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# **‘Transsexual’ People in UK Workplaces: An Analysis of Transsexual Men’s and Transsexual Women’s Experiences**

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This thesis is submitted in partial fulfilment of the requirements of the award of Doctor of Philosophy at Oxford Brookes University.

November 2010

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## **Abstract**

This thesis explores transsexual men's and transsexual women's experiences of UK workplaces. It investigates the mediation of visible/invisible gender-diversity/atypical gender-history, and the ways in which this influences trans-employees' experiences of discrimination, protection, support, and inclusion/exclusion. Gender is discussed in terms of individual/interpersonal everyday experiences, and as macro societal institution/organizational regime dependent on the repetition of societally recognizable gendered signifiers and 'expected' practices. The study then goes on to examine business approaches to trans-employment equality, and responses to trans-focussed/inclusive equality legislation. Poststructuralist and queer theory perspectives provided the theoretical framework for this research in order to interrogate and illuminate the research findings.

The research focuses primarily on the self-reported experiences of individuals who identify as the sex-category opposite to the one ascribed at birth, regardless of their transition or employment status at the time of participation. This inclusion criteria was chosen because these individuals are the only gender-diverse sub-group to legally be afforded protection and potential gender-recognition. 106 trans-participants were recruited via a combination of snowball and convenience sampling to maximise the diversity of the sample. Quantitative and qualitative data was then collected via an anonymous asynchronous websurvey, which allowed participants to remain entirely anonymous, and participate at a time safe and convenient for them. Semi-structured interviews were also conducted with eight business representatives selected from lists of organizations reported to have a strong focus on equality and diversity. Businesses were contacted by email and telephone, and informants interviewed face-to-face or via telephone. All of the interviewees were de-identified from their responses to prevent legal and personal repercussions, and to avoid deterring participation.

Notions of (in)visibility, visibility, and invisibility, are employed as conceptual tools through which to explore the extent to which one's gender-diversity, including history, is visible or invisible to the present or absent onlooker (see also Rundall and

Vecchietti 2010). (In)visible gender-diversity greatly impacts upon trans-employees' workplace experiences, and the extent to which their 'transness' is perceived to be 'palatable' by cisgender onlookers, subsequently influencing the degree to which the trans-individual is othered. 'Visibly'/'knowably' gender-diverse individuals face a significant threat of transphobic discrimination and ostracism, although some do successfully gain acceptance of their gender-identities, and receive support and inclusion. Significant variation was found between the experiences of trans men and trans women, and participants employed in different sectors. Legislation was shown to have impacted upon organizational approaches to trans-equality, particularly in relation to policy-provision. And yet, trans-equality continues to be viewed and constructed as subordinate to other more 'dominant'/societally 'valid' equality-strands, and so is frequently denied investment. Thus, many businesses lack the knowledge and mechanisms needed to implement legislation and policies into day-to-day practices, which perpetuates trans as *sous rature* (under erasure). Through its focus, this thesis makes a contribution to both theoretical and practical knowledge surrounding: the doings/undoings of gender; identity constructions and related interpersonal and intertextual interactions; and the impact of medical, legal, and other dominant societal frameworks; in the UK employment sphere.

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## **Glossary**

**Biocentrism:** in this thesis this term refers to the notion that birth-ascribed sex possesses greater validity than medically managed or reassigned sex (Sensagent 2009).

**Cisgender/ cis:** 'individuals who have a match between the gender they were assigned at birth, their bodies, and their personal identity' (Schilt 2009:461).

**Gender dysphoria:** 'The term used by psychiatrists and psychologist to describe the condition transsexuals have – that is not feeling well or happy with their gender as assigned at birth, in terms of both their social role and their body. Gender dysphoria is not characterised by denial; for instance, female-to-male transsexuals acknowledge that their (pre-transitional) bodies are female. The fact that their anatomy does not correspond with their sense of being male (psychological sex) leads them to seek to bring the two (body and mind) into harmony. Specifically, the diagnosis states that Gender Identity Disorder is 'characterised by a strong and persistent cross-gender identification' which 'does not arise from a desire to obtain the cultural advantages of being the other sex,' and that it should not be confused with 'simple nonconformity to stereotypical sex role behaviour.' This is the diagnosis required by the Gender Recognition Panel' (Whittle *et al.* 2007:86).

**Genderism:** used in this thesis to refer to 'the hostile readings of, and reactions to, gender ambiguous bodies' as well as discrimination 'based on the discontinuities between the sex with which an individual identifies and how others, in a variety of spaces, read their sex' (Browne 2004:331, see also Hill and Willoughby 2005).

**Passing:** Whittle *et al.*'s (2007:87) definition of passing is drawn upon in this thesis, which is a term widely used by the trans community and in queer literature. They state that passing is where: 'a trans person is not visible as a trans person. Those who do not 'pass' have some residual features of their birth gender – which often means that other people regard them still as their birth gender'.

**Trans/ Trans person/ Trans people:** commonly signifies ‘multiple terms that express transidentities’ (Cromwell 1999: 26). However, due to the complexities and pathologization which in many instances surrounds the term ‘transsexual’ (see below), and guided by trans-discourse, the term ‘trans’ was chosen in reference to ‘transsexual’ individuals. (See also, Whittle *et al.* 2007).

**Trans man/male:** someone ascribed the female sex category at birth who identifies as (and potentially transitions to) the male role.

**Trans woman/female:** someone ascribed the male sex category at birth who identifies as (and potentially transitions to) the female role.

**Transsexual:** Commonly used to refer to a person who identifies as the sex category opposite to the one they were ascribed at birth. Within the British medicolegal framework, ‘transsexual’ refers to someone who intends to undergo, is undergoing, or has undergone, gender reassignment treatment, and who has been diagnosed as suffering from gender dysphoria. However, the term ‘transsexual’ is highly problematic because it is rooted in a psychiatric definition of gender dysphoria, and is thus pathologised (GIRES 2008b). It is for this reason that in this thesis, as the participant sample focuses specifically on transsexual people, where not directly referring to the medicolegal framework, the terms trans; trans man/male; trans woman/female; are used, as these are preferred terms within the trans community.

# Introduction

Gender-diversity is a topic that is increasingly under focus, both in the media, and in academia. Additionally, the need for transsexual-equality, protection, and binary-rooted repatriative gender-recognition, have been increasingly recognised and provided for in British Law. Despite this, transsexual and other gender diverse people are frequently relegated to the position of 'societal curio', or 'invisible' or 'unsettling other' by members of the dominant collective. However, contemporary research increasingly gives members of the trans community space to express their experiences to a potentially uninitiated wider audience (for example, see: Whittle *et al.* 2007; Whittle *et al.* 2008; Hines 2007a; Sanger 2008; Schilt and Connell 2007; Schilt 2006). This PhD contributes new trans-participant-centred research with an aim to explore transsexual-employees' experiences of, and the treatment they receive in, UK workplaces.

Recent empirical research has demonstrated that the employment sphere is the space in which the most significant and pervasive inequalities and discrimination are faced by many trans people, in particular those trans people who transition to live permanently in their preferred gender role (see Whittle *et al.* 2007). It is exigent to consider the multiple implications of trans-discrimination for a number of reasons. Notably, a place in employment (or education) is usually considered to be a prerequisite to accessing medical gender-confirmation treatments. Employment facilitates many aspects of daily life. For example, employment enables financial participation in society, and is one of the core components of adult citizenship and identity within a capitalist framework. Similarly, the provisions one may make for one's family; where one is able to live; the leisure activities one may engage in; the standard of living one may enjoy; and the financial buffer/security that may be retained in case of unforeseen difficulties.

For transsexual people, a wage is all the more important so as to offset some of the difficulties faced due to the potential of: wider ostracism; loss of family and community support (including one's home); and extensive NHS waiting times which impede gender transition (Whittle 2005), where personal finances may enable swifter



treatment. Additionally, much of one's day is spent at work, and one's identity and sense of self is likely to be influenced by interactions with others within this space. So, for trans people (more so than for cisgender<sup>1</sup> people, as indicated by the above), employment is complex: transphobia is pervasive in the workplace, and discrimination is rife. Increasing numbers of transsexual people are seeking to actualize their gender-identities, and thus, it is in this transphobic employment climate that many transsexual people must seek to actualise their genders, and forge security for other aspects of their lives.

Supported by supplementary research questions, this PhD addresses the following main research question: *'What impact does transitioning, or having transitioned, from one gender to another, have on a person's experience in UK workplaces?'* This thesis focuses on the self-reported experiences of employees who identify their gender identity as opposite (or different) to the one they were ascribed at birth, and who intend to, or are, or have transitioned to living permanently in their preferred gender role<sup>2</sup> (regardless of their transition or employment status at the time of participation).

This research does *not* focus on the experiences of other gender-diverse people. This inclusion criteria was chosen because transsexual people, once they intend to transition from one gender to the other, are the only sub-group within the wider group of gender-diverse/variant collective to be afforded protection from discrimination, and the potential for preferred-gender recognition under current UK law<sup>3</sup>. Please note that on page four the author defines the reasons for choosing to use the term 'trans' rather than 'transsexual' to refer to the participants. As a backdrop to the data provided by trans-participants, interviews were also conducted with representatives from 'equality minded' businesses<sup>4</sup>. This is in order to provide an indication of the approaches that

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<sup>1</sup> Please see glossary.

<sup>2</sup> Advocate General's statement in *P v S and Cornwall County Council*, [1995]

<sup>3</sup> at the time of writing, there have been recent changes with the introduction of the Equality Act 2010, enlarging the category to include anyone who intends to transition from one gender role to the other, regardless of medical treatments.

<sup>4</sup> 'Equality minded' is used here to refer to the participating organizations' self-professed equality and diversity focus, which has led to them being recognised for their pursuit of this aspect of corporate social responsibility in listings focussed on such organizations.

some organizations take (or fail to take) in relation to trans-employment equality, and the meeting of current legal obligations.

As with many research projects, this PhD is informed to some extent by the author's background. As a trans-allied, cisgender, queer female<sup>5</sup> who has enjoyed 'playing' with gender, this research arose out of an interest in constructions of identity, gender articulations, gender policing, and modes of and barriers to expressions of identity alongside the experience of employment (in)equalities.

The findings from this research show that trans people's experiences in UK workplaces are navigated by sociocultural constructions of trans un/palatability and overriding constructions of 'trans' as 'other' against perceptions and constructions of an innate binary-gender order. Drawing on primary data, it is theorized here that gender-diversity inculcates a sense of 'mutual dysphoria' in the 'institution' of gender for both trans people and cisgender onlookers (this has been invoked by trans activists, for example, the wearing of 'transsexual menace' t-shirts in protest of Stonewall25's exclusion of 'T' from their LGB event in 1993 (Martin, undated). Whilst the 'validity' of trans people's gender-identities is subject to contestation by others, validity is nevertheless accepted to varying degrees by law. Crucially, trans people must be seen to be to conform with culturally-expected signficatory gender-displays, because to deviate, or to be perceived to be not trying 'hard enough' can result in significant sanctions and ostracism.

