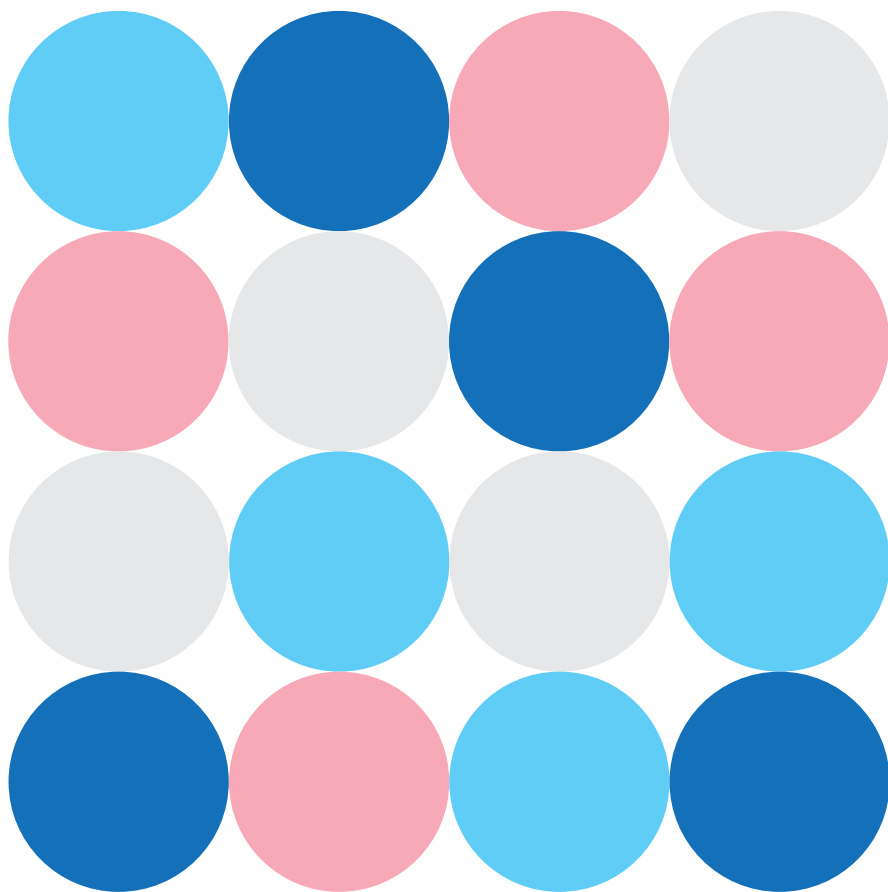


Workers in Transition

A practical guide for union representatives



Unifor is committed to representing all our members and creating safer and fairer workplaces for 2SLGBTQIA+ union members.

We're proud of the work we do to confront homophobia, transphobia, and all forms of hate in workplaces and beyond.

unifor.org/pride



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Introduction

The activism and leadership of trans workers, both Unifor members and members of the wider labour movement, have led to a significant evolution in trans rights at work in Canada.

All workers have a right to a safe and respectful workplace, free from discrimination.

Inequities among 2SLGBTQIA+ communities are exacerbated when other identity factors and determinants of health—such as age, race, ethnic origin, income and access to health care—intersect with gender identity and sexual orientation.

Purpose

This guide is designed for trade union leaders, union staff representatives, local executive, committee members and shop stewards so that the rights of trans members are secured and maintained.

Workers in Transition refers to the period when a union member comes out as trans on the job.

Transitioning can involve changes to the member's outward appearance, pronouns, name change, hormone therapy, voice therapy and sometimes surgery.

Union representatives play a vital role in supporting members through this process and fostering a workplace culture where everyone is respected.



Terminology

Trans people are people whose gender identity does not match the sex assigned to them at birth. For example, a person whose original birth certificate indicates the male sex but who is a woman. She might use she/her pronouns and the term trans woman or trans femme to describe herself.


Transitioning (socially and/or medically) can involve changes to the member's pronouns, name, and outward appearance which can include different styles of clothing or hair. Additionally, a member might elect to use hormone therapy, attend voice therapy and/or undergo surgery.

About **1 in 5 trans people** do not identify as male or female, or even as primarily masculine or feminine.

Currently, the umbrella term usually used to describe someone who is outside of the binary idea of gender is **nonbinary**. Using the term nonbinary, like trans, is determined by the individual. Some people also use the terms genderfluid, genderqueer, agender, or bigender to describe themselves. People may identify as both male and female, neither male nor female, or as something else entirely (e.g. as another traditional gender recognized by Indigenous or other cultural groups).

It is important to note that trans is a colonial western term, and many Indigenous cultures on Turtle Island have various relationships to gender outside of this lens.

Although trans people might experience similar discriminatory practices, it is crucial to recognize that not all **Two-Spirit people** identify as trans, and not all trans people identify as Two-Spirit. For example, many trans women do not identify as Two-Spirit.



Trans women, in particular, face disproportionate levels of violence from the public, family, and community. Additionally, there is a misconception that all Two-Spirit people are gay, which is not accurate. The experiences and identities of Two-Spirit people are varied and deeply connected to their specific cultural contexts.

The Union's Role


Sex and gender can be complex topics to learn about, but as union representatives, we must not shy away from the challenge.

On trans rights, our union's guiding principles apply. Unifor is fully committed to equity and inclusion.

We believe in everyone's right to dignity on the job.

Unifor's goals for members include:

- To create and preserve a safe environment free of discrimination and harassment.
- To ensure equality regardless of race, sex, age, creed, colour, marital status, sexual orientation, gender identity, disability, religion, political affiliation, or place of origin.
- To ensure that our union reflects the diversity of our members and communities.
- To provide opportunities for education and development so that our members build awareness and analysis, and get more involved in the union and their communities.



Unions have a legal and moral responsibility to defend all members. Unifor has a moral responsibility to advance the human rights of all workers. That relies on more than putting up a poster or sharing a statement. This involves working actively to support trans members.

The discrimination faced by marginalized workers must be addressed in the workplace.

Union representatives are staunch defenders of workers' rights. Trans members deserve respect and support of their peers, including a commitment to maintain strict confidentiality through the transition process.


Transition

Transitioning is the process of changing one's gender to agree with one's sense of gender. Transition can be sudden or gradual. Trans identities can emerge, or someone can choose to present them at any age.

By the time a worker is ready to discuss their transition with their employer and union, they have spent considerable time thinking it through and preparing. The worker is coming to you because they are looking for support.

Many people focus solely on the biological aspects of transition but expressing one's gender identity through clothing, styles, mannerisms, name, or pronoun is a monumental shift.

Once someone shares their plan to transition, we should respond by respecting their human dignity so that their gender identity or expression is fully recognized.



Some trans people opt to medically transition. This is a deeply personal decision, affected by one's own choices, availability of medical coverage by province, personal medical history, and other factors.

A member's decisions around medical and social transition are their own. As a union representative you should be knowledgeable about the supports available through your contract and benefits and be able to share these. The member may not be knowledgeable about their access to these services.

For more detailed information about social and medical transition, see Aspects of Transition on page 38 of this guide.


