

GENDER AFFIRMATION/TRANSITION IN THE WORKPLACE PROCEDURE

SCOPE

This procedure applies to all staff members and associates of Monash University ('us', 'our' or 'we').

Staff members and associates include all staff, contractors, agents, adjuncts, official visitors and other individuals performing services/work for and on behalf of Monash or who are engaged in activities reasonably connected with Monash are herein collectively referred to as 'you'.

PROCEDURE STATEMENT

We are committed to creating a safe inclusive and respectful environment for all members of our community. We recognise and celebrate the rich diversity of our staff at Monash, including our lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) staff. We use the acronym LGBTIQ to be inclusive as possible and acknowledge that other variations of this acronym exist and are also valid.

It is against the law to discriminate against an individual based on their gender identity. Under the Equal Opportunity Act 2010, a person's gender identity and their lawful right to live free from discrimination on the basis of that identity, extends to their self-identification with a gender other than their assigned gender. It may (or may not) include their adoption of gender characteristics or lifestyle culturally ascribed to another group, including personal presentation. It may (or may not) include interventions to alter physical characteristics.

This procedure outlines the process and support available to you when seeking to affirm or transition your gender. The gender affirmation or transition process is different for everyone but it may involve you changing your name, title, appearance, dress, use of pronouns and other aspects of yourself to align with your affirmed gender.

1. Supporting transgender and gender diverse staff

- 1.1 We encourage a culture that is supportive of transgender and gender diverse staff.
- 1.2 We recognise that you may identify differently to the gender you were ascribed at birth and support you to affirm your gender identity in a fair, respectful and inclusive workplace, free from discrimination and harassment.
- 1.3 All members of our community are expected to treat each other with honesty, fairness, mutual respect and demonstrate integrity in everything they do. Decisions and behaviours must support the [Ethics Statement Policy](#), [Equal Opportunity Policy](#) and our other policies and procedures.

2. Planning your gender affirmation or transition

- 2.1 There is no legal requirement for you to inform your supervisor or anyone else in the workplace of your intention to affirm or transition. If you choose to disclose your intention to affirm or transition your gender and would like to discuss a gender affirmation or transition plan, you can do so with assistance from:
 - your supervisor; or
 - your [HR Business Partner](#); or
 - [Staff Equity and Diversity](#), Monash HR.
- 2.2 The aim of a gender affirmation or transition plan is to:
 - articulate the administrative and practical steps associated with the process of your affirmation or transition;
 - ensure you are treated with respect and dignity; and
 - ensure the workplace remains free from unacceptable behaviors.
- 2.3 A workplace affirmation or transition plan may include (but is not limited to):
 - identifying those individuals who need to know about your affirmation or transition;
 - timelines for transitioning or transitioning milestones (if applicable);
 - what workplace flexibility or leave may be available to you (if applicable);
 - name and pronoun use; and

- how and if this will be communicated to immediate colleagues, and where relevant, to the wider University community.

2.4 Supervisors who have been advised by a staff of their intention to affirm or transition their gender should take all appropriate action to provide a safe and supportive environment for the individual and can contact Staff Equity and Diversity, Monash HR for advice.

3. Changing your personal details

3.1 You may wish to update your personal details with us as part of your gender affirmation or transition. You may change the following details during your employment by completing an [Employee Personal Details](#) form (unless specified otherwise in the table below).

3.2 Changing your name and/or gender with us may create some unexpected consequences with records of Government and other agencies (i.e. Australian Taxation Office, Centrelink) not matching with our records. You should carefully consider and understand these potential consequences prior to making a change. It is your responsibility to communicate changes to your personal details with these organisations. Refer to the [Australian Government Guidelines on the Recognition of Sex and Gender](#) for more information.

