

# Workplace Gender Inclusion Guidelines

## Purpose

It is the policy of the New York City Department of Education (NYCDOE) to provide equal employment opportunities, and a welcoming and inclusive work environment free from discrimination and/or harassment, regardless of actual or perceived gender, gender identity, gender expression, and/or sexual orientation. Consistent with this policy, each office and school must be proactive in creating and maintaining an environment that promotes respect, values all employees, and fosters understanding of gender identity and expression within the workplace.

These guidelines set forth protocols for gender inclusion and describe best practices for supporting transgender and gender expansive employees. These guidelines apply to all NYCDOE employees and individuals who work with NYCDOE employees.

These guidelines provide guidance for employees, but do not anticipate every situation that may occur. Individual employees should contact their supervisor and/or Office of Equal Opportunity & Diversity Management (OEO) Title IX Liaison (for school employees) or Title IX Coordinator (for Central employees) with questions. For NYCDOE Title IX contact information, visit the [Title IX webpage](#).

Schools and offices should address any incidents of inappropriate workplace conduct that may violate NYCDOE policy, or that may be inconsistent with these guidelines, in accordance with Chancellor's Regulation [A-830](#). Concerns about inappropriate student behavior toward transgender or gender expansive employees should be addressed consistent with Chancellor's Regulation A-443 and the Discipline Code.

## Terminology

Transgender and gender expansive employees may use different words to describe themselves, their lives, and experiences. Some examples include: trans, transgender, genderqueer, non-binary, gender fluid, two-spirit, trans man, and trans woman. The language individuals use may differ based on factors such as geographic location, race, ethnicity, age, country of origin, and culture, and may also change over time.

The individual employee determines their own identity. Other employees, including supervisors, must be sensitive to and use the terminology that supports and respects the individual employee's identity.

Visit the [Guidelines to Support Transgender and Gender Expansive Students](#) for a non-exhaustive list of such terminology.

## Supporting Employees

The role of the NYCDOE is to provide support where appropriate and promote workplace inclusion. Employees may discuss and express their gender openly and decide when, with whom, and how much of their private information to share with others.

Some transgender or gender expansive employees may be in the process of a gender transition, taking steps to live as their gender consistent with their gender identity. This process may or may not involve changes in name, pronouns, and appearance (including clothing and hairstyle). Not all transitions are binary or involve categories of male or female (some employees may be non-binary, agender, or gender expansive), and not all gender transitions involve medical treatments such as hormone therapy or gender-

affirming surgeries. In addition, not all transgender or gender expansive employees may be open about their gender transition, even if there are noticeable changes.

An employee is in charge of their gender transition, and may request support and/or information from their supervisor, and/or from the OEO Title IX Liaison or Title IX Coordinator. Supports may include, but are not limited to:

- discussing the office or school role in supporting the employee's transition and addressing questions and concerns;
- discussing practical work life adjustments, such as changing the employee's information in NYCDOE records, benefits, and any other relevant matters;
- reviewing available resources;
- discussing and preparing for aspects of gender transition at work, as appropriate, including the timing of the transition, as well as the employee's decision to communicate with colleagues and/or students about their transition or gender; and
- putting in place other measures for ensuring a sensitive, inclusive work environment.

Supervisors who would like assistance in supporting their employees and creating a welcoming and inclusive workplace may also contact their Title IX Liaison or Title IX Coordinator.

## **Names and Pronouns**

Every employee is entitled to be addressed by the name and pronoun of their choosing that corresponds to their gender identity that they assert at their workplace. Employees are not required to obtain a court-ordered name and/or gender change before being addressed verbally or in writing by the name and pronoun that they choose.

Knowingly referring to an employee, verbally or in writing, by a pronoun inconsistent with the employee's gender identity or by a name other than their chosen name is unacceptable conduct and may constitute a violation of Chancellor's Regulation A-830. For example, purposefully continuing to call a transgender woman "him" or "Mr." after she has made clear that she uses "she/her" and "Ms." is prohibited conduct under A-830.

Consistent with the [NYCDOE Style Guide](#), employees should use gender-neutral language in writing unless referring to a specific person where the author already knows the gendered pronouns that the recipient uses.

## **Employee/Personnel Records**

### **Name Change**

Records that are part of the HR processes and systems (including for onboarding) are tied to the individual's social security record, and therefore, must reflect the applicant's legal name, even if the legal name is not the chosen first or last name. In addition, all benefits and retirement records must use the employee's legal name. This includes fingerprinting, licensure, federal forms (eligibility to work), payroll and tax applications, and any medical records. These records can be updated only upon proof of a legal name change, as set forth below.