The Timing of Union Support

Often the workplace is the last place trans people feel safe enough to express their gender and socially transition knowing that the financial, emotional, and personal safety risk can be high. They may have undergone a social transition for quite some time, outside of the workplace.

As union representatives, we should aim to always improve our support for 2SLGBTQIA+ members, so that members know that their union representative is a safe person to speak with.

A critical time to support a worker in transition is at the very beginning stages of their transition in the workplace, when the worker takes their first steps in expressing their gender, potentially changing their name, or informing union members or co-workers about their plans.

One of the common mistakes made by management and unions is assuming that the transition does not happen "until the surgery happens and is complete." This is based on a deep, societal misunderstanding of gender identity.



As soon as a worker outlines their intention to transition, they need workplace support. It is at this point that a conversation between the member, union and employer should take place. This guide provides suggestions and examples of the types of issues and supports that should be discussed.

The Union's role is to support the trans worker and ensure that the employer meets its legal obligations.

Employers and unions cannot delay action. We must lead by example.


Employer's Obligation

Employers have an obligation to provide a safe workplace that is free from discrimination and harassment. This obligation extends to trans workers who are transitioning.

In many cases, our collective agreements will include general provisions related to discrimination and harassment. These provisions might reference protections for gender identity, gender expression, sex, and sexual orientation. In some cases, collective agreements may provide specific protections or guidelines for employers when trans people are transitioning in the workplace.

See the Collective Agreement Language and Bargaining Demands section on page 34 for more details on suggested collective agreement language.

The development of a transition plan that centres the transitioning worker is one way that an employer can respond to its obligation to provide a safe workplace.



Working together to implement the transition plan can lead to a more inclusive workplace that values the contributions of trans workers.

The transition plan should also contribute to creating a harassment-free workplace that promotes respect, inclusion, and health and safety.

The creation of a transition plan is discussed in detail in the next section.

Why is this work important?

The reality is that trans workers face disproportionate levels of discrimination in the workplace. According to a 2024 research study by Egale, 72% of trans, Two-Spirit and nonbinary people surveyed reported experiencing workplace discrimination and almost half reported quitting their job due to not feeling accepted.

Source: Rodomor, N., Irving, D., & Jakubiec, B. (2024). *Working for Change*. Egale Canada. egale.ca/awareness/wfc



Transitioning at Work:

The Transition Plan

Workplaces are complex and the experience of a worker who is transitioning is unique. When a member would like to move forward with this form of support, it is recommended that the union, employer, and worker engage collaboratively on the development of a transition plan. A member may come to you before they are interested in transitioning at work to determine what supports are available and we provide those on their timeline—there is no ‘set’ timeline. Each trans person’s situation will vary, and a transition plan is one tool that can support and empower a transitioning member. A member’s needs may change over time, and they may ask for amendments to their transition plan.

The transition plan should be developed to set out the unique process and specific requirements that the employer, union, and worker agree to. It may reference rights contained within the Collective Agreement but will be more specific and more detailed. At a minimum, a transition plan should lay out objectives, timing for informing co-workers, changes to identification and documentation, washroom/change room facilities, anti-harassment planning, and medical leave (where required).

The following pages cover topics and issues that should be considered when developing the transition plan. Not all the topics and content may be relevant for all workplaces.

What happens if the employer refuses to engage in the process?

The development of a transition plan is a way for the employer to work with the union to collaboratively respond to the unique needs of a worker who is transitioning in the workplace.

Most collective agreements will not currently require the employer to engage in this process, but by doing so the employer can meet broader health and safety obligations.



If the union **encounters resistance** to the development of a transition plan, work with the member and consider the following:

1 Engage in a discussion with the employer. Ask why they are resistant.

Identify areas or issues that the employer is willing to work together on. While the idea of developing a transition plan might be overwhelming, try to reach an agreement on some priority areas, for example, modifications to the uniform policy or workplace education. What's important is that the worker is supported.

Document the discussions with the employer, including any actions that the employer has agreed to take.

Remind the employer that developing a transition plan is not about bargaining 'special rights' for trans people. Trans workers, like all workers, are entitled to a safe and healthy work environment and accommodations where required. However, in the case of trans workers, measures do need to be proactively taken to ensure that basic rights are protected.

2 Identify what the union can do.

Even without the collaboration of the employer, the union can still support a worker who is transitioning in the workplace. For example, the union can share information and resources with its members, respect the worker's new name, pronouns, and gender expression/presentation, and ensure workplaces are safe and inclusive.

3 Consider filing a grievance.

The failure to develop a transition guide may not in itself be cause to file a grievance, but a particular action or inaction that impacts the transitioning employee may be grieved. For example, in this guide we discuss the need to provide an employee with access to a uniform that affirms their identity and access to a washroom that is safe for them to use. Filing a grievance describing the employer's refusal to provide basic needs may be one way to resolve these issues.



The Transition Plan

Part One: The Process

Agreeing to a Process

The key to a successful transition process involves trans workers leading the process with employers and union representatives sharing information and available support.

Therefore, the transition plan needs to be flexible. You may begin supporting someone who is unsure of all the steps they will take, and that is to be expected.

Every transition is different and as a result there is no set timeline.


The transition plan may have to be amended as the process develops, timelines may shift and the way the workplace responds may necessitate changes. Privacy and confidentiality throughout the process must be respected.

Trans workers have the right to privacy and that includes during the development and implementation of a transition plan. Unnecessary disclosure of information related to a member's transition or medical status should be avoided.

Referring to a person's identity to others, without their explicit permission, is outing them and is a breach of their privacy (e.g., do not tell people they are about to meet a trans person).

Always use the worker's correct pronouns. Their pronouns may change as they transition.

"Need to know" refers to those directly involved in the administration of a process, for example, a medical officer, or the person who authorizes payments into the pension plan.



It does not refer to co-workers, clients, or line managers, and breaches of confidentiality should be treated very seriously, as would any other gossip about a personal medical or social situation. “Outing” is a form of harassment that puts the worker’s physical and emotional safety at risk.

Things to Consider

The following list of things should be considered when developing the plan:

- Whether the worker wants to stay in their current job or be transferred;
- The expected point or phase of change of name, personal details, and social gender (this, rather than physical changes, will be what prompts the initiation of the transition plan);
- The potential timeline of any medical and surgical procedures, including any time off requirements;
- Whether or not the worker wants to inform their supervisors, co-workers (clients/patients/customers) about their transition, and if so, do they want to do so themselves, or have this done by the union/management;
- What amendments need to be made to records and systems (and the timing for this);
- Whether a trans worker is adequately covered by existing policies on issues like confidentiality, harassment, and insurance, and if not, how these will be amended;
- Whether training or briefing of co-workers/clients/patients will be necessary, and at what point and by whom this will be done; and
- How to report any harassment, hostile reactions, or unwanted interest.

Part Two: What to Include in the Plan

Statement of Objectives

A transition plan should begin by clearly laying out the goals of all parties (the worker, the employer, the union).

