

**From Company Mandated Equality to Employees' Perceived Equality: How Internal Public Relations Makes a Difference to Transgender Employees**

**Abstract**

Transgender people are a small but increasingly recognized minority in America, (Koblin, 2016; Bosman & Rich, 2015; Chozik, 2015). This has implications for transgender people, their allies, and critics, and perhaps nowhere more so than in the 21st century workplace. Advances here for transgender people are clear: Federal law recognizes their right to be treated equally, while more corporations than ever specifically include transgender people in their diversity and inclusion policies (Transgender, 2014; HRC, 2015a). Still, many transgender people do not feel safe in their workplace to be themselves (HRC, 2015b). The aspirational level of equality found in many corporate policies often does not manifest itself at the employee level, leaving employees feeling abandoned by the very organization that claims to support them (Sellers, 2012). What, then, distinguishes these companies that practice what they preach from others? A study of one transgender-friendly Fortune 500 company seems to provide some answers: Developing a company culture that delineates, practices, rewards – and if need be enforces – diversity and openness throughout the company, regardless of which group is in question. In other words, transgender people are part of an already-present culture of a respect, not just a newly- designated or separate part of it.

*Keywords: Transgender, LGBTQ, Diversity, Internal Public Relations, Human Resources, Workplace, Affinity groups, Symmetrical communication, Corporate Policy*

**Literature Review**

The experience of the transgender employee in the workplace is one heretofore largely unstudied; studies of workplace culture are limited to the broader context of LGBT employees.

Nevertheless, evidence exists that transgender people have seen progress in the workplace since the beginning of the millennium. According to the Human Rights Campaign's annual survey of companies, from 2002 to 2016 gender identity protections and the inclusion of transgender-inclusive healthcare coverage went from nearly no companies to nearly all of them (HRC, 2015a). Government mandated protections have increased as well at the federal, state, and local levels as well, with gains in the Supreme and federal courts. (Transamerica, 2015; USEEOC, n.d.; Transgender, 2014, p. 2). Still, many transgender people do not feel safe in their workplace to be themselves. In the 2015 HRC study *The Cost of the Closet and the Rewards of Inclusion*, slightly more than half of LGBT workers feel they must hide who they are at work (HRC, 2015b).

Understanding the possibilities underlying this gap, the difference between what an employee's overarching corporate policies aspire to, and what work environment employees actually find themselves experiencing, is the purpose of this study, and two terms will be used:

First, Company Mandated Equality: These are companies that have sexual orientation and gender identity nondiscrimination protections explicitly included in all operations, both within the U.S. and extending to global operations. Usually, these are companies that receive a perfect score on the HRC's Corporate Equality Index, 100 out of 100.

Second, Employees' Perceived Equality: This is the degree to which employees feel they are safe to be themselves in their workplace. Do they feel they don't have to hide who they are? Can they share information about their personal lives without fear of negative consequences? Do they feel their identities are respected by those around them? The more employees in a company can answer yes to these types of equality-based questions, the higher their company's level of Employees' Perceived Equality.

Whether by industry-related related internal studies, or scholars adding insight regarding transgender equality in the workplace, it can be said that there is a far higher degree of Company Mandated Equality to be found than Employees' Perceived Equality (Sellers, 2012). Generally, corporate policies are far broader in terms of their creators' intentions than they are their actual success when it comes to implementation and/or enforcement of those policies, especially in regards what employees actually feel on a regular basis about what is happening in their workplace.

This is especially problematic as transgender equality policies usually aspire to a high level of freedom for employees while delivering far less. This is for a variety of reasons, though some of the most frequent include: 1) Policies may have been made for symbolic reasons or as an attempt to deal with a problem only after it has occurred; 2) Implementation of policy is automatically assigned to the human resources department (HR) that may not have the time, money, or resources to do what the policy states should be done; 3) Often, managers and employees have little authority to actually act when policies are violated; 4) There is an assumption that acceptable behavior has resulted simply as a result of telling employees about transgender equality policies.

These policies give employees within a company a false sense of security. Believing their company is willing to prevent discrimination, transgender employees may falsely believe that Employees' Perceived Equality will follow from Company Mandated Equality if they as employees follow procedure, when in reality this may not occur at all (Sellers, 2012).

