



Trans People and Work: Survey Report

Executive Summary

Introduction

LGBT Health and Wellbeing works to promote the health, wellbeing and equality of LGBT people in Scotland. We carried out a research project on the experiences of trans¹ people at work and when looking for work. Two in-depth focus groups, involving 7 individuals, were held in July and August 2019, and the findings informed the design of an online survey run during the autumn and winter of 2019, which was completed by 65 trans people aged 18-62.

We aimed to identify the barriers that this minority faces in finding and staying in appropriate employment, to understand their experiences at work and looking for work, and engaging with support networks; and their understanding and views of protective policies governing their workplaces. We hope this information, and the report recommendations, will help advance work equality and, ultimately, the economic advancement and social inclusion of trans people.

Key findings

This research has highlighted the many challenges and barriers trans people can face in relation to employment. Although most of those who contributed were in work, and there were positive experiences and examples of good practice, they identified difficulties at every stage of employment.

The findings provide many examples of both positive and negative experiences, but the overall picture points to many people experiencing disadvantage due to their trans identity, often even where policies are in place which should address this.

Getting into work

When looking for work, more than half of survey respondents said they found getting into work difficult or challenging and 40% said their trans identity had a quite or very negative impact on their job prospects.

“I transitioned in the last job. Getting this job wasn't easy. I think being trans counted against me in some interviews despite being capable of doing the job.”

¹ In this report we use the term 'trans' (short for transgender) as an inclusive umbrella term for anyone whose gender identity does not fully correspond with the sex assigned to them at birth. Throughout the report, we use the term 'trans' to refer collectively to trans men, trans women, and non-binary people. Where we are only talking about the experiences of one of these groups of trans people, we make this explicit.

Barriers included:

- Feeling unable to apply at all because of fears of prejudice
- Application forms which exclude non-binary identities
- Difficulty obtaining references and proof of qualifications to match gender and new name
- Lack of awareness, and sometimes transphobia, from interview panels
- Feeling unable to be out about their trans identity when applying for jobs.

Experience at work

At work, a minority (41%) felt that their workplace was trans inclusive, although more than two thirds saw their workplace as an inclusive place for people with lesbian, gay and bisexual (LGB) identities. Three-quarters would like to see more LGBT-inclusive strategies in place at work. 69% said being at work had affected their mental health.

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“By having to ask and assert one's needs then pretty soon the trans complainer becomes the problem rather than the lack of workplace support.”

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Although three-quarters felt able to be out to at least some people at work, issues included:

- Feeling the need to be careful about who to be out to, or whether to be out at all
- Lack of awareness and understanding of trans identities from some colleagues
- For a minority (17%), lack of access to facilities, such as toilets, appropriate to their gender
- Lack of adequate policies or strategies to make their workplace more trans inclusive
- Interventions such as policies or training implemented without involvement of trans people's expertise being inadequate or even damaging
- Lack of implementation of policies
- The onus sometimes being on trans people to create change.

Transitioning at work

More than two thirds of those who had transitioned at work were generally positive about the support they got from managers, colleagues and the workplace in general; but this was by no means universal.

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“I'm going through a process of transition - my gender presentation has shifted from male to mostly female, but this is not discussed and may as well not be happening in the eyes of my colleagues.”

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Issues included:

- Lack of support from employer or manager
- Lack of adequate leave while transitioning
- Negative reactions from some colleagues.

Harassment

Harassment at work, including misgendering, explicitly transphobic statements, verbal abuse and discrimination was experienced by many people (60%); yet only a minority had reported it, and some described poor experiences in the past which put them off reporting.

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“Constant misgendering (on purpose) by past employers, being passed on for promotion in one job because 'no one would take me seriously'.”

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Issues included:

- Lack of confidence that managers were adequately equipped to deal with transphobic harassment or bullying
- Lack of confidence in consistency of support from different managers.

Support

Two thirds of survey respondents had people at work who they could confide in if or when they experienced unfair treatment at work, but a fifth did not and 13% were not sure. Outside work, most had a strong support network such as friends, family or groups; but a fifth did not, or were unsure.

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“A clear policy stating that transphobic discrimination is unacceptable and making it clear how to complain if an incident should occur would help.”

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Suggestions for improvement included:

- Clearer policies on trans issues
- An LGBT (or trans-specific) staff network, supported by the employer
- More informed HR support
- Better information
- Better support from managers
- External support for employees
- Better employer understanding of mental health and of neurodivergence.

Rights and protections

Two thirds of survey respondents felt they had good awareness of rights and protections. They were less positive about their employer's awareness, still less of their colleagues' awareness and the general public was judged to have the lowest awareness of all. Only 15% felt that the law goes far enough in protecting trans people at work.

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“I think the problems mostly lie in finding work, no one is going to discriminate openly but they can still make decisions against hiring you for plenty of other reasons. I have found finding a graduate job pretty much impossible.”

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Issues included:

- Lack of good practice despite the law being in place
- Lack of enforcement of the law
- Smaller companies less likely to be aware
- Equality legislation is dated and needs better recognition of non-binary people
- It is difficult in practice for an individual to use the law.

What could be improved

People suggested a wide range of improvements, including:

- Improvements to current law
- Clarity on and enforcement of current law
- Better awareness raising, education and training in the workplace
- Promoting positive visibility
- Better trans-inclusive policies in workplaces
- Simple procedural changes by employers.

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“More workplace training should be offered as standard to educate about the experiences and lives of trans people, to combat the current onslaught of media misinformation and slander.”

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Recommendations

For government:

1. Provide greater protection and recognition of non-binary people, using both policy and the law.
2. Provide support to address labour market barriers experienced by trans through the Employability in Scotland programme and local employability partnerships.

For the Equality and Human Rights Commission:

3. Provide clear guidance for employers on trans equality.

For employers:

4. Ensure they have a clear LGBT policy, created with lived experience engagement, which addresses trans issues, including:
 - Recruitment processes which encourage trans applicants and do not exclude non-binary identities
 - Protection in relation to transition issues
 - Support to challenge harassment
 - Diversity monitoring
 - Use of language (for example, using people's preferred pronouns)
 - Provision of gender neutral toilet facilities.

LGBT Health's [Transgender Workplace Support Guide](#) is a key resource which will support this work.

5. Provide awareness raising and training for all managers and staff on trans issues.

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Further information

For information about the services, programmes and activities LGBT Health and Wellbeing delivers please visit our website: www.lgbthealth.org.uk

The full [Trans People and Work Survey Report](http://www.lgbthealth.org.uk/resource/trans-people-scotland-work) is available on our website at: www.lgbthealth.org.uk/resource/trans-people-scotland-work