For example:

- That the worker will remain at their current job in their current location;
- That the union, co-workers, and the employer will ensure that the worker continues to maintain all the same rights with respect to privacy, safety, code of conduct, etc., in the workplace;
- That the union deals with any harassment quickly and decisively on the request of the worker;
- That, at their request, the worker will be accommodated in another comparable position in the workplace if re-integration into the current work site fails;
- That the worker and the union will ensure that the worker is accommodated with respect to medical leave, proper and appropriate washroom/change room facilities, documentation/identification changes, and benefit coverage; and
- That together the worker, the union and the employer will work to resolve any issues that arise through transition.



Commitment to Privacy and Confidentiality

Key Contacts

A transition plan should lay out who the key union and management contacts for the worker will be. These individuals will take a proactive role in ensuring a smooth transition and troubleshoot any potential workplace conflict/harassment.

Support Person


The worker may opt to include a support person in the process. Take time to understand the worker's intention for that support person and understand that their role may change over time.

For example, a worker may intend to have a support person attend meetings but may not want the person to have access to other personal information. In another example, the support person may contribute more actively throughout the process.

When appropriate, the support person's contact information should be included as part of the key contacts.

Who Needs to Know?

A transition plan will include when, how, and if a worker plans to communicate their updated name and pronouns to their co-workers/supervisors/clients/customers.



Not all workers in the workplace need to be notified of a worker's transition. Some workers prefer to tell their co-workers themselves (sometimes one-on-one, in a small group setting or through an email); some prefer to have management, or the union let people know.

How Much Information Should Be Provided?

Just like any other worker's personal accommodation requests, grievances, or medical information, nobody in the workplace is entitled to any details about their transition.

Asking personal questions is not only inappropriate but may be considered a form of harassment.

During a worker's transition it may be useful to have additional educational materials on hand so that co-workers can take time to educate themselves. There may be opportunities for the employer and union to support this work so that the individual worker is not made to feel responsible for educating everyone.

Timing

It's common for some trans people to take a short leave from work and return with a new name and gender (for example, following a vacation). Basic information may be provided to co-workers a few days before the worker returns so that co-workers have some time to adjust. What is shared should be discussed with the worker.

If the worker is returning to work in a new location, there is likely no need to inform any co-workers or managers that the worker is transitioning; sharing personal information is up to the worker. The key contacts should stay in touch with the worker to ensure that no problems are encountered.



Names and Pronouns


Consistently use the worker's identified name and pronoun(s) in ways they have requested. A worker's identified name and identified pronoun(s) should be used in all communication with a limited exception where records need to match a person's legal name (for example for insurance purposes).

The employer will change the worker's personnel records (such as insurance and pension documents, payroll, and licenses) to reflect a change in legal name or legal sex designation upon receipt of legal documentation that such changes have been made.

Changes to Workplace Documents

At the worker's request all workplace records within the employer's control should be updated to reflect the worker's name and gender. There are a number of places in a workplace where a worker's name, pronouns and gender marker may be stored. The following are common places:

- Seniority lists;
- Personnel records;
- Name tag;
- Email address, email signature, electronic contact directory;
- Phone display and directory;
- Identification cards or badges;
- Door or desk name plate; and
- Online accounts and website.



Some documents and systems may be within the sole control of the employer while others may not.

Documents and systems that are within the sole control of the employer should be changed immediately. The employer cannot demand that other pieces of identification (e.g., government ID) be changed first. Once records have been changed, the original documentation which references the trans person's previous name and gender should be destroyed.


Documents and systems that are outside the sole control of the employer (e.g., group health benefits, pension records, licenses, trade certificates) may take additional time to update. The employer, union or worker can review the procedures for those outside organizations to determine when and how to amend the worker's records. In some cases, the third party will require legal name change documentation prior to changing the worker's records.

In a limited number of circumstances where an original document must be maintained, such as in the case of a letter of appointment or records related to discipline, it is recommended that a cover note be affixed to the record referring to the worker's new name and gender.

Washrooms

Like everyone else, trans workers need to use washroom facilities with safety and dignity. It is the employer's responsibility to provide safe washroom facilities to the worker. The transitioning worker has the right to use the washroom of their gender, whether they have sought or completed surgeries.

Start by reviewing the washroom facilities that are available in the workplace and then develop a plan with the worker.



The plan should identify when the worker will begin using the washroom of their social gender, so that the employer is prepared to support the worker in transition, and to deal with any concerns from other workers.

The worker may prefer to access a single-use washroom, either on a temporary or permanent basis. The employer must accommodate this request. Where necessary, details on accessing the single-use washroom can also be included in the plan. If these facilities are further from the worker's work area, break times may have to be adjusted.


Employers and the union need to make it clear to all workers that trans workers have the right to use the facilities that correspond with their gender identity, and that they expect everyone's cooperation. Review opportunities to install new signage in washrooms to remind co-workers that people can choose the washroom that is appropriate for them.

Requirement to provide access to menstrual products in federally regulated workplaces.

Beginning on December 15, 2023, federally regulated workplaces are required to provide menstrual products in the workplace to employees who need them. If appropriate, ensure that the employer understands its obligations and is meeting the requirement to provide pads and tampons to all employees who need them. This includes having sanitary products free and accessible in all washrooms.

Change Rooms

As with washroom facilities, the employer is required to ensure the transitioning worker has access to a safe change room facility.



Where change rooms do not have separate privacy stalls, an accommodation should be made (for example, access to a single-use facility, or a re-design of existing facilities). The accommodation requires the cooperation of the employer, the union, co-workers, and the transitioning worker.

Uniforms and Dress Codes

A worker in transition must be permitted to dress consistently with their gender identity and is simply required to comply with the same standards of dress/appearance as any other worker.


The decision on when and how to begin dressing according to gender identity is made by the worker, preferably with notice given to the employer and union to ensure that the worker is protected from any negativity that could arise.

If uniforms are worn in the workplace, and if uniforms are gendered (i.e. there is a men's uniform and a women's uniform), then the worker should be provided with choice of which uniform to wear. The uniform should fit appropriately or be tailored to fit.

Practical details, such as who pays for uniforms, should be dealt with in accordance with the negotiated collective agreement language or existing policy that deals with new uniforms in similar issues (e.g. during pregnancy). As a general rule, uniform policies should give all workers real choices that make them feel comfortable (gender neutral, and appropriate in fit).

Benefits and Additional Medical Expense Coverage

Trans workers face many of the same healthcare needs as the workforce at large, and their needs should be treated in exactly the same way as any other medical requirement. Transition-related health care needs are not cosmetic.



Transitioning workers may require medical coverage for some or all of the following: hormone replacement therapy (HRT), wigs, breast prosthesis and bras for prosthesis, binders, silicone/saline implants, electrolysis/laser hair removal, voice training, counselling/psychologists, and gender-affirming surgeries (e.g. bottom or top surgery, breast augmentation or reduction, cartilage shave, etc.).

Some benefit plans may already explicitly provide coverage for gender affirming care. For example, since 2021, GreenShield Canada has included gender affirmation benefits within its group benefits plans (subject to certain conditions and an overall lifetime maximum). Note that this coverage may still only cover a small portion of the out-of-pocket costs for the transitioning individual.