That does not mean all companies fail in this regard. Many employees do feel they do employees do perceived equality. Almost uniformly, this starts with Company Mandated Equality in two ways: 1) An organization's commitment to social identity diversity will be

expressly stated in published statements such as mission, equal employment opportunity statements, and its diversity and inclusion philosophy; 2) Using inclusive language in harassment and policies that protect expression of one's social identity and hold members accountable for being respectful promotes an advocacy perspective to social identity (Byrd, 2014);

Beyond just actions at the top, however, research shows that the relationship between employees' willingness to disclose their transgender status - a key indicator of Employees' Perceived Equality - and job attitudes is greatly mediated by co-workers'. This is because coworkers play an essential role in influencing a positive sense of Employees' Perceived Equality for transgender persons in four key ways: 1) If transgender employees have disclosed and receive positive reactions from coworkers, they can be buffered from the stress they may have been feeling with respect to their identity as a transgender. (One caveat: transmen reported more favorable coworker reactions than did transwomen.) (Law, Martinez, Ruggs, Hebl, & Akers, 2011); 2) When there are social sanctions against persistent homophobia, workplace resistance to sexual minority inclusion is less likely to be overt and visible (Hill, 2009); 3) Men and women co-workers that are enlisted or volunteer to assist their transitioning colleagues are not reinforcing gender rituals designed to repatriate transitioning peers into a rigid gender binary (Schilt & Connell, 2007); 4)

What, then, moves a company from just having Company Mandated Equality to true Employees' Perceived Equality? What, as Kim (2007) states in his study of employee-organization relationships, allows a company to make best use of the "direct and indirect influences that either party makes on the other"? (p. 169). It begins with upper management; Successful company leaders believe in and model moral values such as accountability, altruism,

fairness, integrity, and kindness, beliefs which influence their daily leadership behaviors and communications (Men & Stacks, 2014). More, leaders recognize their job is to challenge the status quo if that is what is required create a culture of fairness. (Mundy, 2015).

More than just support of those below from corporate hierarchy, there needs to be openness to discourse between all of those within the system. These types of systems are said to be symmetrical (Kim, 2007). Symmetrical systems encourage communications between all levels of a company, using dialogue, negotiation, listening, and conflict management, as opposed to the top layer of the company merely issuing orders and ensuring compliance via manipulation (Kim, 2007). This is where internal public relations is critical (Kim, 2007).

Leaders are most effective when they communicate goals through the company's use of internal public relations, (IPR) an entity within the company whose practices and techniques unique to the corporate environment in "the fact that public relations has to deal with publics, which are groups of people, not individuals" (Kim, 2007, p. 169). More than just part of a company, however, IPR serves as a theoretical framework for examining how company environments develop and sustain themselves, as IPR is a means by which "employees share information, create relationships, make meanings, and construct organizational culture and values" (Berger, 2008, p. 1). Like other systems within the company, IPR should be symmetrically viewed "as a multi-faceted, multi-directional process rather than a unidirectional, organization-to-public dynamic" (Mundy, 2015, p. 10).

Although all of these statements regarding the importance of symmetrical communication as implemented through effective IPR applies to most every aspect of developing and maintaining corporate culture, it has particular resonance for those interested in creating more diversity and inclusion, (D&I) including transgender-friendly workspaces. As noted before, in

matters of employees' perceptions of justice, these issues are critical. But IPR also serves an important role in D&I efforts in that allow people to define what diversity means to them. Also, IPR allows companies to effectively manage both the creation of D&I efforts, as well effectively manage the expectations that come from it. Finally, by using communications as the foundation of implementation of D&I efforts, stakeholders have a higher level of acceptance of these efforts as a result of understanding the tangible benefit of doing so, beyond the just the mandated or legal reasons (Mundy, 2015). All of this helps ensure that a company's Mandated Equality leads to a genuinely high level of Employees' Perceived Equality. That said, employees' Perceived Equality can be difficult to implement for numerous reasons. Some scholars suggest that human resources personnel may be unduly self-conscious around queer concepts and people in their work, which can produce silences and absences in management (Gedro & Mizzi, 2014). Whether caused by improper training or personal reticence, managers may not know how to provide employees the support they need.

Discovering some of the factors involved in the role of IPR in achieving Employee's Perceived Equality is the specific purpose of this study: To attempt to understand what tangible actions taken by those responsible for a company's IPR work towards constitution of effective Employees Perceived Equality. A review of transgender workplace, human resource development, and IPR literature suggests the following in four general areas.