It is suggested here that trans-employment is mediated through both individual and collective gatekeeping mechanisms which can impede gender-transition, employment security, and progression. Moreover, these are underpinned by medicolegal avenues for gender-actualization and gender-recognition, which in themselves exert pervasive gatekeeping influences. Trans-participants' experiences overarchingly comprise experiences of discrimination, protection, support, and inclusion/exclusion. It is these that form the chief foci of the empirical chapters of this thesis.

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<sup>5</sup> Please see a definition of key terms below.

It is hoped that by feeding back to the UK trans community, key governmental equality organizations, and the academe, regarding trans people's workplace experiences, as well as organizational approaches to trans-equality, a way forward may be found to address the current pervasive levels of transphobia, genderism, and biocentrism, in the UK employment sphere. In conjunction with the work of others, the author hopes that the findings of this research may benefit both current and future trans-employees.

In addition to the equality-driven focus of this thesis, this research also contributes to the theoretical literature on the constructions, interpretations, and the doing/undoing/redoing/doing-to, of gender, specifically by showing the extent to which mutual dysphoria is experienced, unsettling the dominant institution of presumed innate binary-categorization. It is suggested that this may result in 'elastic othering', and potentially concomitant identity contestation. Moreover, the 'textual' authorship of the trans-self is ultimately displaced by the 'readings' of onlookers in interpersonal interactions. It is the agency of these onlookers which determines whether they choose to focus on, privilege, or gloss over, congruent/incongruent physical and vocal signifiatory gender-displays. These processes all contribute to the doings, undoings, and redos of gender.

There are numerous terms used in this thesis, which may require definition for some readers. Whilst terms are defined as they arise, the following definitions of key terms will provide initial guidance as to their usage throughout. The term 'transsexual' is highly problematic because it is rooted in a psychiatric definition of gender dysphoria, and thus pathologises people who seek gender reassignment as having a mental health disorder (GIRES 2008b).

Additionally, it is important here to note the legislative backdrop to the term. Following the European Court of Justice decision in *P v S & Cornwall County Council* (1996) (*P v S*), employment protection was afforded to only those trans people who were intending to undergo, or were undergoing, or had undergone gender reassignment - which was, at that time, defined as a medical process which had to be at least commenced (i.e. the minimum requirement was a visit to a doctor seeking help towards the process of medical reassignment) according to s.82, of the Sex

Discrimination Act, 1975 as amended (SDA). However, the Equality Act 2010, whilst essentially unprotective of wider gender-diverse people, has in some ways addressed the situation since October 2010, by no longer defining gender reassignment as a medical process but instead indicating that it is now considered, in law, to be a social process. The example given in the Explanatory Notes to the Act is:

*A person who was born physically female decides to spend the rest of her life as a man. He starts and continues to live as a man. He decides not to seek medical advice as he successfully 'passes' as a man without the need for any medical intervention. He would have the protected characteristic of gender reassignment for the purposes of the Act. (Employment Act 2010, Explanatory Notes, s.7 Gender Reassignment, ss. 43).*

Thus, the minimum requirement now, is that a person intends to 'undergo; gender reassignment by transitioning to living permanently in their preferred gender role, without any necessity for them to seek medical interaction at any point.

This rejects the previous court and governmental interpretation of the requirements of P v S, but it is probably also a response to the pressure of organisations like Press for Change, and the Parliamentary Forum on Trans people's rights, who raised the question of very long waiting lists for, and difficulty in accessing assessment and treatments.<sup>6</sup> It is also a recognition that the Gender Recognition Act's (GRA) requirements do not require an individual to undergo gender reassignment treatments, but merely an assessment and diagnosis of gender dysphoria along with a period of 2 years of permanently living in their preferred gender role, at which point a trans person can be legally recognised in that gender. This was highlighted in Calderdale where several trans women had been living in their preferred gender role for several years, and who had in many cases obtained a Gender Recognition certificate, but who could not get referred for even hormone treatment, because of the Calderdale PCT's refusal to fund treatments.<sup>7</sup>

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<sup>6</sup> in conversation (2011) with Stephen Whittle, vice-President of Press For Change, the organisation that provided the trans community's stakeholder representatives for the Gender Recognition Bill and the Equality Bill.

<sup>7</sup> ibid

*Please note that the primary data regarding trans-employees' experiences discussed in chapters five to seven was collected from individuals who identify, or who may be referred to, as 'transsexual'. In view of the focussed participant sample, and the 'pathologization' of the term transsexual, this thesis will specify transsexual people only in relation to medico-legal structures and legislation. Because 'trans' is an increasingly common self-referent used by those individuals seeking medical and surgical gender reassignment, guided by trans-discourse, the term 'trans' will be used in this thesis to refer to transsexual people even though 'trans' more commonly signifies 'multiple terms that express trans identities' (Cromwell 1999: 26).*

Additionally, this thesis employs Schilt's (2009:461) usage of 'cisgender' and 'cis' 'to refer to individuals who have a match between the gender they were assigned at birth, their bodies, and their personal identity'. 'Gender-diverse' is used throughout this thesis to refer to people whose gender-identities may be considered 'atypical' under wider socially dominant conceptualizations of sex, gender, and ensuing identities. Whilst this term includes trans people, it also acknowledges other individuals who do not necessarily identify with a cross-binary sex category.

Throughout the thesis, Browne's term 'genderism' is used to refer to 'the hostile readings of, and reactions to, gender ambiguous bodies' as well as discrimination 'based on the discontinuities between the sex with which an individual identifies and how others, in a variety of spaces, read their sex' (2004:331, see also Hill and Willoughby 2005). Genderism is a central thread within this thesis in terms of trans-employee's experiences in the employment sphere. Another key term is biocentrism, which is a term popular in queer studies. In this thesis its usage refers to the notion that birth-ascribed sex possesses greater validity than medically managed or reassigned sex (Sensagent 2009). Finally, Whittle *et al.*'s (2007:87) definition of passing is drawn upon, which is a term widely used by the trans community and in queer literature. They state that passing is where: 'a trans person is not visible as a trans person. Those who do not 'pass' have some residual features of their birth gender – which often means that other people regard them still as their birth gender'. Other terms employed in this thesis are discussed in the following section, which provides the background to this research, and in subsequent chapters as they arise.

This thesis is laid out in three parts. Part one comprises the first four contextual chapters, in which the conceptual, empirical, theoretical, and methodological frameworks are set out. Parts two and three are firmly rooted in the empirical data. Part two (chapters five to seven) focuses on the data provided by trans-participants about their workplace experiences. In turn, part three sets out the ways in which the participating businesses approach the issue of trans-employment equality in policy and practice. Lastly in chapter nine, framed against the main and subsidiary research questions, conclusions are drawn, research limitations are considered, and areas for future research are suggested<sup>8</sup>.

In chapter one literature and empirical research are reviewed in order to consider the socio-cultural *mise en scene* in which gender-identities, gender-diversities, and gender-expressions, are interpreted and constructed. Debates surrounding the ontological constructs 'sex' and 'gender' are engaged with, drawing on both historical and contemporary perceptions in order to examine the ways in which these define and influence conceptualizations of gender-diversity and trans. Rooted in semiotic collective and individual interpersonal interpretation, debates around the doings, undoings, and redos of gender, the ways in which it may be ascribed and achieved, or the ways in which performances of gender may be read as 'incongruous', are reflected upon. The current medicolegal context of gender-diversity in the UK, specifically in relation to 'transsexual' individuals, is also considered.

In chapter two, drawing on literature and other research findings the UK employment sphere is considered in terms of dominant genderist and biocentric tensions. The ways in which the workplace influences trans people's gender-expressions, and the subsequent roles and positions which trans-employees may gain or lose access to during or after transition, are addressed. Additionally, the gatekeeping influences that the workplace, through its structures and practices, and the personnel within, exert over trans-employees' gender-transition and wider life, are examined. Transphobic discrimination in this space, and the multiple implications that this presents, forms a

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<sup>8</sup> Please note that parts of this thesis have been incorporated into publications or externally circulated papers.

particular focus. For it is in this climate that many trans people are compelled to actualize their genders, and forge security for other aspects of their lives.

Chapter three presents the two key theoretical perspectives which are implicit in chapters one and two, and which inform the data interrogation, and underpin the theoretical framework of the thesis as a whole. These are poststructuralism and queer theory. This thesis critically engages with both of these perspectives in relation to this PhD research. Whilst each empirical position is considered separately, the interplay that occurs between them is acknowledged. Importantly though, this thesis seeks to strike a balance between theorizing the findings via this combined theoretical framework, and remaining grounded in the daily lived experiences of trans-employees.

The methodology employed in the primary research component of this research is presented in chapter four. Also discussed are the ethical and methodological considerations which informed the use of a combined methodological approach of: an anonymous asynchronous websurvey comprising of both open and closed questions to collect data from trans-participants; and semi-structured face-to-face and telephone interviews to collect data from business equality/human resources officers.

In chapter five the author's theoretical conceptualizations of '(in)visibility'<sup>9</sup> and 'mutual dysphoria in the institution of gender' are presented. A core aspect of this thesis is the recognition of the ways in which gender-diversity may or may not be visible to onlookers, and moreover, may or may not be mediated by trans people to a point at which they 'pass' in their preferred gender role. Therefore, the notions of (in)visibility, visibility, and invisibility, are employed as conceptual tools through which to explore the extent to which a person's gender-diversity, including history, is visible or invisible to the present or absent onlooker<sup>10</sup>. These particular 'lenses' emerge following analysis of the data. The ways in which trans-participants sought to express their gender-identity through external signifiatory displays, and the ways in which they felt

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<sup>9</sup> Please note that (in)visibility was used as a core theoretical framework in Rundall and Vecchiotti 2010.

<sup>10</sup> For example, present onlookers may be colleagues or clients in the same spatial context, whereas absent onlookers can include: people in different departments; individuals who engage with the trans-employee over the telephone; or people who are aware of the trans person in a distanced capacity.

they succeeded in passing as their preferred/legally acquired gender, or were unable, or did not wish, to do so all or some of the time, are discussed. This focus facilitates the investigation of the impact that the visibility or invisibility of a person's gender-diversity/atypical gender-history has on their experiences of, and treatment within, work-spaces. This thesis reveals the ways in which trans people's (in)visibility is a crucial dimension of practices of agency, identity, and selfhood. This is because it is this, or others' knowledge, which marks individuals as trans against the dominant cisgender-normative societal backdrop, thus shaping others' responses, which in turn influences the experiences that trans-employees have at work, as well as in other aspects of their lives.