In other cases, a benefit plan may provide some of the coverage listed above but may not explicitly provide the coverage for workers who are transitioning. For example, hormone therapy, wigs and breast prosthesis may already be covered for cancer survivors. There should be no discrimination in access to these benefits and local unions can work with employers to ensure trans workers are able to access the same benefits as others in the workplace.

The transition plan should document what benefits are available to the worker. This may include health benefits through an employer group benefits plan, benefits (including time off) outlined in the collective agreement, and benefits available through an employee assistance plan.

Local unions should **negotiate benefit coverage for medical transition with employers**, and at the same time continue to call for its inclusion in provincial health plans.



Anti-Harassment Plan

Harassment is a significant concern of trans workers. Hostile reaction from management, co-workers and clients threatens a worker's emotional, psychological, and physical safety. Trans people face isolation, inappropriate/intrusive comments and questions, verbal, and physical abuse. All of this is harassment.

All workers are entitled to expect that their dignity and safety remain intact at work. Employers are legally responsible for providing a harassment-free workplace, protecting workers from harassment from supervisors, co-workers, clients, and the public.

The stress of transitioning is compounded exponentially by workplace harassment and discrimination.

Does the workplace already have an anti-harassment policy? Work with the employer to review the existing policy and procedures to ensure they include gender identity and gender expression as prohibited grounds of harassment. Workplace anti-harassment training for both management and workers should include issues of harassment based on gender identity and gender expression to reinforce the workplace policy.

If the workplace doesn't have a policy, then ensure the transition plan includes a commitment to creating a safer workplace, including steps that the employer will take to train and educate management and workers. The implementation of a robust policy may be a longer-term goal but shouldn't get in the way of ensuring appropriate supports for the worker in the current situation.



Let's be clear—trans people face real danger, and their perception of this danger can be debilitating.

It is critical that the union and management take this seriously and be pro-active in support of the worker in transition. This requires checking in with the worker at regular intervals and making it clear to all workers and supervisors that neither the union nor the employer will tolerate any harassment.

Interacting With Co-workers, Clients/Public

The employer and the union need to send a strong message to management, workers, clients, and the public that they will not tolerate harassment, and that they value the contributions of all workers, including trans workers.

A transition guide can reinforce the employer's approach to workers who raise concerns about working with a trans co-worker or supervisor. In these circumstances, the employer should provide information about the workplace non-discrimination and anti-harassment policies.

They should be informed that they are required to work cooperatively with all workers, regardless of gender identity (or race, or sex, or religion, or disability, etc.), and if they fail to do so the anti-harassment policy will take effect. **Discomfort is not a legitimate rationale for harassment.**

Employers will sometimes try to move transitioning workers away from their usual job working with the public. Transitioning workers have a right to remain in their regular job. Decisions in human rights cases make it clear that customer preference cannot be used to support discriminatory practices.



On the Job


All parties should work together so that the worker can remain at the worksite in their present job. However, if the re-integration of the worker back into their work unit is too difficult from the worker's point of view, then the employer, the union and the worker need to negotiate an alternative arrangement.

This would include but not be limited to positions elsewhere within the company, with preference to remaining in the same job classification. The employer and the union should monitor the work environment through contact with the worker to ensure that the alternative plan is successful. Where an alternative involves seniority, the same approach to any other accommodation issue should be used.

Guidelines for Union and Management Representatives

Your support is critical. You can maintain this worker's privacy, protect their dignity, ensure their safety, and demand the same of others. Your actions will have an impact on the outcome of the transition.

While it may be that friends and co-workers sometimes make mistakes and use the wrong pronoun, or the worker's old name, it is critical that the trans person understand—through the language of those surrounding them—that they are being supported in the most courageous and necessary act of their lives.



If you know, or learn, that someone has transitioned in the past, you have no right to disclose this to anyone or to ask the individual worker about it. Do not ask their “old name,” or use it, this is called **deadnaming**.

If at some point you have questions concerning someone’s physical/personal appearance or expression as they transition, keep it to yourself or reach out to the union’s Human Rights and Equity Department to learn more.

Be compassionate—they are likely displaying more courage than most of us ever will in a lifetime.

If you make a mistake, apologize, move on, and do not do it again.




Check List for Supporting Workers in Transition

Initial Support

- ☐ Acknowledge how difficult the decision to talk to you must have been.
- ☐ Reassure them that you will maintain confidentiality. Do so.
- ☐ Let them know you're there to help, and that you need their suggestions on what will be most helpful.
- ☐ Ask them when/if they want to tell their manager/supervisor/HR person, or if they want you to, or if they want you there as support.

Support when Developing a Transition Plan

- ☐ Talk to them about the timing for this process.
- ☐ Ask them if they expect to change their name. If yes, learn their name and ask them when they want you to begin referring to them by their new name and/or pronoun.
- ☐ Ask if they anticipate needing time off for any medical procedures, and if they can give an indication of when and for how long it might be. Make sure they know that normal sick leave provisions will apply.
- ☐ Offer to go over the benefit plan with them if they need information about coverage.

- 
- ☐ If there's a uniform policy or dress code, talk with them about how and when they want to handle it.
 - ☐ Ask about their needs regarding washrooms and change rooms, and ensure they know they have your support in using the facilities consistent with their gender identity.
 - ☐ Let them know that you will work to ensure they can continue doing their current job if that is their wish. However, be prepared to discuss alternative work shifts, locations, etc., if the worker wants to move to a new area and start 'fresh' at some point during transition.
 - ☐ Talk with them about any ideas they might have about a general workplace anti-harassment education plan.

Follow-up and Ongoing Support

- ☐ Check-in regularly.
- ☐ Continue to uphold confidentiality.
- ☐ Follow up on anything you have agreed to do. Check-in on future plans before taking any action, recognizing that plans may change.
- ☐ Be aware of how co-workers, supervisors and other members of management are treating the transitioning worker. Keep an eye out for potential workplace harassment issues.




If You're Transitioning on the Job

The decision to transition on the job takes courage. Your union is there to protect your dignity and safety. Your union reps may not know everything they need to know about transition, but they do know how to represent workers who need support.

If you experience discrimination from a local union representative, contact another union representative, committee member (e.g. Human Rights and Equity, Women's), or national union staff representative to get the support that you need.

You will decide how you want to involve the employer and union in your transition, the following considerations may be relevant:

- Meet with management and union rep/advocate/committee person who you feel comfortable with to begin the process. You may choose to meet with only the union at first. If you want, bring a support person or friend;
- Explain that you need a transition plan;
- Outline your plans and how you want to see your transition evolve in the workplace;
- Be as clear as you can be about your planned timelines and let folks know that this may change;
- Outline your concerns and share your needs;
- Let them know what action you expect from them, and outline what kind of support would be most helpful to you;

- 
- This guide covers a range of actions, including proactive communications, assistance obtaining a new uniform or accessing washroom or change room facilities;
 - Settle on a contact person from management and the union;
 - Talk together about options if you encounter difficulties in your current job/location;
 - Go over any benefits/leave of absence questions you have;
 - You do not need to answer any intimate personal questions. Let people know if they cross the line; and
 - Reinforce your right to privacy and confidentiality.