First, how does company leadership use IPR in their D&I efforts (Mundy, 2015)? For instance, how is IPR used by company leadership to articulate and implement well-formulated diversity policies? (Ozeren, 2014); Do these include symmetrical communication systems that encourage multi-directional communications and assure transparency as part of dealing with transgender individuals? (Kim, 2007; McFadden, 2015). Second: How are IPR (and IPR

personnel) used within middle management to help increase sensitivity and understanding by coworkers? Third: At the employee level: How do LGBTQ employees feel IPR is involved in their ability to articulate of individual dissatisfaction through provision of anonymous complaint mechanisms, allowance of feedback free from harassment, scrutiny of all policies and practices to discover sexual orientation bias, provision of safe places for LGBTQ networking, and provision of staff time for participation? (Ozeren, 2014). What is their ability to contribute to management decisions? Finally, how do employees feel IPR played a role in removing onerous logistical details, such as getting a name change propagated throughout IT systems (Brewster, et al., 2014)?

### **Theories for the Transgender Workplace**

Concurrent with the theoretical underpinnings surrounding IPR and HRD, Gedro & Mizzi make this connection with more specificity in their article, *Feminist Theory and Queer Theory Implications for HRD*. where they, too, see the programs and links that allow an effective transit between Company Mandated Equality and Employees' Perceived Equality. Specifically, they enable a critical examination of HRD as both a focus on gender and power, and the way that power becomes embedded in company's culture (Gedro & Mizzi, 2014). Whether it's the assumption of heteronormativity influencing training systems, or an implication that being apart from the gender binary is abnormal. Assumptions such as these can possibly silence those who would prefer not to be bound by traditional gender-differences. (Gedro & Mizzi, 2014).

Understanding tendencies such as these is key to understanding how individual policies, practices, and HRD practitioners affect a corporate culture. As feminist theory offers a different perspective on organizational designs and structures, and the resultant treatment of people within them, it can provide an effective framework for those seeking to understand how to better create

Employees' Perceived Equality (Gedro & Mizzi, 2014). Indeed, the codified rules of a workplace which allow for free expression of sexual orientation and gender identity mesh neatly with the ideas behind queer and feminist theory: The embrace of diverse populations within organizational designs and structures. This includes the position of one's self in relation to others within organizations, and the according consideration of people inside them. It is possible all three parts of feminism can impart a thorough critique because they are all relevant to gender, power, and the means by which those gender-related power relations develop within the context and identity of an organization (Gedro & Mizzi, 2014). More, an examination of corporate HRD and its use internal public relations with a feminist lens helps bring forward policies and often people who even might seek to overtly and/or covertly maintain the ties between heteronormativity and performativity. Queer theory in particular takes apart the givens within concepts of fixed and stable identities, such as male/female, masculine/feminine, and

lesbian/gay/straight distinctions. This allows a reexamination and therefore new appreciation of fluidity, intersectionality, plurality, and production (Gedro & Mizzi, 2014). More than just reexamining categories, however, queer theory seeks to eliminate the use of categories, as they normally serve only to harm persons in marginalized positions. This, therefore, allows service of not just transgender employees, but all employees, as the company moves from an organizational culture of hetero-masculine dominance, to one of principled awareness, inclusion, and respect for people's differences, no matter what they may be (Gedro & Mizzi, 2014).

This foothold in Feminist/ Queer theory will form the basis of the following research questions. The answers to these questions will provide the basis for follow-up qualitative and quantitative studies seeking to pinpoint how corporations can and/or have achieved Employees' Perceived Equality for their employees.

### Research Questions

R1: Is symmetrical and transparent IPR, as identified by transgender people and allies, used and encouraged by company leadership to articulate and implement well-formulated policies that facilitate change and develop Employees' Perceived Equality?

R2: Do transgender employees feel there are safe places for transgender networking, that they are ensured staff time for participation, and that the organization plays a role in IPR.

### Method

Using the policy and environment descriptors listed above as a framework, an in-depth case study was conducted of a high tech company in the the Fortune 500 that has been frequently noted for their proactive efforts in the field of transgender employee rights. Case studies can be an ideal way to record and research the detailed considerations that are involved in a particular situation, (the transgender workplace) group, (a company) or even individual person for the purposes of illustrating or understanding the principles of Managerial and Employees' Perceived Equality. Particularly when those situations, groups, and people are part of a complex operation involving multitudes of people and systems. Also: prior to and during the interview process, the interviewer was allowed access to all company documents that were under discussion.