Chapter six focuses on trans-participants' experiences of discrimination in work-spaces. Again the findings in relation to the impact of (in)visibility are investigated and discussed. The author theorizes that transphobic, genderist, and biocentric discrimination is rooted in cisgender onlookers' perceptions of the 'un/palatability' of gender-diversity. This is dependent on individual and collective sensibilities, and both iconic and arbitrary knowledge, which subsequently informs the extent to which gender-diverse individuals are 'elastically othered' by surrounding social agents and societal structures.

Chapter seven is the last of the discussion chapters to focus specifically on the data provided by trans-websurvey participants. In this chapter, participants' experiences of: protection, support, and inclusion, at work, and the ways in which these are informed by the (in)visibility of their gender-diversity/atypical gender-history, are discussed. The author demonstrates the ways in which protection, support, and inclusion, are contextually, spatially, and interpersonally relative, and may thus vary considerably in day-to-day workplace participation. Through this data, it is theorized the impact that others at work have over the 'quality' of trans people's employment experiences, and the extent to which the actions or inactions of others can either make the workspace untenable, or alternatively reinforce a trans-employee's in-group membership. Both positions reinforce/have implications for binary understandings of gender and 'belonging'. This chapter contributes to the development on this thesis by highlighting the extent to which (in)visibility influences the levels of protection, support, and inclusion reported. Moreover, the findings included in this chapter



reiterate the extent to which the employment sphere is embedded in expectations of sex/gender/corporeal congruence, but that despite this, protection, support, and inclusion, can be navigated, and some compromise found. Nevertheless, these are ultimately subject to intertextual revision and withdrawal.

In chapter eight the ways in which the participating businesses address the issue of trans-employment equality are focussed upon. This is in order to provide an indication of the practices employed by self-identified 'equality minded' organizations. The reasons for this focus, and for selecting these organizations, are detailed in chapter four. The data provided by the trans-websurvey participants informed the questions which the interviewees in the participating organizations were asked. Thus, the interview data provides a contrasting backdrop to the websurvey findings, further demonstrating the complex and nuanced nature of trans-employment in the UK.

Lastly, in chapter nine, based on the primary research, analysis, and theorizations of the findings, conclusions are drawn regarding trans people's experiences of, and treatment in, UK workplaces. This research shows that the 'visibility' or 'invisibility' of gender-diversity greatly impacts upon trans-employees' experiences of, and the treatment they receive in, UK workplaces. The thesis argues that passing and the extent to which participants felt their gender-identity is accepted are interrelated, and influence perceptions of discrimination, protection, support, and inclusion. These findings enabled me to theorize the ways in which gender-diversity is perceived by cisgender-onlookers as either 'threatening' or 'palatable', and the extent to which this is influenced by the repetition of societally normative gendered signifiers (see Butler 1990). This repetition and ensuing interpersonal perception impacts not only on individual everyday experiences of gender-expression and gender-membership, but also informs (and is informed by) regimes of gender at a macro societal/organizational level. Marked variations in the experiences of trans male and trans female participants, and employees in different employment sectors, were also found in relation to participants' perceptions and experiences. The author theorizes that cis responses to gender-diversity/'atypical' gender-history (where known) are rooted in conceptualizations of an enduring societally dominant iconic trans-

signified<sup>11</sup>. It is argued that it is this, in conjunction with (in)visibility, which underpins the variation between trans men's and trans women's experiences at work. Moreover, the author argues that the data demonstrates sector variation in organizational regimes of gender, and employees' responses to, and interactions with, this.

Whilst the participating businesses stressed their desire to be proactive in facilitating trans-equality, the data showed that trans-equality is perceived and constructed as subordinate to other more dominant, 'visible', and societally 'valid' equality-strands. This results in a lack of provision and investment. Moreover, the participating businesses frequently appeared to lack the knowledge and tools necessary to implement any protective policies they might have, highlighting trans-equality to be an issue of importance in 'name' rather than 'practice'. It is argued that lack of trans-provision and knowledge is part of a wider subordination and othering of gender-diversity which is problematized by the force of societal binary gender regimes. The author theorizes that this subordination is illustrative of the ways in which gender is done, undone, redone, or done to, and the extent to which gender is individually, interpersonally, and institutionally/societally surveilled and navigated. In addition to this conclusion section, the limitations of this research project, and suggestions of areas for further research are discussed.

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<sup>11</sup> It is suggested here that many social agents' conceptualization of a trans person is a trans woman, and that this conceptualization may enable cisgender onlookers to categorize and validate trans female gender identity to a greater extent than may be extended to trans men. See chapter five.

## **Background to the Thesis**

This research is particularly associated with the tensions between medical, social, and societal/legal, conceptualizations and assumptions surrounding sex and gender. In this section the context and 'starting point' for the following literature review chapters are provided, further terms are defined, and some of the key debates in these areas are presented.

It is important to note that sex classification is normally understood in dichotomous medical and biological terms that are rooted in physiology and expected/assumed reproductive capabilities. This dichotomy gives rise to the sex categories 'male' and 'female' which are subsequently widely used to classify humans, and most animals, not only by medical professionals, but also in wider and popularized societal usage. In most societies, this sexual dichotomy has been used to denote and police the roles of the ensuing ontological (but presumed by many to be 'natural') constructs woman/girl and man/boy. And yet, sex is complex. Sex is recognised by some in the social sciences as a social construct rooted in biological terms and assumed innateness. But it does also refer to biological differences, in particular regarding genitalia. Although the complexities which surround sex are discussed in detail in chapter one, it is necessary here to acknowledge the 'discrepancies' which exist in the dichotomous medically derived notion of sex.

Such is the societal compulsion to classify bodies into binary categories that the numerous physiological variations that exist frequently remain hidden or unacknowledged, or are commonly surgically altered at birth if visible. This has given rise to classifications of 'intersex', which customarily remain medically and socially 'othered' and set apart/suspended from the normative 'male/female' binary and reproductive roles, even if intersex individuals are ultimately assigned a binary sex category to enable assimilation into 'normative' society. Thus, medical constructions of dichotomous sex appear considerably more *social* than many clinicians appear prepared to acknowledge. In this thesis the author has chosen to privilege 'gender' over 'sex'. The reasons for this are set out in chapter one. However, the bedrock of this decision lies in the author's desire to recognise the 'trans people who may

choose not to, or are unable to, undergo aspects of, or in some cases any, gender reassignment surgery, in addition to those who do, as this should in no way diminish their right to identify and be recognised as their preferred gender' and thus preferred ontological category (Rundall and Vecchietti 2010:132). The use of 'gender' as an overarching or preferred term to sex has been used before (Kessler and McKenna 1978; West and Fenstermaker 1995; West and Zimmerman 1987), although others have disputed the benefits and usefulness of this approach (Ekins and King 2006; Smith 2009). However, as one rarely sees one's colleagues' genitals at work (or indeed with most people in the majority of interpersonal interactions), but rather 'interprets their gender, and thus assumed "legal sex", through external signifiers' (Rundall and Vecchietti 2010:132). This thesis privileges identity over the physical body. Nevertheless, as illustrated both below and throughout this thesis, the author recognizes the impact that the body has in terms of personal embodiment and interpersonal interaction and categorization by others.

Additionally, a number of legislative provisions have extended legal protections and the potential for gender recognition (only) to individuals who conform to the current medicolegal definition of transsexual: someone with cross sex category identification who has been diagnosed as suffering from gender dysphoria. Legislative provisions are examined in chapter one, however, it is important to highlight here that the most notable of these legislative provisions is the Gender Recognition Act (GRA) 2004. This Act holds particular implications for the interaction between medical, social, and societal/legal conceptualizations of sex and gender. Specifically, the GRA 2004 allows people to legally change sex, 'not on the basis of genital reassignment (sex), but on the basis of role change (gender)' (Ekins and King 2006:230; see also Sanger 2008; Rundall and Vecchietti 2010). Indeed, the UK is one of the few countries to enable citizens to acquire<sup>12</sup> their preferred *binary* gender for all purposes under law, and to be recognised as the 'legal sex' opposite to the one ascribed to them at birth, *without* undergoing gender (specifically genital) reassignment surgery<sup>13</sup> (see Whittle *et al.* 2008; Gires 2008b; GRA 2004). Thus, where 'historically a person's gender'

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<sup>12</sup> Under the provisions of the Gender Recognition Act 2004, transsexual people may 'acquire' their preferred gender for all purposes under law (with a few limitations), as discussed in subsection 1.3.

<sup>13</sup> This is discussed further in subsection 1.3.

has been 'assumed from their sex, this legal change indicates that a person's sex may now be assumed from their gender-identity' (Rundall and Vecchiotti 2010:131).

Gender is no less contested a concept than sex; indeed it appears from the literature to be more so, and yet it is frequently used as a 'catch all' in Western society. Whilst this is investigated in detail in chapter one, the following paragraphs crystallize dominant understandings of gender. As stated above, the term gender is used in this thesis in order to privilege identity over the physical body, whilst recognising that interpersonal classification utilizes visual, aural, and behavioural cues as a mechanism to categorise other individuals within dichotomously constructed sex categories. Thus, 'gender' is used to refer both to identity and also a presentation of self, however problematically interpreted by onlookers. Gender has been employed in a number of usages, including: to define sex-acceptable behaviour, and ways of being a woman or man; as an individual identity; to refer specifically to women, as either an 'other' or as a basis for political cohesion; and as a synonym for sex that enables animalistic undertones of genitals and intercourse to be concealed behind a veil of civility (see: Oakley 1972; Sanger 2008; Whittle 2002; Butler 1990; Gottlieb 2002; Cromwell 1999; Carver 2007; Webster 2002).

Within sociological usage, the term 'gender' was initially appropriated by Oakley (1972; in Francis 2002:40) to refer to culturally derived 'sex-appropriate' behaviour, i.e. female-feminine, male-masculine. However, as highlighted later, this biology-culture distinction has been widely rejected, particularly within contemporary feminist, ethnomethodological, poststructuralist, and queer theory circles, in favour of the view that *both* sex and gender are socially constructed<sup>14</sup>. Gender is far from homogenous, and people's experiences of gender differ depending on their 'class, ethnicity, nationality and sexuality' (Jackson and Scott 2002:21). And yet despite these tensions, like sex, 'gender' is taken for granted by most (cisgender) social agents, and comprises a key way in which society and interpersonal interactions are organised (Lorber 1994). 'Successful' (or 'seamless') displays of gender can be crucial in how individuals are placed in society. This is strikingly illustrated by the sanctions

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<sup>14</sup> This theorisation was initially argued by Kessler and McKenna (1978), and marked a key shift in academic thought. See also: (Hird 2000; Hird 2002b; Ekins and King 2006).

individuals can and do face where their gender display is perceived to be 'disruptive' to the institution of gender and ensuing macro level regimes.