As you transition:

- Immediately identify any harassment you are experiencing. It is critical that management and the union intervene before it snowballs;
- If washroom or change room facilities are inadequate bring this to the attention of your key contacts. Let them know specifically what the problem is and how you want it remedied;
- Continue to provide valid/current medical certification as per the requirements of the Collective Agreement, prior to return to work after sick leave period, etc.;
- Try to keep your focus on the job. Work out a strategy with your key contacts for getting some relief if things get difficult during the first few weeks; and
- Expect respect. Your courage and dignity will be a model for others.



Trans Rights and the Law


The law is clear: It is illegal to discriminate against trans people.

Unions, including Unifor, joined a call to have gender identity and gender expression included as prohibited grounds in the human rights acts federally, provincially, and territorially and in federal hate crimes legislation, to acknowledge discrimination and violence faced by the trans community.

The **Canadian Charter of Rights and Freedoms** protects against discrimination on the basis of gender identity and expression.

Federal and provincial human rights legislation protects trans people on the basis of gender identity. Discrimination based on gender expression is also specifically prohibited within human rights legislation in every jurisdiction in Canada except for Saskatchewan.

For example, with the adoption of Bill C-16 in 2017, “gender identity or expression” are now included within the list of identifiable characteristics that are protected from discrimination in the *Canadian Human Rights Act*.



The Criminal Code also provides protection against hate speech, the incitement of hate and the advocating of genocide when those acts target “gender identity or expression” among other identified groups.

Recent court decisions continue to demonstrate trans rights are human rights and trans people are protected against discrimination and harassment.

For example, in the 2021 BC Human Rights Tribunal Decision of *Nelson v Goodberry Restaurant Group Ltd. dba Buono Osteria and others* (2021 BCHRT 137) the Tribunal affirmed the importance of respecting a worker’s pronouns and gender identity and stated that an ongoing failure to respect a worker’s pronouns and gender identity could amount to discrimination.

In the case, the Tribunal found the employer did discriminate against the worker.

These legal protections provide the framework for our union to assert that employers have an obligation to protect trans people from discrimination and harassment in the workplace, including in the context of a worker transitioning in the workplace.



Employer Obligations

Employers:

- Are not permitted to discriminate on the basis of gender identity or expression in hiring, training, or promoting trans workers;
- Cannot fire trans workers because they transition or come out (i.e. let people know that they are trans);
- Must provide access to appropriate washroom and change room facilities;
- Must provide uniforms and/or dress codes that accommodate a worker going through transition;
- Must uphold privacy, confidentiality, and dignity of the worker;
- Need to cooperate and change records for pension coverage, medical and health plans, EI, CPP etc., to reflect trans workers' gender identity;
- Cannot deny access to private health care benefits to trans workers that are available to other members with other medical needs (i.e. if wigs are covered for cancer patients, then they should be covered for trans people who require them, also for medical reasons);
- Should consult and collaborate with union representatives; and
- Have the primary, legal responsibility to accommodate a worker up to the point of undue hardship.



Union Obligations

Unions:

- Have a duty to represent all union members fairly;
- Work with the worker and the employer where an accommodation is required;
- Defend workers whose rights are threatened or ignored;
- Operate in a manner that is free from discrimination and harassment;
- Have a responsibility to enforce the employer's obligation to prevent harassment in the workplace and to defend workers who are subject to harassment;
- Respect privacy and confidentiality of members; and
- Provide (and ensure the employer provides) education about equity issues, anti-harassment, and the duty to accommodate.

Worker Obligations

Workers:

- Should communicate with the union and the employer;
- May need to supply job-relevant medical information; and
- Should be cooperative and assist in identifying and implementing an appropriate accommodation, if required.




Collective Agreement Language and Bargaining Demands

Clear collective agreement language will provide the best protection for workers transitioning on the job. Negotiating language on trans workers also allows the union to educate our members before anyone transitions at work and helps prepare a more open and accepting workplace.

General Transition Policy

The Union and Employer agree to the following general transition policy to cover trans workers at work.

- The Employer and the Union will make every effort to protect the privacy and safety of transitioning workers throughout their transition and into the future;
- Upon request by a worker, the Employer will update all of the worker's records and directories to reflect the worker's name and gender change, and ensure that all workplace-related documents are also amended. This may include name tags, employee IDs, email addresses, organizational charts, health care coverage and schedules. No records of the worker's previous name, sex marker, or transition will be maintained, unless required by law. Where required by law, a cover letter will be affixed to the document indicating the worker's updated name;

- 
- The Employer will provide safe washrooms and change room facilities to trans workers. The Employer and the Union recognize that a transitioning worker has the right to use the washroom of their choosing;
 - Health care benefit coverage for transition-related costs, and medical leaves of absence for transitioning workers, will be provided/accommodated on the same terms as any other medical cost or leave;
 - [Insert any other policies applicable to transitioning workers in the workplace—e.g. roles with gender-based assignments or restrictions, dress codes, requirement for new uniform or clothing]; and
 - Upon notification by a worker wishing to transition, or at the request of the union, the Employer and the Union will engage collaboratively with the worker to develop a transition plan. The plan may include a communications protocol, a review of anti-harassment and discrimination policies and necessary workplace changes (i.e. uniforms, washroom access and health benefits).

Updating Existing Collective Agreement Language

The following are examples of topics and language that might already be included within your collective agreement. Take a moment during bargaining to consider whether the language should be updated to be inclusive to trans workers.



Non-discrimination and Anti-Harassment

Many collective agreements already include a commitment to no discrimination and no harassment in the workplace.

Where the article includes reference to specific prohibited grounds, ensure “Gender Identity” and “Gender Expression” are included.

Uniforms and Dress Code

Ideally, uniform and dress code language should be gender neutral and allow a worker access to a uniform that they are comfortable wearing.

Workplace Facilities

The employer should provide access to safe washroom and change room facilities for all workers. The Employer and the Union recognizes that a transitioning worker has the right to use the washroom of their choosing.

Gender neutral washroom facilities should be available in your workplace. In some workplaces these may already exist as accessible washrooms but access may be restricted. In other workplaces, introducing gender neutral washrooms may be more challenging but language could be included that commits the employer to using best efforts to provide such facilities and updating wayfinding signs or include them within new construction or renovation projects.



Inclusive Health Benefits

The employer will put in place a group benefit plan with coverage for the costs of gender reaffirming surgeries not covered by provincial health plans.

In addition, the employer will include coverage for any transition-related expenses, not already covered under the benefit plan.

For example, this can include:

- Hormone replacement therapy (HRT);
- Wigs;
- Breast prosthesis and bras for prosthesis;
- Binders;
- Silicone/saline implants;
- Electrolysis/laser hair removal;
- Voice training;
- Counselling/psychologists; and
- Gender-affirming surgeries (e.g. bottom or top surgery, breast augmentation or reduction, cartilage shave, etc.).

Transition Leave

Language could be negotiated that provides a period of medical leave (to be determined) when an employee is undergoing gender affirming surgeries. The leave could be conditional on the worker providing a medical note or certificate from their doctor confirming the medical procedures and need to recover.



Aspects of Transition

As discussed already, there are many parts to a person's transition. This guide discusses the aspects of transition within the workplace. Below we have identified other aspects of transition that a person may be involved in.

