician or psychological health care provider.

Customer Contact Employees: As with all employees, transsexual employees with customer contact responsibilities are held to the same appearance standards as other employees. Customer preference does not justify denying an employee the right to dress consistently with his or her gender identity.

Herman Miller, Inc.’s commitment to maintaining a positive work environment and to conducting business in a positive, respectful and professional manner will be communicated consistently through its employment related policies as well as its corporate Code of Conduct.

Restroom Access
Access issues related to restroom and other sex-segregated facilities (e.g. locker rooms) will be handled with sensitivity not only to Herman Miller, Inc.’s obligation to provide transitioning employees with the same level of facilities access available to other employees, but also to the responses of co-workers and the comfort of the employee. Transgender employees will be permitted to use the facilities that correspond to their gender identity. However, if available, usage of reasonable single-occupancy or unisex facilities may be considered for a temporary period during the employee’s transition process or on an ongoing basis.

**Health Benefits for Transsexual Employees**
Transsexual employees of Herman Miller, Inc. are eligible for benefits as described in the applicable benefit plan documents and policies. Please contact the benefits hotline with any questions or concerns.

**Right to Privacy**
Transsexual employees at Herman Miller, Inc. have the right to be who they are without unnecessary disclosure of medical information. In addition, current and prospective employees who encounter problems concerning identification documentation, such as payroll and insurance forms, should raise these concerns directly with People Services. Employee privacy in medical and other records may be protected by various federal and state laws as well as company policy.

**Guidelines for Work Team Leaders and People Services**
If an employee informs you of his or her intention to transition, or if an employee is currently in the transitioning process, your support is critical.

It may be frightening to an employee to make him or herself vulnerable to a person in their workplace to whom they are accountable. If you are not familiar with transsexuals, allow the employee to educate you, or seek information from the resources listed at the end of this document. Be open-minded and discuss with the employee his or her needs or concerns.

People Services will provide advice and assistance for supervisors working with a transitioning employee. Work Team Leaders should be careful of personal opinions regarding an employee’s professional appearance. If the employee dresses or behaves inappropriately, this issue should be dealt with in the same manner it would with any other employee. Contact People Services if you have any questions or concerns.

**Statement of Confidentiality**
The transgender status of an employee is considered confidential and should only be disclosed on a need to know basis, and otherwise, only with the consent of the employee. However, transitioning employees are encouraged to participate in the necessary education of their co-workers at whatever level they are comfortable.

**Initial Conversation**
Immediately reassure the employee that the company will be as supportive as reasonably possible. Assure the employee that he or she is covered by the existing policies outlined in the “Introduction” section of this document.

Make it clear to the employee that your conversation will be held in confidence only except when it needs to be shared on a need to know basis and inform the employee that you want to discuss how you and the company can assist him or her during their transition. Ask the employee for his or her suggestions on what you can do to help. If you are a work team leader and have questions on who “needs to know,” please contact your People Services Consultant.

Confirm who will be the company’s main point of contact (Work Team Leader or People Services Consultant) to manage the transition and schedule a meeting with the employee to discuss and agree upon an action plan to assist the employee in his or her transition. Action steps may include the following:

If the initial conversation is with People Services, ask the employee if he or she wishes to inform their Work Team Leader, co-workers and clients themselves or prefers that this be done for them. Then determine the best timing for that process. If the initial conversation is with the Work Team Leader, work with People Services to ensure you have the necessary support moving forward.

Ask the employee if he or she expects to change his or her name. If yes, ask what name and pronoun the employee will use and when the employee will want you to begin referring to him or her using the new name and/or pronoun.
Discuss the expected timeline and anticipated time off required for medical treatment, if known. Explain that normal leave policies will apply and the employee will need to follow time off and approval processes that are in place for other medical leaves.

Discuss and agree upon the procedure for adhering to the Company’s dress code and agree upon the timing in which the employee will begin his or her transition work. This will probably be the point at which the individual begins to present consistently with his or her gender identity including change of name, pronouns, dress, grooming appearance and restroom use.

Provide the employee with the available resources outlined in the “Resources” section of this document. Ask him or her to inform you of anything else you can do to be of assistance.

**Addressing Concerns of Co-workers and Clients**

A lack of knowledge about transgender issues has the potential for creating misunderstanding and tension in the workplace. During this process you may need to remind all employees that they are expected to conduct themselves in accordance with company policies.

In addition, determine if it will be helpful to have an initial work team meeting at which the employee’s Work Team Leader announces the transition, with the assistance of People Services, and/or determine if training or briefing sessions for employees on transgender issues would be a reasonable step. Establishing some level or comfort as to what the transition is and why it is happening is important for preventing future misunderstandings or issues.

Employees who raise concerns about a transgender co-worker should be provided Herman Miller’s EEO & Affirmative Action, Discrimination & Harassment and Diversity policies. They should be informed that they are expected to work cooperatively with co-workers regardless of their gender identity and that failure to do so could result in disciplinary action up to and including termination of their employment.

If employees raise concerns regarding the appearance of a transsexual co-worker after reviewing HMI’s policies or if they are curious about the change in appearance, the WTL or People Services Consultant may meet with the employee(s) individually to address their questions.

If employees have concerns with a transsexual co-worker’s usage of the restroom or other sex-segregated facility after reviewing HMI’s policies, the employees with the concern may be permitted to use a different or single occupancy facility, if such facilities exist at that work location.

**Pronoun and Name Changes**

Employee records and work-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 individual makes a legal change.

Where a person’s legal name does not match his or her new name, the new name should be used on all documentation, such as e-mail, phone directory, company identification card or access badge, name plate, etc. except where records must match the legal name such as on payroll and insurance documents.

In everyday written and oral speech, the new name and pronouns should be used when the employee is ready.

Note on pronouns: If a co-worker is transitioning and you are not certain which pronouns to use, it is appropriate to respectfully ask him or her name and which pronouns you should use. In general, it can be perceived as insensitive to refer to someone by the wrong pronouns once you have established which set of pronouns he or she prefers. Again, transitioning employees should be prepared to help educate their coworkers.

**HMI Resources for Employees and WTLs**

- People Services Consultant
- Employee Health Services
- Employee Assistance Program (EAP)
- LGBT (“here”) Inclusiveness and Diversity Team
- Inclusiveness Resource Team
External Resources for Employees and Managers

- Human Rights Campaign Foundation
- Transgender at Work
- National Center for Transgender Equality
- Out & Equal Workplace Advocates
- Harry Benjamin Gender Dysphoria Association