In this thesis, gender is both structure and individual everyday experience. In the author's work, she has chosen to draw in particular on Lorber's (1994:1) 'new paradigm of gender': that of a social institution not located in the 'individual or in interpersonal relations', but as an 'entity in and of itself' that orders everyday societal processes and is incorporated into the fabric of social structures. Paradoxically, though, Lorber (1994:1) recognises that 'the construction and maintenance of gender are manifest in personal identities and in social interaction'. Therefore, interaction and institution are unavoidably intertwined. Subsequently, Lorber (1994:32) asserts that 'everyday gendered interactions build gender' into social structures and institutions. The author suggests this conceptualization is particularly useful in relation to gender-diversity and trans-identity. It is posited that it is particularly pertinent when accounting for the pervasiveness of gender, in terms of knowing (Carver 2007; Gottlieb 2002), and indeed in addressing the human need to order and categorise oneself and others (Delphy 1993). Interestingly, Martin (2006:269) also adds that 'the gender institution makes gendering practices available for practising, and practising them keeps the institution going'. This nicely encapsulates the ongoing and pervasive dimensions of doing gender which we are all (mostly) caught up in.

Lorber's above conceptualization is expanded upon because it is suggested here that its holistic approach is an excellent means through which to investigate and understand both the multiplicity and the specificity of gender, its reproduction and reinforcement, and subsequently trans-employees' everyday lived experiences. However, whilst Lorber's 'institution of gender' comprises an important backdrop to this research, throughout the discussions of the primary and secondary data in this thesis, the 'intertwined' nature of gender is 'unpicked', and individual everyday experiences of gender are explored. The author differentiates between individual experiences of gender, and gender as institution (in terms of legal categorization, and societal expectation), and of the interactions between the two. Additionally, whilst workplaces may be considered to present structural examples of gender, and thus manifest gender as an institution, due to the effects of individuals in the composition

of workplace spaces and regimes, this research recognises that the employment sphere necessarily 'straddles' the two. Therefore, the workplace seethes with the tensions that this 'straddling' creates, influencing employees' individual and interpersonal experiences of gender.

Another important point to note in this background to the chapters is the immense diversity that exists within the gender-diverse population. There are many permutations of gender-identity that may be considered by cisgender-dominant society to be 'atypical'. Some people may identify towards one gender binary-pole than another, some may not identify with the binary at all. Some individuals feel compelled to alter their bodies in order to express their identities, and some do not. Some people choose to express their gender-identities throughout their daily lives, others may feel unable to do this, or may not wish to do so. Because of this diversity, it is not possible in this summary to map out all of the permutations which exist in the trans community: gender-identity is so varied, and so personal. Even within the focussed approach taken in this PhD, it is important to recognise that significant diversity also exists between individuals who identify as, or may be perceived to conform to, 'transsexual'. This is something which is highlighted repeatedly throughout this thesis. And yet, as discussed later, the restricted legislative provisions can mean that individuals may seek to place themselves, nominally, if not totally, under the umbrella of 'transsexual' in order to achieve what can be much needed protections and recognition.

Gender-identity and gender-diversity have become increasingly popular foci in academic research in many disciplines, including medicine, psychology, anthropology, sociology, and law. Moreover, a number of studies have been conducted internationally into gender-diverse people's experiences in workplaces. And yet, this PhD research presents the largest in-depth sociological study of specifically 'transsexual' employees' experiences in UK workplaces since the introduction of the GRA in 2004. As such, it offers important new insight into this group's experiences of workplaces, of discrimination, and of gender both institutionally and individually, at a time when legislative protections and the potential for gender recognition are available for this research sample.

Clearly, employment discrimination and inequality are not issues experienced only by trans people. The sociology of work, and numerous examples from other research and employment tribunals, demonstrate that discrimination, bullying, and harassment, are experienced by workers the world over. However, it is important for readers to note that this research commences with the premise that trans-employees face significant and pervasive employment inequality, as demonstrated in numerous empirical studies (see in particular Whittle *et al.* 2007; Whittle 2002).

Via academic and wider discourse, and theory, in addition to primary research with this specific research sample, this thesis sets out to show how the constructions and societal understandings of gender and sex impact upon trans people's everyday experiences at work. The influences of the medicalized and legislated body and ensuing sex categorization are looked at, and how trans is constructed in relation to these. It is from this that trans is born, and subsequently othered, distinct, and subject to prejudice to a greater degree than inequalities that exist within and between binary sex/gender categories.

In particular, the interpersonal pressures which shape trans-employees' experiences, as they interact with social structures and wider society, are considered here. This research demonstrates the complexity of this area. There is considerable transphobia and inequality, as well as significant management of trans, and of understandings of trans. Not only does the dominant cisgender society 'manage' and police gender-diversity, it also influences cis-individuals' responses to gender-diversity and to trans people. Additionally, people and populations 'manage' themselves both as individuals and collectives in order to navigate their own identities and the wider societal arena. This cis and trans multifaceted 'management' brings the societal institution of gender, and individually experienced gender, into stark relief, and impacts upon all social agents' experiences (as well as the treatment they receive/manifest). Therefore, this PhD contributes new and important understandings not only of trans-employees' everyday experiences at work, but also of the doings and undoings of gender in a space which straddles both the institutional, and the personal/interpersonal.



## **Part One**

# **Chapter One: The Social Context of Gender-Diversity**

## **Introduction**

In this first of two literature review chapters, the conceptual and empirical framework in which this thesis is contextually rooted is set out. In order to later assess the intricacies of trans people's experiences in UK workplaces, it is necessary here to consider the socio-cultural *mise en scene* in which gender-identity, gender-diversity, and gender-expression, are interpreted. The chapter commences by engaging with contemporary debates and societal 'norms' surrounding the ontological constructs 'sex' and 'gender', and draw on both historical and current perceptions in order to examine the ways in which these define and influence conceptualizations of gender-diversity and trans. Then, there will be consideration of the ways in which gender and sex classification are both ascribed and achieved. Next, there is a discussion of the current medicolegal context of gender-variance, highlighting the symbiotically complex relationship between the medical constructions of trans, the correction of unsettling gender presentation, and the legislative provisions in the UK. Finally, a brief conclusion is presented as to the ways in which the material presented provides an indication of the backdrop against which trans-employment experiences are set.

## **1.1: The Social Context of Gender-Diversity**

*'gender-identity is so decisively shaped by cultural effort – the mandate of values, the whims of history, the weight of economy, the power of politics – that it may be a task doomed to failure to delineate where “nature” ends and “culture” begins'* (Gottlieb 2002:168).

To speak of gender-diversity is to invoke the labyrinthine discourses and multifaceted assumptions that surround and define the ontological constructs 'sex' and 'gender'. Related societal 'norms' are at once acknowledged and subsequently unsettled by their potential to *be* unsettled, displaced, transgressed, rearticulated, and to be a chief tool in facilitating these occurrences. It is through, from, and against these discourses and assumptions, that gender-diversity, as a concept, identity, designation, and label,

gains meaning within the current Western social paradigm. The terms sex and gender and their associated meanings are at once both presupposed and highly contested, and are, as the Gottlieb quote above alludes to, embedded with enduring temporality in the social fabric. The root, role, and interaction, of sex and gender have been the subject of considerable debate and theorization by a diverse multitude of epistemological academic camps, the most notable discussed in relation to this thesis being: feminist, ethnomethodologist, poststructuralist, and queer theory. In order to thoroughly investigate trans-employee's experiences of UK workplaces, it is necessary to understand the social context against which, and from which, 'trans' is borne, and experience is derived.

### **1.1.1: Sex**

In Pre-modern, and modern Europe and North America common law and social values depict sex as a natural, fixed, and immutable binary, a biological basis for life rooted in a highly restricted/prescribed notion of reproduction-linked physiology, i.e. vagina/female or penis/male (Kessler and McKenna 1978; Garfinkel 1967; West and Zimmerman 2009, 1987; Butler 1999; Connell 2002; Sanger 2008; Monro 2000; Reischer and Koo 2004; Jurik and Siemsen 2009). This understanding was utilized to determine social expectations of behaviour, with specific assumptions of each social actor's life course, power, and position in society, albeit with significant intersectional factors and individual agency shaping social position and life course in actuality (Carver 2007; Connell 2002; Lorber 1994; Messerschmidt 2009; Gottlieb 2002).

In contemporary Western society, sex and gender differences remain a fundamental social institution, and one of the most pervasive means of social classification, one which arguably dominates, and certainly transects, all other intersectional classifications. All people are designated a 'legal sex'<sup>15</sup> of either male or female at birth (discussed later below). Classification is routinely based on external genital appearance, or chromosomal and hormonal factors if genitals are ambiguous or

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<sup>15</sup> Including intersex individuals. However, campaigning is in progress to allow people to choose to be 'gender unspecified' (Elan-Cane 2009).

deviate significantly from the obstetrician's perception of 'normal' and 'acceptable' regarding either size, shape, or location (Kessler 1998; West and Zimmerman 2009:113-4). However, as highlighted later, recent legislative changes introduced via the Gender Recognition Act (GRA) 2004 have allowed an official separation of legal sex classification from physiology<sup>16</sup>, based on social 'role change', as understood within the framework of gender discussed below (Ekins and King 2006:230; also Sanger 2008; Rundall and Vecchietti 2010).

Anatomically-essentialist, bipartite, classification of human agents ignores the spectrum of diverse bodies which occur (and have always occurred) even within physiology considered through the current medical lens to be 'normal' (Kessler 1998). And yet this framework is so socioculturally ingrained and 'institutionalized' in many countries that social agents repeatedly draw upon it, especially in the Law. Subsequently, this contributes to and sustains an illusion of homogeneity and indisputable fixity. This in turn gives rise to an ontological, homogenized, assumption and expectation, of what it means to be either a 'man' or 'woman', again despite diversity within, and similarity between, each 'group' in actuality (Connell 2002). Garfinkel (1967; in Tee and Hegarty 2006:71) recognized this as the highly moralized default assumptions (in the West) that surround the view of two (and *only* two) genitally derived 'categories of sex' as legitimate. These assumptions provide a backdrop to the multifaceted nature of individual experiences of gender in actuality, and it is against this backdrop that 'transsexual' gains meaning.