These aspects of transition can take place at different times, concurrently, or not at all. How a person chooses to engage in different aspects of their transition will be up to them.

In all cases, it's necessary to recognize that a worker who is transitioning in the workplace may also be considering how to navigate transition in other parts of their life and to approach this with compassion and empathy.

Social Aspects of Transition

Social aspects of transition relate to how a person transitions in their life and could include the way they interact with friends and family, with their healthcare providers, and within other parts of society (i.e. sports, education etc.).

Social transition can include some, all, or none of the steps below. Aspects of social transition are often the first steps a trans or non-binary person will take when transitioning.

Social transition may involve changes to social relationships, legal identity, and/or physical expression—all of which can occur without any medical intervention.



Some of these steps can include:

- Coming out to spouses, partners, children, family, co-workers, classmates, and fellow community members;
- Adopting an updated name and pronouns in some or in all relationships;
- Changing legal documents to reflect an updated name, gender marker and pronouns;
- Changing the way you look in public, either all the time or some of the time; and
- Changing your uniform in the workplace.

Medical Aspects of Transition

The medical aspects of transition will vary based on the person's own transition and are deeply personal. Rather than provide a summary or overview of these aspects it is sufficient to affirm that medical procedures are private. You do not need to inquire about or seek confirmation of any medical procedure.

Transphobia, bullying, harassment, and discrimination can also have an impact on a person's wellbeing and mental health. As discussed in this guide, the union can play a role in confronting these forms of oppression while also supporting the individual worker.

The union has prepared additional resources including the Mental Health Matters booklet, compiled by Unifor's Health, Safety and Environment Department and the Mental Health Matters (AMHM1) Area Course by Unifor's Education Department.

Learn more and explore these resources at **unifor.org**.



Trans Rights Beyond the Workplace

It is illegal to discriminate against trans people in Canada, and yet trans people experience systemic oppression and frequent acts of discrimination. Derogatory comments, refusal of medical care, denial of services, verbal and physical harassment, and violent assault are all examples of the kinds of discrimination encountered by trans people.

Research centering on trans people in Ontario has found that:

- Trans people are the targets of specifically directed violence;
- **20 per cent** had been physically or sexually assaulted for being trans;
- Another **34 per cent** had been verbally threatened or harassed but not assaulted;
- Many did not report these assaults to police; and
- **24 per cent** reported having been harassed by police.

Transphobia and anti-trans discrimination lead to barriers in employment, education, housing, and medical care.

Many trans people cannot access educational transcripts or employment references with their correct name or pronoun. Many are still declined for hiring or even fired for being trans.



Unions can lead in creating harassment free workplaces.

Medical discrimination includes the denial of medical treatment—even for care unrelated to gender identity; mistreatment by providers; lack of access to ongoing, routine medical care; and limited coverage for medical procedures required for transitioning.

Further, a 2017 study estimated that about **17.2 per cent of trans Ontarians did not have a regular family physician.**

Unions play an important role in helping to shape public opinion, in lobbying governments and in working with social justice groups. There is always more to be done in the fight for equity and inclusion for all.



Community Engagement

Unifor and locals across the country are proud to support a number of community events that take place to advance and defend trans rights. As a local union, consider researching what activities are taking place in your community and consider how you can engage your union and workplace. That might include reaching out to local organizers to offer support, promoting events to members, and sharing space or equipment.

Three annual events are mentioned below but there may be other events in your own community.

Trans Day of Visibility

March 31

Trans Day of Visibility (TDOV) is dedicated to celebrating trans people. The day was first recognized partly in response to the solemn nature of the Trans Day of Remembrance (TDOR) and the need to also create space to uplift and celebrate trans people and trans communities.

In many communities, Trans Day of Visibility is marked with local events, social media materials that locals can also share, and statements to raise awareness and educate the community.

Unions have long recognized the day, and it is increasingly recognized by governments, employers, and other organizations.

Additional resources are available at **Egale.ca**.



Transgender Awareness Week

November 13 to 19

In the lead-up to the Transgender Day of Remembrance, this week is an opportunity to reflect, educate and organize.

Transgender Day of Remembrance

November 20

Each year on November 20th, trans communities and allies solemnly gather to remember those who have been lost to anti-trans violence in the past year, both locally and globally. In many communities, a vigil or similar gathering may be organized.

The Remembering Our Dead Project documents hundreds of murdered trans people every year, in a tragic account of our society's continued violence against trans and gender variant people.

Most of the people who are listed by the Remembering Our Dead Project were low income, very often people of colour, very often sex workers. The vast majority were trans women.

Transphobic violence, in combination with other social conditions—like poverty, racism, colonialism and sexism—has led to most of the deaths suffered by trans people.

See more at **tdor.translivesmatter.info**.

Please be warned that the site includes descriptions of violence.






Union Actions on Trans Inclusion

Trans rights are human rights. No person should be subject to discrimination, intimidation or violence because of their gender expression or identity.

Violence against trans and non-binary people anywhere is a threat to human rights everywhere.

Unions have a responsibility to defend all members on the job. The collective agreement is one critical tool. Enforcing the collective agreement and defending trans workers makes the tool effective.

- Add the words “gender identity” and “gender expression” to our non- discrimination and anti-harassment language;
- Negotiate benefit coverage for the medical treatments required for transition. Trans people are not only being denied public health care for transition related expenses, but they are sometimes denied access to private health care benefits that are available to other members;
- Ensure that all information collected on workers is held in confidence. This is especially important for trans workers who do not want to be out at work;
- Negotiate anti-harassment training that includes harassment based on gender identity and homophobia. Make it clear to employers that the union will challenge any attempts to discriminate against trans workers;
- The British Columbia Human Rights Tribunal found that a union discriminated against a trans member by failing to properly represent her. The Tribunal ordered the union to pay her \$5,000 for injury to dignity, plus lost wages;

- 
- Enforce the employer's duty to accommodate;
 - Negotiate Transition Plans that include transition leave, benefit coverage, and plans for transitioning on the job;
 - Let our trans members know that their contribution to the union is important and we want their voices heard;
 - Include trans issues with other human rights issues the union supports;
 - Include trans workers in union committees, including (but not limited to!) the Human Rights Committee;
 - Support the rights of trans workers through public awareness campaigns;
 - Provide human rights training—including issues facing trans workers—for executive members and stewards;
 - Provide appropriate washroom facilities (e.g. single occupancy) at union events;
 - Include trans workers' issues in steward training, collective bargaining, human rights courses etc. at the local level and throughout the union;
 - Provide educational sessions for members and union reps;
 - Report on the political battles for trans equality rights in the union newsletter;
 - Publish the union's anti-discriminatory positions and news about the actions the union takes to fight discrimination;
 - Engage with the union's 2SLGBTQIA+ Standing Committee and participate in the union's pride activities.

Actions for Individuals

6 ways you can be an ally to trans members

.....

- 1 Listen to how we define ourselves.** Show your solidarity by referring to us by the name, gender, and pronouns we choose.
- 2 Curb your curiosity.** Do not ask questions about our bodies, medical history, or sex lives.
- 3 Check your assumptions.** Trans women are women. Trans men are men. Some people prefer not to identify with any gender and that is okay too!