Personal Details	Process details	Evidence Required
Title	Changes can be made at any time without evidence to an alternative title of either <i>Mrs / Ms / Miss / Mr</i> or the non-binary title <i>Mx</i> .	No
Preferred name	A preferred first name is a name that you commonly use that is different from your legal given name. Your preferred name can be changed at any time without evidence.	No
Given name	Your 'legal given name' can be amended once you have changed your name via the appropriate legal channels. Please provide a certified copy of your legal documents detailing your change of name along with an Employee Personal Details form. Note: Find out about changing your name and changing your gender in Victoria.	Yes
Gender	Your gender can be amended, including if you identify as a non-binary gender, on your personal record by completing an Employee Personal Details form and providing any one of the following as sufficient evidence: <ul style="list-style-type: none"> • a statutory declaration which states your affirmed gender; • a signed statement from a registered medical practitioner or a registered psychologist attesting to your request; • a certified copy of a valid travel document, such as a valid passport, which specifies your gender; • a certified copy of an amended State or Territory birth certificate, which specifies your preferred gender. A <i>State or Territory Gender Recognition Certificate</i> or recognised details certificate showing a state or territory <i>Registrar of Births, Deaths and Marriages</i> has accepted a change in sex will also be seen as sufficient evidence; or • If you were born outside of Australia, a certified copy of an amended birth certificate from your country of origin and its translation into English (if required). 	Yes
Email	Provided your personal details have been updated with Monash HR, your email address can be updated by submitting a request to the Service Desk Online .	No
Phone display and MIDS	Provided your personal details have been updated with Monash HR, your telephone display name and MIDS directory can be updated submitting a request to the Service Desk Online .	No

4. Leave and working arrangements

- 4.1 You may require leave or some flexibility during your affirmation or transition for surgery, medical appointments, counselling or other related purposes.
- 4.2 You or your supervisor are encouraged to contact your [HR Business Partner](#) for advice on leave entitlements, flexible working arrangements and types of documentation that may be necessary to support these requests.

5. Gender expression

- 5.1 We recognise that gender expression is a significant element of gender affirmation. We support you to present yourself consistent with your gender identity, including those who identify as non-binary. This includes dressing in a way that aligns with your gender identity while remaining appropriate to your working environment. You are required to continue to comply with the occupational health and safety requirements and standards of dress applicable in your work unit.

6. Use of facilities

- 6.1 We support you to use facilities that align with your gender identity and/or make you feel safe. In addition to binary gendered men's and women's toilets, [all-gender facilities](#) are available to people of all gender identities and expressions.

7. Experiencing and reporting unacceptable behaviour

- 7.1 We are committed to creating a safe, inclusive and respectful environment for all members of our community. Our [Behaviours in the Workplace procedure](#) outlines the professional behaviours that are not acceptable within our workplace.
- 7.2 You are entitled to a workplace free from unacceptable or unlawful behaviour, including harassment, bullying and discrimination regarding your sexual orientation, gender identity or intersex status.
- 7.3 Examples of unacceptable and/or unlawful behaviour in relation to your gender identity may include (but are not limited to):
- deliberately disclosing your sexual orientation, gender identity or intersex status (with intent to 'out') without your permission;
 - deliberately using incorrect names or pronouns (such as 'he' instead of 'she');
 - denying you training and promotion opportunities because of your gender identity or changing the nature of your job, such as taking you away from customer service duties because of your gender identity; and
 - ridiculing or ignoring you because of your gender identity.
- 7.4 If you have experienced or observed unacceptable behaviour, we encourage you to take action.
- 7.5 Tell someone and let others help. Your safety and attention to your immediate needs is paramount. Expert help, advice and support is available to assist you with your decisions. You may seek support, advice, referrals or report unacceptable behaviour based on your need at the time.

Contact	Need/Purpose
Manager, Ethical Conduct (ethical.conduct.queries@monash.edu or 03 9902 4945)	For advice regarding unacceptable behaviours, and referrals to approved University services.
Safer Community Unit (+61 3 990 51599 or safercommunity@monash.edu)	For reporting and investigating of concerning and threatening behaviours, and referrals to services within and outside the University.
SARAH (safety and risk hub for incident reporting)	Online system for reporting unacceptable behaviours and hazards for escalation to the Manager, Ethical Conduct for resolution (including investigation).
Campus Security (+61 3 9905 3333 or ext 333 from a Monash phone)	Where swift attendance is required on campus.
Emergency Services (Dial 000 for immediate assistance)	In emergency situations.

- 7.6 We will not tolerate unacceptable behaviour and any such report is managed under the [Resolution of unacceptable behaviour procedure](#) and/or under the relevant [Enterprise Agreement](#) or contract terms. A breach may lead to an outcome such as termination of employment/contract.

8. Privacy

- 8.1 We value the privacy of your personal information, including health information and are committed to the protection of your personal information. If you are concerned your personal information has not been handled by us in accordance with the [Data Protection and Privacy procedure](#), please contact a [Privacy Coordinator](#) within your faculty or division.

9. Breach of Procedure

- 9.1 We treat any breach of our policies or procedures seriously. We encourage reporting of concerns about non-compliance and manage compliance in accordance with the applicable Enterprise Agreement or contract terms.