Defined as 'across' (trans-) sex (Ekins and King 2006), i.e., within the current biocentric binary framework, crossing from one sex-category to the other, 'transsexual' is at once displaced from corporeally-derived genital and reproductive frameworks of sexual legitimacy. To be trans presents a threat of unsettling these frameworks, and their perceived immutability and 'natural' fixity; to bring into stark relief the potential fragility of interpersonal classificatory mechanisms and societal 'truths'. This may result in a 'knee-jerk' discriminatory/policing reaction from cisgender agents in an attempt to stabilize one of the most fundamental frameworks upon which their sense of identity and societal placement rests. And yet,

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<sup>16</sup> This remains highly prescribed, and focuses currently only on individuals who meet the current medicolegal definition of 'transsexual', as highlighted later in subsection 1.3.

paradoxically, even though ‘transgressive’, the term ‘transsexual’<sup>17</sup> maintains a notion of a fundamental, innate, sexual dichotomy. The term ‘transsexual’ is only ontologically intelligible through sexual dichotomy.

Numerous societies and communities incorporate more than two ‘legitimate’ sex-categories (Gottlieb 2002)<sup>18</sup>. However, in the West, *unrestricted widespread* legitimacy is currently only granted to those people who conform to a non-transgressive<sup>19</sup> sex-binary model. Thus, social agents who intentionally, or unintentionally, transgress related societal norms frequently face sanctions (Connell 2002; Browne 2004; Yuracko 2004), when others ‘attempt to enforce conventional...boundaries’ (Burdge 2007:243; see also Whittle *et al.* 2007; Whittle 2002)<sup>20</sup>. Institutionally gendered mechanisms scrutinize individual experiences and expressions of gender alongside the actions of interpersonal collectives which are rooted in, and enact, *macro regimes* of gender. It is for this reason that trans people can face significant and pervasive discrimination, an issue which forms a primary focus throughout this thesis.

The predominant conceptualization of sex within social science Academe today is that it is a social construction (Kessler and McKenna 1978; Butler 1990, 1993; Ekins and King 2006; Browne 2004), displacing the previously prevalent ‘pre-social’ view of sex as a ‘tabula rasa’ awaiting ‘cultural inscription’ (Webster 2002:192). Poststructuralist accounts of the corporeal locate the body as something that is culturally inscribed and produced, rather than something that is simply natural’ (Grosz 1987). Indeed, Grosz (1994:xi) maintains that the body is open ‘to cultural completion’. Moreover, as an “interface”...between the political and the personal (Spencer 2006:22, with reference to Grosz 1987), ‘the body is both product *and* agent’ (Spencer 2006:22).

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<sup>17</sup> In conjunction with dominant, and medicolegally ‘groomed’, narratives of self-identified physiopsychologically innate trans-sex binarism, as discussed in subsection 1.3, although in actuality trans people’s narratives of sex-category (and indeed gender) identification are far from homogenous.

<sup>18</sup> For example: the Hijra of India and Pakistan.

<sup>19</sup> Note that gender-diverse/trans people may not always appear so, and therefore do not appear unsettling or transgressive on initial uncontextualized perception.

<sup>20</sup> See in particular subsections 1.2.

Lorber (1994:40), drawing on Connell (1987:83), asserts that ‘physical bodies are always social bodies’, and that fundamentally, ‘physiological differences...are crude markers’ of ‘social statuses’, not the source (Lorber 1994:17). According to Stokoe (2004:120), ‘sex-categories come interactionally or textually into view’, or indeed, one might posit, intertextually. West and Zimmerman (2009:113) distinguish sex from sex-categorization (as well as from gender, which is referred to later); in that social recognition and binary male/female categorization ‘involves the display and recognition of socially regulated external insignia of sex— such as deportment, dress, and bearing’ (they suggest also Goffman 1956). Thus, sex is frequently presumed to ‘signal’ gender. However, as a ‘category of analysis’, Ingraham (1994:214) asserts that sex ‘can never exist outside prevailing frames of intelligibility’, and Carver (2007:129) reminds readers that sex is ‘itself a pastiche of indicators variously related to reproduction and eroticism’.

Ultimately, the male/female binary is ‘deeply embedded in Western epistemology and discourse’ (Hostetler and Herdt 1998:253), and wider societal understandings of sex, and sexual classification, remain tied to institutionalized expectations of homogenized bipartite corporeality and reproduction (see OED online acc.27/9/09). Nicholson (1995:49) recognizes the power of assumed pan-cultural ‘physiological givens’ used to ‘distinguish women and men’. Nevertheless, ‘the meanings and expectations for being men and women differ both historically and across interactional settings’ (Schilt and Westbrook 2009:442-3), and ultimately remain determined by contemporary and contextual notions of moral propriety, acceptability, and legitimacy.

Drawing on Adam’s (1990:40) feminist anthropological work on the sexual politics of meat, within this thesis it is suggested that, in wider societal interpretation, genitals are in fact the ‘absent referent’ of sex, in that they largely remain hidden in the majority of interpersonal interactions, and yet remain assumed, providing a pivot for both implicit and explicit classification. Furthermore, drawing on Derrida (1998; see also Rundall and Vecchietti 2010; Rundall 2005), it will be argued later that this can be taken further, in that recognition of gender via external signifiers dominates (and some argue displaces<sup>21</sup>) sex, thus designating sex as *sous rature* (under erasure)

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<sup>21</sup> See Butler 1993.

and therefore temporarily absent yet ever present. This point forms the basis for the thesis's theorizations of (in)visibility in later chapters. Through this, it is possible to tease apart the nuances of self presentation, interpersonal categorization, agency, and the extent to which trans people are able/unable to mediate the gendered signifiers which they present, and whether/how they choose to do so. As such, gender-diversity/atypical gender-history is something which is both seen but also unseen: the diversity of gender presentation and role ensures it can be mediated, but, subject to challenge and deconstruction, it may also be unravelled. (In)visibility forms the predominant strand within the later empirical discussions in this thesis.

The institutionalized semiotics of sex become particularly pertinent when recognizing the 'gender' identities of transsexual and other gender-diverse people. Within a biocentric paradigm, the iconic categorization of social agents via an assumed sex-typed genital signified is both problematic and proscriptive when scripted over bodies which rely on surgical intervention to 'conform'. Notably, there is a widespread expectation that trans people will choose, indeed fundamentally need, to undergo genital reassignment, in order to fully actualise their sense of self, as well as for their emotional well being (Outen 2009:5; World Health Organization 1993; Gires 2008b). Moreover, for many social agents, both trans and cisgender, genital surgery marks a key milestone in the transition from one sex-category to the other (Whittle 2005; Monro 2000:37; Tee and Hegarty 2006:78; Whittle *et al.* 2007; Gires 2008b). This highlights the importance of perceived genital repatriation within the process of 'crossing'.

And yet, many trans people *do not* undergo genital 'reassignment' (WPATH 2008; Gires 2008b) for a variety of reasons, including: because they do not wish to; because surgical results are not sufficient; or because they are unable to for health or financial/funding reasons. 'Sexual semiotics' are therefore all the more problematic when used by onlookers to invalidate or restrict an individual's claim to their preferred sex-category/gender-identity, or (where the person is not binary-identified) their choice to reject the current binary system completely. Vecchietti (2008: 5; see also Rundall and Vecchietti 2010:131) persuasively theorises this paradox as follows:

'In a heteronormative paradigm, one may conceive of "sex" as the signified concept–thought: "penis" or "vagina." One may conceive of "gender" as the signifier: "masculine" or "feminine." Therefore, the signifier "masculine" refers to the concept-thought "penis", which results in the sign being "read" as "male". The signifier "feminine" refers to the concept-thought "vagina," and thus results in the sign being "read" as "female". These two signs are iconic.'

However, it is this privileging of the signified over the signifier which may be so problematic, particularly for trans people who do not wish, or are unable, to undergo genital surgery. Vecchietti (2008: 5) reminds readers that 'the pre-gender reassignment surgery (pre-GRS) trans man "has" the signifier "masculine" and the signified "vagina." The pre-GRS trans woman "has" the signifier "feminine" and the signified "penis".' Vecchietti (2008: 5) concludes that:

'Therefore, the privileging of the signifier 'gender' over the signified 'sex' is necessary in order to acknowledge the transsexual's signifier-led identity. This is made explicit with the introduction of the Gender Recognition Act 2004, in which the signifier (gender) is 'legally' privileged over the signified (sex).'

Ekins and King (2006:230) also note this, reiterating that the GRA 2004 allows people to legally change sex, 'not on the basis of genital reassignment (sex), but on the basis of role change (gender)' (see also Sanger 2008; Rundall and Vecchietti 2010). Indeed, the UK is one of the few countries to enable citizens to acquire<sup>22</sup> their preferred *binary* gender for all purposes under law, and to be recognised as the 'legal sex' opposite to the one ascribed to them at birth, *without* undergoing gender (specifically genital) reassignment surgery<sup>23</sup> (see Whittle *et al.* 2008; Gires 2008b; GRA 2004). Thus, where 'historically a person's gender' has been 'assumed from their sex, this legal change indicates that a person's sex may now be assumed from their gender-identity' (Rundall and Vecchietti 2010:131). In this way, the institutional responds to the personal (albeit within an ever present institutional framework). And yet, the institution of gender, through legislation and societal expectation, remains a policing gatekeeper of individual experiences of gender and ensuing expression.

In the empirical chapters of this thesis the author has chosen to privilege the signifier over the signified, and thus used the word 'gender' rather than 'sex'. The above

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<sup>22</sup> Under the provisions of the Gender Recognition Act 2004, transsexual people may 'acquire' their preferred gender for all purposes under law (with a few limitations), as discussed in subsection 1.3.

<sup>23</sup> This is discussed further in subsection 1.3.



approach was chosen ‘in recognition of the trans people who may choose not to, or are unable to, undergo aspects of, or in some cases any, gender reassignment surgery, in addition to those who do, as this should in no way diminish their right to identify and be recognised as their preferred gender’ (Rundall and Vecchietti 2010:132). However, with and against the wider social milieu, it is frequently the case that recognition of a pre-transition transperson’s preferred sex-category is subject to contestation. When referring to ‘sex’ in terms of a biocentric medicolegal model, or when hailing the notion of genitally derived sex-categorization, the term ‘sex’ will be used.