.....

4 Support our safety. Yes, we need safe access to bathrooms and change rooms. Trans people also need safety from harassment and violence. Speak up to stop subtle and blatant transphobia. Our lives depend on it.

5 Use your voice to amplify the needs of trans members. Ensure your workplace and your community are safe and inclusive places for all people (trans or not).

6 Do not give up if you get it wrong sometimes. An ally is someone who has the courage to apologize and keep learning and working to make things better.



Glossary of Terms

A note on this glossary: the following terms and meanings are provided to assist in understanding this guide further. Terms and meanings change over time and feedback on what has been included is welcome.

Agender: Referring to a person who does not relate to any gender identity.

Asexual: Referring to a person who feels little or no sexual desire.

Bigender: Referring to a person who identifies as having more than one gender.

Biological Sex: A person's biological makeup, referred to as male, female or intersex.

Bisexual: Referring to a person who is sexually attracted to more than one gender.


Cisgender: Referring to a person whose gender aligns with their sex assigned at birth.

Cisnormativity: A cultural and social framework, often implicit, where society deems cisgender as the norm.

Deadnaming: The act of calling a trans person by their birth name after they have chosen a new name. This can be harmful and disrespectful, as it invalidates their gender identity.

Gender-affirming care: Medical care that aids in the affirmation of one's gender, for example, hormones or surgery.

Gender Dysphoria: this is when someone feels that their gender identity does not match or align with the sex they were assigned at birth.



Gender identity: A person's internal and deeply felt sense of being man or woman, both, neither, or somewhere along the gender spectrum.

A person's gender identity may or may not align with the gender typically associated with the sex they were assigned at birth. Gender identity is usually connected to gender expression.


Gender expression: Is everything that we do to communicate our gender to others. For example, the type of clothing we wear, our hair styles, mannerisms, the way we speak, the gender roles we take in interactions, etc.

Gender fluid: Referring to a person whose gender identity or expression changes or shifts along the gender spectrum. Usually under the umbrella of non-binary.

Genderqueer: Referring to a person whose gender differs from a binary vision of gender.

Heteronormativity: A cultural and social framework, often implicit, wherein all human beings are assumed to be heterosexual as the norm.

Intersex: A term that describes a person whose primary sexual characteristics at birth do not meet the medical criteria of the male or female sex. The term "intersex" refers to biological sex features. It does not refer to sexual orientation or gender identity. Some intersex people personally identify as trans, while others do not. Up to 1.7% of the population is born with intersex variations affecting the gonads or other sexual organs, chromosomes, or hormones.



Misgendering: The act of attributing to a person, intentionally or not, a gender that does not correctly reflect their gender identity. Examples include the use of pronouns, words, agreements, or forms of address that do not correctly reflect the gender with which a person identifies.

Non-binary: Referring to a person whose gender identity does not align with a binary understanding of gender such as man or woman.

Trans: Referring to a person whose gender does not align with their gender assigned at birth. Trans is used as an “umbrella” term to describe a wide range of identities and experiences.

Transphobia: Fear or hatred of, or hostility towards trans people and transness, as well as prejudices against them.

Two-Spirit: An English term used by some Indigenous people, encompassing sexual, gender, cultural, and/or spiritual identity. This umbrella term was created during the Third Annual Inter-Tribal Native American, First Nations, Gay and Lesbian American Conference, held in Winnipeg in 1990 by Elder Myra Laramie to reflect complex Indigenous understandings of gender and sexuality and the long history of sexual and gender diversity in Indigenous cultures. This term may refer to cross, multiple, and/or non-binary gender roles; non-heterosexual identities; and a range of cultural identities, roles, and practices embodied by Two-Spirit peoples.



The federal government maintains a detailed glossary of English and French equivalent concepts on gender and sexual diversity, here:

**[termiumplus.gc.ca/publications/
diversite-diversity-eng.html](http://termiumplus.gc.ca/publications/diversite-diversity-eng.html)**

Resources



Mental Health Matters

unifor.org/resources/our-resources/mental-health-matters



Inclusive Practices Toolkit, for Unifor Councils, Conferences and Events

unifor.org/resources/our-resources/inclusive-practices-toolkit

Union materials are produced by Unifor to be distributed to local union leadership, activists, and members. To obtain multiple copies, contact nationalprint@unifor.org.

Unifor's Education Department offers a variety of courses that can help improve equity and understanding in the workplace, as well as PEL and Area Courses for trans members.



Visit **unifor.org/education** to see a current offering of courses or contact education@unifor.org.



Members in Quebec can visit **uniforquebec.org/education** for Quebec education courses.

Sources



Smart Sex, BC Centre for Disease Control

smartsexresource.com/resources



The Canadian Professional Association for Transgender Health (CPATH)

cpath.ca



Gender and Sexual Diversity Glossary, Translation Bureau of the Government of Canada

btb.termiumplus.gc.ca/publications/diversite-diversity-eng.html



Trans Issues for the Labour Movement, Canadian Labour Congress

canadianlabour.ca



The Ontario Human Rights Commission

ohrc.on.ca

Finding Our Place: Transgendered Law Reform Project, sponsored by The Law Foundation of British Columbia; prepared for High-Risk Project Society.

Trans Biography Project, Stories from the Lives of Eleven Trans People in BC, is meant to educate the broader community about the experiences, needs and situations of trans people. Copies can be obtained by contacting the Trans Alliance Society at communications@transalliancesociety.org.



Appendix A:

Sample workplace letter

Hi everyone,


My name is [insert name] some of you may remember me as [former name]. On July 8, I had my 49th birthday and my rebirth as I started my journey to male with my first testosterone injection. I have these injections every two weeks. With this hormone my body will go through many changes, mostly positive with body changes, facial hair, body hair, and muscle growth.

Unfortunately, with the positive comes the negative, I do experience a few growing pains as the muscles and tendons expand and grow, which can be very painful at times, also migraines, bouts of depression and hot flushes now and then, but in the end, it will be all worth it.

For once in my life, I feel complete as a person, the outside package is matching up with my internal feelings. All my life I felt I was male inside, but the outside package did not match up with how I felt inside. I have always been a “tomboy” and was the son my father never had. I always knew my inner child inside was a male and now I am making myself complete.

I have never been happier than I am now. I am a transgender male. I have lived with “gender dysphoria;” this is when someone feels that their internal identity does not match their body, a male trapped in a female body or female trapped in male body.

Someone does not make this decision over night, it may take years, support of friends and family, therapy and living the life of the person you feel you are. I have lived the life of a male for many years and undergone counseling and still do.



Many trans people undergo SRS (sexual reassignment surgery). These are extremely expensive operations and not usually covered by our medical plans. Due to the expense many are unable to complete their transition and live in a state of incompleteness. Many are happy to be able to represent in public the person they want to be (to pass as male or female) without derogatory remarks, harassment, or threats of violence towards them. Nothing will please me more than to have my body match my internal dreams and wishes.

I am more than willing to answer questions you may have but also ask that you be respectful.

“ Max's Story

I went to the managers in the office that were gay first, to tell them about my process.