10. Support and further information

- 10.1 Support options available to you include (but are not limited to):

Internal support services

Service	Details	Contact details
Staff Equity and Diversity	Provide advice regarding gender affirmation and transition, including policy and procedure in the workplace	staff-equity@monash.edu 03 990 29915
Employee Assistance Program	Free, confidential, professional counselling for you and your family from our Employee Assistance Program. 24 hours per day, seven days per week.	1300 360 364 or from overseas +61 2 8295 2292
Ally Network	Monash staff who are allies to the lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) community at Monash. Members of the Ally Network take a proactive stance against discrimination based on sexual orientation, gender identity and intersex status.	ally@monash.edu .
Manager, Ethical Conduct Monash HR	For advice regarding unacceptable behaviours, and referrals to approved University services.	ethical.conduct.queries@monash.edu ; 03 990 24945

In addition, you can refer to the [Mental Health Procedure](#) for further guidance and information on the support available.

External support services

Program	Details
Pride in Diversity	Is a national not-for-profit employer support program for LGBTI workplace inclusion specialising in HR, organisational change and workplace diversity. Monash University is a member of Pride in Diversity and they can work with Monash HR to support staff affirming or transitioning their gender in the workplace. Pride in Diversity publishes the Australian Workplace Equality Index (AWEI), Australia's national benchmarking instrument for LGBTI workplace inclusion from which Top Employers for LGBTI people is determined.
Transgender Victoria	An organisation working with and for the transgender and gender diverse (TGD) community as well as its allies to create positive change in areas that impact the human rights of TGD people. Transgender Victoria represents the TGD community in challenging discrimination and assists to empower TGD people so that they may lead full and meaningful lives.

DEFINITIONS

Affirmed gender	The gender to which one identifies, which may or may not match the individual's assigned gender at birth.
Assigned gender	The gender ascribed to a child at birth based on their biological sex.
Gender	A sociological construct defining the collection of characteristics that are culturally associated with maleness or femaleness (not to be confused with sex).
Gender affirmation	An interpersonal, interactive process whereby a person receives social recognition and support for their gender identity and expression
Gender diverse	A range of gender identities that sit outside social expectations
Gender expression	Refers to the way in which a person communicates their gender within a given cultural context; for example, in terms of clothing, grooming, mannerisms and behaviour.
Gender identity	Refers to one's concept of self as male, female, a blend of both or neither - how individuals perceive and describe themselves.
Gender transition	Describes both a public act and a process. It involves the permanent and public adoption of the style and presentation of the gender different to that of a person's birth assigned sex. It usually includes a change of name, chosen style of address and pronouns as well as adopting the dress and style of a person's innate gender. Transition might also include medical intervention such as hormones and/or surgery, many people do not want or cannot access these interventions.
LGBTIQ	An acronym for lesbian, gay, bisexual, trans, intersex and queer; these letters may appear in any order and variations on the acronym exist.
Mx or Mixter	Is a gender neutral title.
Non-binary gender identity	Describes a gender identity outside the binary of male and female.
Outing	Disclosure of an LGBTIQ person's sexual orientation, gender identity or intersex status without their consent.
Trans/Transgender	A broad term for people whose gender identity is different from those typically associated with the sex they were assigned at birth; transgender people may identify as female, male, both or neither.

GOVERNANCE

Parent policy	Equal opportunity
Supporting Schedules	
Associated procedures	<ul style="list-style-type: none"> • Behaviours in the workplace • Data Protection and Privacy • Resolution of unacceptable behaviour • Mental Health <p>Procedure forms</p> <ul style="list-style-type: none"> • Employee Personal Details and Service Desk Online
Legislation mandating compliance	<p>Federal Legislation</p> <ul style="list-style-type: none"> • Fair Work Act (2009) (Commonwealth) • Sex Discrimination Act (1982) (Commonwealth) <p>State Legislation</p> <ul style="list-style-type: none"> • Equal Opportunity Act (2010) (Victoria) • Charter of Human Rights and Responsibilities Act (2006) (Victoria) • Occupational Health and Safety Act (2004) (Victoria) • Privacy and Data Protection Act (2014) (Victoria)

Category	Operational
Approval	Chief Human Resources Officer as delegate of the Chief Operating Officer - 21 May 2018
Endorsement	Director, Workplace Relations - 21 May 2018
Procedure owner	Director, Talent, Equity & Development
Date effective	5 October 2018
Review date	21 May 2021
Version	3.1 (<i>administrative amendments effective on 14 January 2021</i>)
Content enquiries	ask.monash or phone Monash HR on (03) 990 20400