The use of ‘gender’ as an overarching or preferred term has been used before (Kessler and McKenna 1978; West and Fenstermaker 1995; West and Zimmerman 1987), although others have disputed the benefits and usefulness of this approach (Ekins and King 2006; Smith 2009). However, as one rarely sees one’s colleagues’ genitals at work (or indeed with most people in the majority of interpersonal interactions), but rather ‘interprets their gender, and thus assumed “legal sex”, through external signifiers’ (Rundall and Vecchietti 2010:132), this thesis privileges identity over the physical body. For example, throughout the data collection and analysis, this is continued by asking participants about their experiences, identity, perceptions of self, and the ways in which they feel others perceive them, and use their responses to inform this research. The research draws upon responses regarding their physical presentation in relation to their identity and experiences. Nevertheless, as illustrated both below and throughout this thesis, there is recognition of the impact that the body has in terms of personal embodiment and interpersonal interaction and categorization by others. Whilst intensely personal, the body and personal corporeal displays remain highly political and governed by the institution of gender.

### **1.1.2: Gender**

Gender is no less contested a concept than sex; indeed it appears from the literature to be more so. It has been employed in a number of usages, including: to define sex-acceptable behaviour, and ways of being a woman or man; as an individual identity;

to refer specifically to women, as either an 'other' or as a basis for political cohesion; and as a synonym for sex that enables animalistic undertones of genitals and intercourse to be concealed behind a veil of civility (see: Oakley 1972; Sanger 2008; Whittle 2002; Butler 1990; Gottlieb 2002; Cromwell 1999; Carver 2007; Webster 2002). Additionally, gender has been theorised as: a culturally specific social construction; a social institution; linked to sex; distinct from sex; constructed against or in relation to sex; something that displaces and/or replaces sex; or as something that sex potentially always was (see: Kessler and McKenna 1978; Hird 2000; Hird 2002b; Ekins and King 2006; Butler 1990, 1993; Lorber 1994; Gatens 1996; Messerschmidt 2009; Connell 2002; Prosser 1998). Gender is far from homogenous, and agentic experiences of gender differ depending on 'one's class, ethnicity, nationality and sexuality' (Jackson and Scott 2002:21). And yet despite these tensions, like sex, 'gender' is taken for granted by most (cisgender) social agents, and comprises a key way in which society and interpersonal interactions are organised (Lorber 1994).

As highlighted in the earlier background section, within sociological usage the term 'gender' was initially appropriated by Oakley (1972; in Francis 2002:40) to refer to culturally derived 'sex-appropriate' behaviour, i.e. female-feminine, male-masculine. However, as highlighted later, this biology-culture distinction has been widely rejected, particularly within contemporary feminist, ethnomethodological, poststructuralist, and queer theory circles, in favour of the view that *both* sex and gender are socially constructed<sup>24</sup>. Whilst predominately used to propose that behaviour is socio-culturally rather than biologically driven (Francis 2002:40), Oakley's conceptualization nevertheless anchored gender within a reified binary framework. Couched in ostensibly homogenised terms of 'sex-appropriate' behaviour, gender became subject to a reductive 'naturalizing' epistemology which pervaded, and continues to pervade, wider societal conceptualizations, as demonstrated below<sup>25</sup>. Subsequently, 'gender' became synonymous with culturally

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<sup>24</sup> This theorisation was initially argued by Kessler and McKenna (1978), and marked a key shift in academic thought. See also: (Hird 2000; Hird 2002b; Ekins and King 2006).

<sup>25</sup> Internalization of, or reference to, 'naturalized' gender is not only internalised by cisgender individuals, but also by trans people. For example, as discussed in subsection 1.3, transsexual individuals (and other gender-diverse people seeking access to hormone or surgical treatments) frequently employ a narrative of biologically-rooted/natural gender-identity (see Tee and Hegarty 2006:78; Monro 2000; Hines 2007; Rundall and Vecchietti 2010). Thus, to varying degrees,

determined ways of being *either* female, and thus a girl/woman (through behaviour constructed and interpreted as 'feminine') *or* male and thus a boy/man (through behaviour constructed and interpreted as 'masculine') (Connell 2002; Lorber 1994; Butler 1990; Carver 2007; Sanger 2008).

Interestingly, Messerschmidt's (2009:86) research highlighted that, as much as gender is presumed to reflect a person's sex, other's interpretations of their behaviour in terms of gender are fundamentally navigated in terms of the person's presumed sex. It appears there is no escaping the ingrained presumptions that govern inter-agentic interpretation, which has particular connotations for trans people at early stages of transition, and for those who cannot pass. Norms surrounding this gender dichotomy rely on the *appearance* of inter-group difference and intra-group homogeneity, rather than this being the case in actuality (Hess 1990; Connell 2002; Lorber 1994). The iconic and arbitrary knowledge that is accessible or available to social agents, and related societal linguistic practices, are intrinsically linked to the perpetuation of this restrictive dichotomy<sup>26</sup> (Carver 2007; Gottlieb 2002; Cameron and Kulick 2003; Koch 2004; Stapleton 2001; Motschenbacher 2009; Stokoe 2004; Knights and Kerfoot 2004). Indeed, it is via perceptions of normativity that social structures such as this gain power and currency (see in particular Foucault 1994; and Butler 2004; for discussions of norms and power). Even research that seeks to step outside of social norms and boundaries frequently falls back on them (Hird 2000). This is a criticism levelled in particular at queer theory approaches.

Following the above discussion, it is necessary to consider the implications this has for gender-diverse people, and it is to this that the thesis now turns. Within this 'normative' framework, 'gender is [implicitly] presumed to reflect biological sex in all social interactions' (Schilt and Westbrook 2009:440). It is from and against this institutionalized expectation that 'trans' and gender-diversity are intelligible in terms of gender (as opposed to physiology, as discussed earlier). And yet, interpretation and articulation of 'cis'-gender is both prescribed and complex, and far from the homogeneity it is frequently presumed to incorporate. Homogenized individual

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transsexual people in particular may be seen to both unsettle, and reinforce, dichotomous and biocentric social structures (Lorber 1994).

<sup>26</sup> This is a particular focus of subsection 1.2.

experiences of gender are a carefully constructed illusion. Lorber (1994:14), for example, asserts that 'a sex-category becomes a gender status through naming, dress, and the use of other gender markers'. However, she reminds readers that this transferral is somewhat paradoxical; in that 'clothing...often hides the sex but displays the gender' (Lorber 1994:22), a facet highly pertinent to 'trans'.

Sanger (2008:43) notes that 'despite efforts to move away from essentialism, gender is still generally mapped directly onto sex'. But for her, as with others noted later, this is politically significant, as 'this is how gendered...identities are recognised, produced, and consequently positioned within matrices of power' (Sanger 2008:43). For trans people, societal expectations of 'sex'-'gender' congruence may particularly impact upon their sense of self, and the ways in which they seek to articulate this externally to others, and indeed internally, to themselves, although this may change over time (Hines 2007; Rundall and Vecchietti 2010). Furthermore, if (particularly cisgender) onlookers perceive an individual's gender-signifiers to be incongruous with their (presumed) sex, they may, as previously highlighted, face severe sanctions. This discrimination can frequently lead to transpeople feeling displaced, or delegitimized.

Whilst not all trans people choose to identify as trans<sup>27</sup>, especially after they have reached a point in which they feel that their transition has come to a conclusion<sup>28</sup>, in instances of displacement within the wider biocentric paradigm, 'trans' becomes an important beacon for identification and power (see Monro 2005 for a discussion of identity politics, see also Gamson 1996). Moreover, it provides an important linguistic tool with which to recognise individuals who do not, or who are perceived not, to conform to the naturalized sex/gender-framework. There is an increasing awareness of gender-diversity within the UK, or rather, of certain aspects and conceptualizations of this; in particular dominant medicolegally-derived narratives of transsexual identity.

The trans community is incredibly diverse. In the context of a transsexual framework, trans men and trans women comprise far from homogenous groups. As discussed

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<sup>27</sup> Many trans people choose to self identify as trans, or as a trans man/trans woman as a signifier of their gender-diversity, experiences and gender-history, even if this self identification is only divulged in certain circumstances. Others are swift to reject 'trans' in order to achieve a sense of validity over their gender-identity and successful repatriation.

<sup>28</sup> Although, it is widely recognised that gender transition is an ongoing and intensely personal process, rather than one that is rigid and finite (Whittle et al. 2007; Whittle 2002; Whittle 2005).

later, the most pervasive narrative (aside from societally embedded 'othering' discourses) is that of transsexuality as a 'blameless' and treatable medical condition<sup>29</sup>, where the person ultimately seeks to repatriate within the binary system and conform rather than unsettle<sup>30</sup>. Indeed, for a proportion of trans people, 'passing' is an ultimate goal in the process of gender-transition, as it represents the successful arrival of their 'true' gendered self, facilitating of the validation of this via the recognition of on-looking individuals. To speak of performativity in terms of gender-expression may for some trans people seem an insult which negates their sense of innate gender, however contested assumptions of gender 'innateness' are within academia. And it is important to remember that many trans people *do* have a strong and essentialized inner sense of their gender-identity. It is this that informs their expressions of agency when seeking to actualize their identity in a biocentric, genderist, and transphobic, society. Nonetheless, in many ways, passing successfully reifies, or creates the illusion of reifying, existing gender boundaries and gender-appearance 'norms'. This can be 'undone' if a person is 'out' about their gender-diversity or atypical gender history. In comparison, other gender-diverse groups are the subject of significantly less pervasive widespread discourse.

But as a term, 'trans' is complex, because it can be utilized for both negative and positive purposes. Rooted in a biocentric and heteronormative logocentric paradigm (see Derrida's (1982) theorizations of logocentrism), if used negatively, it can designate a gender-diverse person as other, deviant, or monstrous (see Stryker 1994; and Monro 2000). In positive usage, it allows transpeople to be recognised as present, and moreover, as discussed in subsection 1.3, as valid, instead of positioned as gender 'outlaws', as an absent, invisible, and linguistically unrecognised societal 'other'. Despite the problematical nuances of trans, transsexual, and other terms, these at the very least bring the fragility of sex/gender 'norms' into focus, and even if only momentarily, may displace the hue of immutability which surrounds these social structures. The very existence of these terms signifies and acknowledges the existence of gender-diversity, regardless of whether or not trans people seek, or are

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<sup>29</sup> However, mental pathologization remains intertwined, see subsection 1.3.

<sup>30</sup> It is later suggested that the GRA also seeks where possible to make gender-diversity 'invisible' by repatriating individuals back within the binary gender order via gender recognition. However, this is not to suggest that the provision of gender recognition is not a positive provision for binary-identified trans people.

able, to pass as their preferred gender in daily life. These terms provide a basis for wider knowledge and recognition, and combined with other factors<sup>31</sup>, help increase the wider cisgender population's awareness of the existence of gender-diversity, and extend a framework for interpersonal categorisation.