Recorded interviews were conducted with 10 employees in the fall of 2016. Interviews with eight of the employees were conducted at the company's Pacific Northwest (PNW) campus, one of many campuses the company has around the nation and globe. The other two interviews were conducted by phone if the employee was not based at the PNW campus, including the company's Silicon Valley headquarters. Each interview consisted of an introductory set of 5 to 10 questions, although interviewees were not dissuaded from giving information that was not

related to an original survey question. As each interview proceeded, follow-up questions that were not part of the original survey were introduced. The follow-up questions from earlier interviews at times became part of the introductory set of questions for other interviewees. Each interview lasted approximately an hour, though some took as little as 45 minutes, while others lasted as long as 1.25 hours. Those interviewed were asked questions that attempt to examine a broad, exploratory look at transgender employment policies. These questions involved the codification of procedures and policies, how these documents evolved, and how they manifested themselves in the lives of everyday transgender people within the company's workplace.

### **Results**

By the completion of research, 10 different employees throughout management and operations at the company (hereafter "The Company") were interviewed. Although each viewed The Company and its transgender diversity efforts uniquely, based on their LGBTQ status (including gender identity) and their position within the company, each spoke uniformly about their company's diversity efforts: they valued and respected it. To explain how this company seems to have integrated a population that to many still seems small and largely unknown, every subject indicated it was necessary to understand the overall culture of the company itself. Like all HRC 100 companies, the culture starts at the top, with diversity policies written into their mission statement and employee handbooks that specifically mention LGBTQ diversity, including gender identity – as The Company has for at least a decade. Like many companies, it has a Department of Diversity and Inclusion, The Company's under the umbrella of Corporate Responsibility. As Gerald, an employee who transitioned in 2009, and is now a training czar, put it: "We have a no tolerance for intolerance."

In terms of IPR, most employees' initial encounters come via the orientation and training they receive when joining The Company. This continues throughout their employment, as The Company encourages – and when needed enforces – the company's atmosphere of diversity. Here too, employees found the company's efforts to affirm transgender employees Perceived Equality as part of a larger effort. Although the employees interviewed had been at the company anywhere from two to 20 years, each recalled hearing about The Company's commitment to diversity during their initial training. They also mentioned that they are required to take annual online refresher courses emphasizing current and evolving diversity policies within both the company and overall employment law.

Company orientation of new employees at The Company is handled by each internal business group, said Jennifer, a manager in Human Resources. Still, when it comes to building a transgender-friendly work environment, she said HR is involved from the beginning. When it comes to the handling of individual cases of transitioning employees, both Daniel and Gerald said HR personnel were key to their successful transition at work. All interviewed see HR as a kind of umbrella, one that covers all parts of the company, even if HR wasn't directly responsible for that department or internal process, such as training within the individual business groups. For whether it was problems negotiating the IT system for a name change, dealing with insurance, or any other entanglements, both said if their manager was unable to help, "I'd go to HR," where they always found someone willing to help them. Neither ever needed to use HR personally to resolve a problem with a fellow employee. Not that HR doesn't deal quickly with violations of company diversity policies. Said Alyssa, who works in a technical compliance department:

“I’ve heard of harassment and the millisecond (they) bring it to somebody’s attention... it’s been taken exceptionally seriously; (the offender) no longer works with the company... zero tolerance. Not okay.”

Most of the IPR, however, that transgender employees considered came from outside of HR. At a macro level, each mentioned email and a newsletter, the latter the type issued by Pamela, the communications manager. It contains limited links to various stories she thinks employees would like to know, often including stories about diversity. Interviewed employees said they often read at least the headlines, and if it interested them would try to read the story. All said they were conscious of the fact that the newsletter often emphasized diversity-related stories, including transgender-related stories. Of greater significance to those employees that transition, and the people that work with them, was the use of company email to notify employees that someone they worked with was transitioning. Not a company-wide email, it went solely to those people who worked with the transitioning employee. In one case this was a few dozen people, in another approximately 300.