Office- and school-based systems, records, paperwork and other documents that are not tied to the individual's social security record may be changed to reflect a chosen name without a legal name change. If an employee has not legally changed their name and would like to use a chosen first and/or last name at work, they should:

- notify their supervisor to ensure their name is affirmed in the workplace consistently;
- update their name themselves in any office- or school-based systems that are not tied to social security record (e.g., Zoom or Microsoft Teams display name, office or school website, office- or school-based email, lesson plan systems) or request assistance from Employee Relations at [OPIInfo@schools.nyc.gov](mailto:OPIInfo@schools.nyc.gov) to make these updates, if they want their chosen name to appear in those systems or any documents they generate;
- email [OPIInfo@schools.nyc.gov](mailto:OPIInfo@schools.nyc.gov) to request assistance updating their Central NYCDOE email and username display name, and google display name;
- request that office- or school-based documents and paperwork which are not generated from an updated office- or school-based system reflect their chosen name (e.g., list of club advisors, yearbook, name posted on an office door or informational materials and posters) if they want their chosen name to appear there;
- for school employee IDs issued at 65 Court Street, email [PhotoIDUnit@schools.nyc.gov](mailto:PhotoIDUnit@schools.nyc.gov) to request an appointment to obtain an ID with their chosen name.

All legal name changes are handled centrally through HR Connect. Once an employee has legally changed their name, all documents and systems tied to the Central HR and payroll system will automatically change, including the employee's email and benefits. Certain NYCDOE-affiliated systems, such as retirement systems, and Zoom or Microsoft Teams log-in and account name, can only be changed based on a request made by the employee. Once the legal change has been completed in the system, the employee should make the request to HR Connect. Supervisors should ensure that office- and school-based systems and documents are updated consistent with the legal name change.

Central employees with DCAS employee IDs or other non-NYCDOE building IDs cannot be updated without a legal name change. These employees may contact their building manager for information on how to update their legal name on their ID at 1 Centre Street. School employees may update their employee ID issued at 65 Court Street (not DCAS employee IDs or other non-NYCDOE building IDs) by emailing [PhotoIDUnit@schools.nyc.gov](mailto:PhotoIDUnit@schools.nyc.gov) to request a photo ID appointment. Employees who have legally changed their name for any reason will have the name history archived for legal recordkeeping and audit purposes.

For additional information on updating your legal name in NYCDOE records, visit HR Connect.

### **Gender Marker Change**

To update personal information in NYCDOE records, including gender marker, an employee may do so in [Employee Self Service](#).

### **Addressing Harassment and Discrimination**

#### **Harassment and/or Discrimination: Chancellor's Regulation A-830**

Chancellor's Regulation A-830 contains NYCDOE's Anti-Discrimination Policy and provides information regarding allegations of discrimination or harassment by employees. Employees may make a report

directly to OEO using the online form at <https://www.nycenet.edu/oeo> or using the other methods described in the regulation.

### **Facilities Accessibility**

Transgender and gender expansive employees must be provided access to facilities (e.g., restrooms, locker rooms, changing rooms) consistent with their gender identity asserted at work. A transgender or gender expansive employee may not be required to use a single-gender facility or a facility that conflicts with their gender identity asserted at work. For employees who are gender expansive, the supervisor should work with the employee to facilitate access to facilities that affirm their identity.

Supervisors must try to provide reasonable alternative arrangements for any employee who expresses a need or desire for increased privacy. Reasonable alternative arrangements may include a single occupancy restroom. Such alternative arrangements must be presented as one, and not the only, option and never as a requirement. Furthermore, any arrangements must be provided in a non-stigmatizing manner that protects the employee's privacy and is not marginalizing or disruptive for the employee.

### **Workplace Practices**

Expectations about workplace attire must be applied equally and in a gender-neutral manner to all employees. Employees may not be prohibited from wearing attire that confirms their gender identity.

Employees should avoid using gendered language (e.g., greeting a room of new job applicants with "good morning gentlemen" or "ladies") and gendered practices (e.g., dividing employees into teams of "women" and "men" for a training activity).

### **Notification of Employees**

Supervisors are responsible for ensuring that employees are familiar with these guidelines, and should reinforce that transgender and gender expansive employees are covered by Chancellor's Regulation A-830.

### **Questions**

Direct questions about these guidelines to [Title\\_IX\\_Inquiries@schools.nyc.gov](mailto:Title_IX_Inquiries@schools.nyc.gov). The list of the OEO Title IX Liaisons is available at: <https://www.schools.nyc.gov/about-us/policies/non-discrimination-policy/title-ix>.

### **Additional Resources**

**Title IX webpage:** <https://www.schools.nyc.gov/about-us/policies/non-discrimination-policy/title-ix>.

**Chancellor's Regulation A-830:** <https://www.schools.nyc.gov/docs/default-source/default-document-library/a-830>.

**Community-Based LGBTQ Organizations:** <https://www.schools.nyc.gov/school-life/school-environment/LGBTsupport/community-based-lgbtq-organizations>.

**Guidelines to Support Transgender and Gender Expansive Students:**

<https://www.schools.nyc.gov/school-life/school-environment/guidelines-on-gender/guidelines-to-support-transgender-and-gender-expansive-students>.

**Guidelines on Gender Inclusion (students):** <https://www.schools.nyc.gov/school-life/school-environment/guidelines-on-gender/guidelines-on-gender-inclusion>.