Notably, despite institutionalized expectations of sex/gender congruence and homogeneity, most social agents (cisgender or trans) employ myriad combinations of 'masculinities' and 'femininities' within their individual self-identities and presentation (Connell 2002). These are often 'fragile, fragmented, and fluid' (Knights and Kerfoot 2004:430). Monro (2005) considers that this is more usefully conceived as a 'gender spectrum', and Lorber (1994) suggests that the use of 'genders' rather than gender would be a more appropriate reference. Both Monro's and Lorber's suggestions are supported in this thesis. When 'gender-identity' is employed here, its use acknowledges that *either/both* gender/genders may be appropriate, depending on the self-perceptions of the respondents. In other words, identity is not used here in a finite or fixed manner, rather as a term to incorporate individual nuanced and changeable senses and expressions of self. Indeed, throughout the presentation of the research findings, the diversity and complexity of participants' identities and methods of self-expression are highlighted.

A key criticism levelled at the (Oakley-esque) sex/gender-binary by Butler (1990) is that it forestalls the recognition (and perception) of multiple femininities and masculinities. Gender is widely recognised (within the academe at least) as something experienced differently throughout the life-course, and in different spatial, contextual and interactional settings (see Gottlieb 2002). Whilst underpinned by macro regimes of gender, individual experiences of gender vary considerably from any illusion of fixity, but cisgender people in particular may choose to ignore their shifting experiences in favour of institutional congruence and self-placement. Gender is, as Carver (2007:128-129), eloquently suggests, a 'complex conceptual and experiential system'. And yet, despite this complexity, gender is pedagogically constructed and policed as dichotomous, and 'people...are held accountable in terms

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<sup>31</sup> Such as more positive and informed (albeit distilled, homogenised, and heterocentric) media coverage than previously; legislative changes (GRA 2004; SD(AL)R 2008); and increasing numbers (and thus to an extent, visibility) of trans people seeking to actualise their gender-identities and live 'in role' at all times (Gires 2009).

of their presumed “sex-category” (Connell 2009:105). Browne (2004:331, see also Hill and Willoughby 2005) introduced the term ‘genderism’ to refer to ‘the hostile readings of, and reactions to, gender ambiguous bodies’ as well as discrimination ‘based on the discontinuities between the sex with which an individual identifies and how others, in a variety of spaces, read their sex’<sup>32</sup>. It is this genderism that is a central thread within this thesis in terms of trans-employee’s experiences in the employment sphere. As such, genderism is a theme returned to repeatedly throughout the latter chapters of this thesis.

Turning to the academe’s varying views of the location of gender; despite societally-reproduced ‘naturalizing’ epistemologies surrounding widespread conceptualizations of gender; like sex, within the academe, and in certain areas without, it is more frequently recognised today as a social construction (see for example the work of Butler; West and Zimmerman). It is important to note that many sociological theorizations of gender reject notions of essentialism. And yet, there is no escaping the fact that many trans (and cis) people experience their sense of gender-identity as *essential* and *innate*<sup>33</sup>, albeit informed by institutionalized sex/gender structures. Thus, essentialism is a complicated issue for consideration in this thesis. The thesis treads carefully around essentialism in order to recognise individual experiences, and the expressions of agency in which this can manifest; it also recognises the ways in which notions of essentialized gender are informed and constructed through institutional societal structures and mechanisms.

Various epistemological positions theorise the location of gender, and the manner in which it is constructed and reproduced/perpetuated, in a variety of ways. For example, Stukes (2001) draws on Lacanian postmodern psychoanalytic theory, and highlights what she terms the psychological model of gender. She suggests that within this framework, gender is an internal bodily compulsion ‘determined by linguistic and cultural practices’, that are dependent on ‘imaginary gestalts’ compelled by ‘cultural discourse’ (Stukes 2001:394). In comparison, poststructuralism locates gender in interaction and discourse within the context of culture, but not as an internal

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<sup>32</sup> Bornstein refers to the perpetrators of genderism as gender defenders. However, it is suggested here that genderism is more internalised and pervasive in everyday interactions than Bornstein’s term gives scope for.

<sup>33</sup> And wish/expect their gender to be recognised as essential and innate by others.

compulsion as Stukes suggests (Hird 2002; Butler 1990; Butler 2004; Hines 2006; Sanger 2008). It is perceived as something that is done, or rather, a process of doing, which requires repetition in order to be reproduced, even if there is variation within this process (West and Zimmerman 1987, 2009; Butler 1999; see also Glynos and Howarth 2008). Under the auspices of 'gender', these doings have been theorised as performative, as well as 'contextually enacted' (Browne 2004:335; Butler 1999).

However, the levels of individual and collective agency within this are disputed (Gatens 1996; Butler 1990, 2004; Clegg 2008; Glynos and Howarth 2008; Hostetler and Herdt 1998). Both queer theorists and poststructuralist feminists reject the notion that gender is a bodily compulsion, but assert that the power and meaning of gender is both achieved and ascribed through discourse and interpersonal interaction (Hines 2006:50). This is relevant to conceptualizations of 'trans' because various trans-discourses refer to gender-identity as both a bodily compulsion, and as an interactive sense of self informed by cultural and societal influence. In other words, trans-discourse can construct gender as both or neither, or something else entirely<sup>34</sup>, depending on the experiences and identities of the individuals (and their desire/requirement to conform to medicolegal discourse).

However, Monro (2000:39), in her consideration of trans, is critical of locating gender wholly within the social, on the basis that it can 'insufficiently address the institutional and ideological forces structuring gender'. In comparison, ethnomethodological and indeed feminist perspectives more readily 'locate gender' at the social level (Monro 2000:33). Others suggest the gender structure makes gender available for social agents to do and undo, and in essence, be undone by (West and Zimmerman 1987; Martin 2006; Butler 1990, 2004; Messerschmidt 2009). In a social constructionist vein, Davies (1989) concludes that it is the social structure that makes gender, and indeed sex, rather than vice versa.

As noted earlier in this thesis, Lorber (1994:32) goes further to combine interaction and institution, asserting that 'everyday gendered interactions build gender' into social

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<sup>34</sup> See for example Bornstein's and Bergman's discussion of 'outside of gender' (2010).



structures and institutions. She (Lorber 1994:1) offers 'a new paradigm of gender': that of a social institution not located in the 'individual or in interpersonal relations', but as an 'entity in and of itself' that orders everyday societal processes and is incorporated into the fabric of social structures. Paradoxically, though, Lorber (1994:1) recognises that 'the construction and maintenance of gender are manifest in personal identities and in social interaction'. It is suggested here that this conceptualization is particularly useful in relation to gender-diversity and trans-identity. This thesis proposes that this is because Lorber's assertion is particularly pertinent when accounting for the pervasiveness of gender, in terms of knowing (Carver 2007; Gottlieb 2002), and indeed in addressing the socially constructed human need to order and categorise oneself and others (Delphy 1993). Interestingly, Martin (2006:269) also adds that 'the gender institution makes gendering practices available for practising, and practising them keeps the institution going'. The ascription and achievement of gender is discussed further in subsection 1.2. Crucially though, the gender structure is widely recognised as far from static (Risman 2009:83), but rather as intersectionally multi-experiential in relation to temporal, spatial, (Gottlieb 2002) and individual/institutional factors (Risman 2009:83). And yet the above theorisations do not explain why some social agents reject their primary socialization and the manner in which they are categorised within the biocentric social framework, and who, potentially to the point of suicide, experience such profound senses of gender incongruity that they risk violence and ostracism in order to actualise their gender-identities. It is here that 'essentialized' and corporeal individual experiences of gender-identity are most strikingly highlighted, as well as the enactment of agency to bring about gender-transition in the current societal arena.

Many theorizations of gender are criticized for being a priori: of failing to be cognizant of lived experience and personal senses of identity, particularly for trans people (Namaste 1996; Monro 2005; Webster 2002; Prosser 1998). Additionally, many conceptual frameworks neglect to acknowledge the influence of embodiment and individual societal navigation within the overarching collective (Vidal-Ortiz 2009; Webster 2002; Browne 2004; Hey 2006; Clegg 2008). In particular, poststructuralist and queer epistemologies have been criticised in this regard (Hines 2006), although this neglect is by no means universal in either. Highlighting the need to recognise the role of bodies in interpersonal interactions, Smith (2009:76) criticises the use of

gender as an overarching term on the basis that it buries biology, and thus fails to acknowledge the importance of corporeal influences. It is important to note here that whilst it can be recognised that corporeality is a foundational influence, both in processing others, and ourselves in relation to others and the wider cultural framework, it can be argued that the natural diversity present in physicality, and the potential for corporeal signifiers to be manipulated by external presentation, can further unsettle expectations of gender/sex/body congruence. Thus, gender need not be perceived as ignoring the body, as Smith argues, but only the restricted bipartite classification dominant in the West today<sup>35</sup>. It would be more appropriate to recognise a gender spectrum which interacts with a spectrum of physicality that may be both dissonant and congruent with social frameworks.

Gatens also asserts that, as fundamentally embodied beings, bodies are critically involved in the construction of gender through designated 'sites of significance' (1996:9), however culturally and artifactually inscribed. If the body is a canvas on to which gender is artifactually and contextually mapped (or perceived), it is a canvass that comes in a variety of shapes and sizes, which in themselves are socially categorised, even before key sites of significance (at least those not readily on show) are inspected. As discussed in the following subsection, this can be especially problematic for trans people whose corporeal 'canvas' displays confusing visual cues when they seek to visually actualise their preferred gender-identity. The transperson may be perceived to pose a threat to the gender 'order' (Rundall 2005), and thus they may subsequently face violence or ridicule from other social agents as a means of removing their power and legitimacy (see Taylor 2009).

In comparison to Gatens' theorisation, Butler (1990) asserts that bodies become comprehensible through gender. This is dependent upon a repetition of 'corporeal signs' (Butler 1990:136); of imitative performance that displaces the notion of an original (Butler 1990); an iterative doing, and indeed, in her central theorisation, an undoing/troubling (Butler 1990; 1993; 1999). However, Butler (1999) disputes the extent to which social actors exert agency over their own gender or indeed sense of

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<sup>35</sup> By displacing dominant Western bipartite classifications of corporeal sex (and assumptions of gender), trans people would have greater freedom to actualize their sense of selves without an oppressive indication of corporeal otherness.

identity<sup>36</sup>. And yet, as already discussed, trans people's actualization of their gender identities strikingly illustrates both individual and collective agency enactment. Notably, the root(s) of gender as an internal compulsion and a social construction arguably achieve a more complex currency when considered in terms of gender-diversity, gender fluidity, and discourse surrounding trans-validity in an overwhelmingly heteronormative and biocentric paradigm. Internal compulsion is widely stated as the impetus for seeking to transition, and yet the very act of transitioning and actualizing one's gender-identity necessarily draws upon/rejects societal constructions of gender and the signifiers with which gender-subcategories are associated.