Finally, every employee interviewed alluded in some way the symmetrical IPR within The Company. All said an employee’s ability to communicate and effect change on matters diversity-related and otherwise was not limited by one’s job title. This being said, transgender employees do not feel like they have to be a proactive advocate for themselves or their community to live as equally as a transgender person within The Company.

As posited earlier by Berger, IPR is more than just one department sending an email to another, or a corporate diversity statement transmitted to employees; it is “the means by which employees share information, create relationships, make meanings, and construct organizational culture and values.” Consistently, in terms both broad and specific, employees felt The Company

manifests those values in many ways, both in terms of Company Mandated Equality and Employees' Perceived Equality. Both transgender people interviewed said they feel this equality, even as one shares much of his life, while the other stays largely private. Also, not one employee interviewed ever recalls hearing a comment about a transgender peer, or even a joke regarding gender identity.

### **Discussion and conclusion**

Answers to the two research questions, R1 and R2, were answered affirmatively and conclusively.

R1: Is symmetrical and transparent IPR, as identified by transgender people and allies, used and encouraged by company leadership to articulate and implement well-formulated policies that facilitate change and develop Employees' Perceived Equality?

Kim defines symmetrical systems as those which encourage communications between all levels of a company, using dialogue, negotiation, listening, and conflict management (2007). Every employee, regardless of level, interviewed at The Company expressed their certainty and positivity about symmetrical communications there. Certainly, 10 interviews conducted among a company roster of more than 10,000 cannot begin to suggest there are never tensions between upper and lower levels of a company. Still, nearly every employee interviewed had a personal story about how they felt empowered and ultimately able to affect change within the broader culture of The Company.

Much has already been written about the ability of Company employees to effect change. Still, when it comes to internal and external IT systems, that process obviously is going slower than some people would like. That said, it is clearly improving; Gerald and Daniel told very

different stories of working their way through the often-byzantine world of corporate systems. More telling, there is support for the idea that Company employees still feel symmetrical and transparent IPR is present even when the things that might be important to them – like gender-neutral bathrooms – aren't present.

For though The Company has had gender identity included in its protected classes for at least a decade, and as of 2016, at least a half-dozen major cities, more than 150 U.S. colleges and universities and even the White House had a gender neutral restroom (Steinmetz, 2016), as of early 2016 The Company, did not, (due to landlord issues; The Company leases its PNW campus). And yet, neither transgender people nor their allies were angry about this delay. The presence of symmetrical IPR throughout the company has meant that when something cannot be accomplished, transgender people and their allies understand why, and how long it might take to mitigate that problem.

R2: Transgender employees feel there are safe places for transgender networking, they are ensured staff time for participation, and that organization plays a role in IPR.

In addition to the ability of employees to scrutinize policies, Ozeren emphasizes they need safe places for LGBTQ networking, along with being given time to participate in those places (2014). The Company offers this in the form of what Mundy calls affinity groups (2015). Each campus choosing its own, based on what the employees want and need, each is sponsored by a company executive, usually a result of their personal interest, or what Mundy calls “moral obligation” (2015). Perhaps just as importantly, employees are not just given time off of their job; participation in an affinity group is considered part of their job, if the employee wants it to be.

One last item taken from the research of note. Save for Gerald and Daniel, none of the employees interviewed were asked about their LGBTQ status – whether as a member of that class or as an ally. Still, many of them volunteered it as part of their role at The Company: Alec, who identified as LGBTQ and once dated a transgender person; Wayne, who has had numerous transgender friends; Jennifer, who identifies as gender queer. Even Gerald, who is today not only openly transgender and a nationally-recognized transgender advocate, said that his entire experience at The Company began and was defined by meeting someone who was openly LGBTQ within the executive level of the company. Learning the personal LGBTQ relationships of employees within and outside the workplace was not the purpose of this study, though it was hoped employees felt comfortable expressing those ideas within The Company itself. Clearly, however, it is more than employees just being comfortable; it is them bringing their LGBTQ identities to the table for the purpose of making The Company better, both as a business and a place to work.

### **Limitations**

By nature of the stratification inherent in the participant company: economic sector, corporate size, etc., it is possible to view these results within the context of several smaller case studies. Although the sample size is small, there is enough data within the sample to, I believe, at least begin asking the right questions – and different questions – regarding transgender equality among the types of companies found in this study. Having also engaged in member validation prior to publishing these results with a leading member of America’s corporate and transgender community as well as being a transgender person myself, I believe validates this conclusion.

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