Then I went to the manager of the division. I spoke to some of my friends and had a book with me to explain trans issues.

When I started my transition at work I wrote a letter to all of my co-workers. I think the most important thing I told them is:

“I am still the same person inside—that doesn’t change—only the outside package is going to change.”

My transition does not change how I feel about my friends and family.

I am the same understanding, non-judgmental loving person I always was.

”



Appendix B:

My daughter, my son, myself

By J. Wiley

It would seem that the daughter we'd often joked was the son we'd never had, was really the son we'd always had.


At this year's Toronto Pride Parade, I searched in vain for a young man who last year stole my heart and redirected my life.

A year ago, I marched in the parade with the St. Catharines, Ont., chapter of PFLAG (formerly known as Parents, Families and Friends of Lesbians and Gays), the first time I had participated in or even attended this empowering international festival of sexual and gender diversity. We members of PFLAG, easy to spot with our sensible footwear and clothing, wearing sun-hats, provided an amusing contrast to many of the parade onlookers and participants.

The life path that took me to this in-your-face street party was one that I never would have imagined almost three years earlier. But at that time, our firstborn child, whom we had loved as a daughter for 18 years, gathered up astonishing courage to disclose that he'd believed since pre-school that he was male.

It would seem that this daughter, whom we'd often joked was the son we'd never had, was really the son we'd always had.

Our son's exit from his closet changed nothing. And it changed everything. Our love for him was undiminished, but our memories were ambushed.



The family portraits of this blond, blue-eyed child provided no “clues” to our son’s new (to us) identity. Even the recollection of our obstetrician’s first words—“Congratulations, you have a girl!”—were difficult to reconcile.

For months after our son’s revelation, I was yanked between elation and grief. One day I’d be crowing “My child is finally happy! Now it all makes sense!” and the next day I’d be sobbing over the “death” of my daughter.


In those early days, our son was the only “trans” person we knew. We were acquainted with no other parents walking this walk. A thorough search of our local library yielded zero copies of *Trans-parenting for Dummies*.

And as loving and supportive as they were, members of the local PFLAG chapter admitted they couldn’t fully identify with our situation.

Where were all of the other trans parents? Guilt and shame were added to the emotional maelstrom when I concluded that other parents were stronger and clearly not in need of support.

We gained our strength from neighbours, friends and many family members who were overwhelmingly supportive when told of our new dynamics. Members of our Unitarian congregation applauded when we told them our news.

I told these open-hearted folks that I was experiencing the same feelings I’d had when I was pregnant with my son: anticipation, wonder, excitement, anxiety, curiosity. I even had stretch marks, but this time they were all in my headspace as I broadened and deepened my understanding of what it meant to be fully human.



However, some people were horrified. With an outrage born of religious zeal, they vowed to never accept our “abomination” son. (Their reaction raised the question: WWJH?—Who Would Jesus Hate?) Our son and his younger sister learned the hard way that proclamations of unconditional love are not always what they seem.

That jolt of intolerance awakened my inner angry mama-bear. It distressed me that some people were so fixated with the plumbing below the belt that they ignored the human heart beating in my child’s chest.


The idea of forming a support group for the parents of trans children began to wriggle its way into my brain. Perhaps the reason I hadn’t met other parents was because they felt the same shame, disgust, and embarrassment that some of our relatives did. Were they as uninformed about trans issues as I was? Were they held captive in their own closets by fear and because they had no one to whom to turn?

But I’m ashamed to say that the idea of a support group waned over time. Our family had survived—let others deal with their own problems.

And that’s when I met the thief of my heart at last year’s Toronto Pride Parade.

The young man grinned and waved when he saw my hand-lettered neon sign—“I Love My Trans Son”—and started jabbing his finger into his chest, indicating that he too, was someone’s trans son. I waded into the crowd, sign and all, to give this stranger a hug.

We embraced for a very long time, and then he whispered: “I wish my mom had been as understanding as you.”



The aching sadness and loss in his voice was undeniable, and my heart splintered. By the end of the parade, I'd resolved to form TransParent, a peer support network to unite the parents of trans children so that together we may share and celebrate our children's journeys to authenticity.

I had hoped to see my friend at this year's parade, to embrace him once again and to tell him that with the love and encouragement of a multitude of people, TransParent is growing and evolving.

I'm already looking forward to next year's parade. With commitment and determination, we'll achieve full equality, dignity and justice for our Pride children in the same way we'll finish the celebratory event—with heads held high, one step at a time.

J. Wiley lives in Ontario's Niagara Peninsula.



TransParent
transparentcanada.ca



Appendix C:

Sample transition plan

Objectives

For the worker to remain at their current location as a [insert job classification].


For the union, workers and [insert employer name] to ensure that [insert name of transitioning worker] continues to enjoy all the same rights with respect to the collective agreement between [insert employer name] and [insert union name] while performing their duties.

To accommodate the worker in another position in the company should re-integration into the current work site became too difficult from the transitioning worker's point of view.

Achieving These Objectives

Since the first priority is for [insert worker's name] to remain at their current work location, the following initiatives need to take place.

The timing will be adjusted according to any leaves of absences, which are currently scheduled from [insert dates]. This plan will be based on these timelines but with the flexibility to adjust as necessary.



Educating the management team is the first priority in this exercise so that they will be able to address any concerns or take immediate action should there be any inappropriate conduct.

Equally important will be a partnership with the union at the [regional or national level/insert as appropriate] at the location to work together with the site manager and management team to address these objectives.

Thus far knowledge of this situation has been limited to

- For the Union: [insert as appropriate]; and
- For the Employer: [insert as appropriate: VP Operations, VP Human Resources, Assistant VP Labour Relations, Labour Relations Advisor, etc.].

Specific Initiatives

Reading material regarding transgender individuals as well as presentations by subject matter experts in the area.

Presentations to management team and union representatives on [insert date].

Design of education plan for workers at site to be determined by management and union in consultation with the worker. Timing to be discussed with the worker.

Education of other workers who are in regular contact with the site will be designed and delivered as appropriate.

Review of human rights training and human rights legislation and how it applies to this situation may also be appropriate for the immediate staff.



Duty to Accommodate

All parties should work together to ensure that the worker can remain in their workplace in their current job.

Continuous monitoring of the work environment through contact with the worker should ensure that accommodation is successful.

After a reasonable period of time, should the re-integration of the worker back into the work unit prove to be too difficult in the view of the worker, the employer and the bargaining unit agent, together with the worker, should look at other options. This would include but is not limited to positions elsewhere in the company with the preference to remain in the worker's current classification.

Next Steps and Moving forward

Identify key personnel for management and union contact for worker and to ensure consistency during integration back into the workplace.

[Insert employer contact] to serve as HR contact throughout transition and integration back into the workplace.

Worker to identify any concerns immediately to manager, labour relations advisor or union representatives as necessary.

Labour Relations and Employee Relations to provide support to management team and the worker as necessary.

Worker to ensure that medical documentation remains valid as per the health plan and Collective Agreement requirements, prior to return to work after sick leave period.

Notes

Contact

pride@unifor.org

unifor.org/pride



unIFOR