The above literature has highlighted myriad conceptualizations of sex, gender, and their interaction, in order to demonstrate the complexities against which trans is positioned. In order to recognise the interdependent and iconic accomplishment of social phenomena on both a contextual-individual level, and a multifaceted-collective level, a constructionist/relativist approach is taken within this thesis. By choosing this approach it is possible to recognise the ways in which social agents and collectives interpersonally and individually generate meaning, as well as the diversity of interpretation that arises. Identity is both complex and diverse, and shapes multifaceted lived expressions and experiences of gender within and against the institution of gender. Gender and the expectation of sex/body/gender congruence is one of the most ingrained and highly policed facets of the socio-political framework, which frequently results in gender-diverse people being constructed as other, and as a threat to the social order.

Social agents are socialized into gendered societal and community conventions which frequently present an illusion of pre-social sex/gender, which influences how they are treated. Moreover, trans people in particular, in essence reject their socially constructed and pedagogically reproduced primary sex/gender socialization, on the basis of a sense of self in relation to the world (and the institution of gender) around them. If they choose to actualise this identity externally, as discussed later, they currently do so in the face of almost certain discrimination (see Whittle *et al.* 2007;

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<sup>36</sup> Indeed, poststructuralism and queer theory have deconstructed this concept of individual identity (see Hines 2006; Carver 2007; Lorber 1994).

Whittle 2002). The author joins other academics<sup>37</sup> in arguing that it is the perception of otherness, and threat to the binary-gender order and interlinked societal norms (either through the visibility or knowledge of a person's gender-diversity), which leads to trans people's experiences of transphobic, genderist, and biocentric discrimination<sup>38</sup>. Therefore, whilst some trans people strongly identify within the binary gender framework (and in essence uphold societal notions of gender essentialism, albeit with a twist), the act of 'crossing' genders can lead onlookers to ostracize, ridicule, and threaten, those who they perceive to transgress in intention, action, or appearance. This can be alleviated somewhat where trans people are able to pass as their preferred gender, and mediate the extent to which onlookers are aware of their gender background. Moreover, the dominant cisgender population, through embedded, covert, and overt policing mechanisms (be they consciously or unconsciously enacted) seek to remove the threat that gender-diversity may present by either seeking to safely reincorporate trans people within the binary, or to reject them as outsiders through invalidation and de-legitimization, and subsequently potentially through dehumanization.

The main trigger points for discrimination centre on the point of transition when gender-diversity is most frequently visible, where one begins to cross-dress, or when others become aware of one's intention to transition (Whittle *et al.* 2007:14). Indeed, Whittle *et al.*'s (2007:32) research found that a significant percentage of respondents do not live full-time in their preferred gender because of fears of negative repercussions. Transphobia may be viewed in part as a mechanism to discourage 'gender-crossing'. And yet, ironically, transphobic societal policing of gender-diversity may increase the frequency of 'gender-crossings' that are undertaken, in order to balance safety with individual expressions of self in more secure spaces.

Trans-discrimination is experienced in all sectors of life, although the levels vary. Whittle *et al.* (2007:25) found that employment was the sector in which the most prejudice was experienced, followed by: healthcare; criminal justice; leisure; higher education; and financial services (Whittle *et al.* 2007:25). The types of discrimination reported were also analysed, and showed that, starting with the most common:

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<sup>37</sup> For example: Whittle *et al.* 2007; Schilt and Westbrook 2009; Schilt and Connell 2007.

<sup>38</sup> Although widespread practices of sadistically marginalizing the unusual is also a factor.

inappropriate comments; then verbal abuse; threatening behaviour; physical abuse; and finally sexual abuse (Whittle *et al.* 2007:53). Thus, in seeking to actualise one's gender-identity, trans people are ultimately required to seek a way forward whilst surrounded by pressures and potential discrimination from other social agents and societal structures. It is suggested here that the collectively constructed and reproduced institution of gender maintains a basis of transphobia (which is also employed by individuals) as a means through which to guard its binary-derived structures and hierarchies of power and classification.

Depending on numerous factors discussed later, including agency, to some extent all social agents (however identified) may internalise, reiterate, flex, destabilise, or undo, aspects of this contextually relevant sex/gender paradigm, depending on temporal and spatial factors, and both their knowledge and experiences. This thesis suggests that it is crucial that the multifaceted nature of gender-identity, the sex/gender structures which comprise the societal *mise en scène*, and the influence of pedagogical boundary policing, are taken in to account when considering the experiences that trans-employees have within the current UK arena. It is within this framework that gender-diversity and trans gains meaning, and from which trans men's and trans women's experiences are derived. Throughout this thesis, the interaction between individual experiences and expressions of gender and the influences of macro level regimes of gender which manifest in workspaces, are drawn upon, and continue to lay the foundations for later discussions via literature in the following subsections and in chapter two.

## **1.2: Expression, Interpretation, and Recognition**

Gender is both ascribed and achieved (West and Zimmerman 1987), and in the process of self and external gender attribution (Kessler and McKenna 1978, in Ekins and King 1996:1), forms a key component of social categorisation and in/out-group power dynamics (Donelson 1999:40; Fiske *et al.* 1999; in Lauzen *et al.* 2008:201). It is both an individual and collective 'doing', and indeed an intertextual undoing and redoing, which is pedagogically and internally navigated and surveilled. It is also

concurrently enacted within a collectively perpetuated, multifaceted and intersectionally complex, institutionalized social framework. This framework makes available culturally-dominant, socially-prescribed, and contextually-mediated, avenues of expression, through which people can claim a place and seek to be recognised, and/or against which they can seek to reject the place in which they are/were positioned by others. Additionally, it presents parameters through which inter-agentic interpretation takes place, and in relation to which recognition may or may not ensue.

This section resides on the premise that, informed by the institution of gender, many trans people experienced an *essentialized* sense of gender-identity. And yet, the expression of identity is influenced by the complexities of everyday existence, and so may be considered highly reflexive and societally responsive. This thesis now turns to the methods and means through which trans people choose and find ways to express their identity externally.

### **1.2.1: Expression**

The expression of gender is a key avenue in which trans people seek to actualise their sense of self identity externally, and it is to this that the focus now turns. As a societally governed 'textual practice' (Pullen and Knights 2007:507), the expression of gender is widely recognised as something that is accountable to, and indeed accomplished via, interaction under the auspices of the intuition of gender (Messerschmidt 2009:86; Martin 2006:269; Ekins and King 1996; West and Zimmerman 1987, 2009). It is intrinsically shaped by, and experienced through, intersectional factors such as: age, class, sexuality, gender-identity, ethnicity, nationality, spatial context, and interpersonal interaction (Jackson and Scott 2002; Gottlieb 2002; Connell 2002; Hines 2006; Clegg 2008). Crucially, gender-expression involves an individual's interaction with, and perception of, themselves, as well as with and by others. Gender-expression is something that is under construction for all social agents, cis, trans, or otherwise gender-diverse.

Facets of expression may be conscious, reflexive, subconscious, and unconscious, and concomitant combinations of all may be employed at one moment. For many cisgender individuals, gender-expression is something that is taken for granted, and largely guided by socialization, and accepted ways of enaction/'doing' that usually gain, or seek to gain, a desired response from others (Lorber 1994; Connell 2002). Accompanying this, the author suggests that social agents are subject to containment through other's expectations of their assumed past, present, and presumed future *gendered* experiences, despite the fact that experience is fundamentally diverse and subject to intertextual interpretation. For trans people, these assumptions and expectations have a significant impact, and may lead to a conscious management of self that obscures past experience in order to achieve a self that is intelligible and validated within these mechanisms of constraint in the present (see Green 2004).

Next, it is necessary to consider agentic and unconscious articulations and constructions of gender, and the ways in which this is societally mediated. Whilst practises of agency and individual 'ownership' of, or power over, identity and its means of expression, are debated (Monro 2000; Hines 2006; Lorber 1994; Knights and Kerfoot 2004; Garcia 2000, Carver 2007), Butler (1999; see also Jackson and Scott 2002) suggests that gender (necessarily combined with sex and sexuality) is performative (as well as discursive). She asserts that it is a 'doing' and 'undoing' that involves the citation of existing norms and practices that 'seem to congeal over time' (Butler 1999:43). Indeed, it is through repetition (articulated in her theory of performativity) that the semblance of a 'unified subject, an identity, a self' is produced (Garcia 2000:267 discussing Butler 1990).

Stukes (2001:406) raises the concern, that 'cultural production', and indeed reproduction, does not 'adequately account for the [apparent] rigidity of gender'. Dominant poststructuralist discourse responds to this, however, through arguments centring on the internalization and rearticulation of cultural discourse within the context of the overarching social arena and related power structures. However, Monro (2000:39) contests in particular 'Butler's analysis of the self' on the basis that to conceive of the trans self as solely the internalization of discourse risks 'accusing others of false consciousness, thereby denying them agency and autonomy'. In other words, there is a risk that individual senses of self, and the agency to decide on

modes of expression, become problematized. Nevertheless, social actors' ability to suspend themselves from the social world around them remains debated (Butler 1990; 2004; Lorber 1994). These debates are particularly relevant when considering people who feel compelled or choose to step outside/reject the social role ascribed to them. Based on her research, Sanger (2008:50) states that whilst many transpeople experience a sense of gender as either one or other of the social gender-binary, the complexity of trans-identities and experiences should not be denied in order to simplify theorizations of trans. Furthermore, in order to symbolise/actualise disentanglement from social-role ascription, one must consider the extent to which social actors are compelled to draw on societally recognised signifiers (see also Sanger 2008:50 regarding reference to Sanger 2007a). Alternatives can involve a rejection or reflexive use of signifiers in order to wilfully unsettle the gender-framework. But within societal interpretation and individual's reflexivity, signifiers, by their very nature, retain an echo of dominant or contextual schematics in order for the complexities and meanings of unsettling to come to fruition. Thus, individual experiences of gender are both implicitly and explicitly informed by gender as institution.

In order to have their identity (or their desire to achieve recognition) recognised, transsexual individuals are compelled<sup>39</sup> to display societally-recognisable signifiers (including behaviours) associated with their preferred binary gender role (see Hines 2007; Rundall and Vecchietti 2010). Moreover, regardless of the extent to which they pass in practice, trans people are also obliged to negate, or attempt to negate, those signifiers which are perceived to contradict this gender role (see Messerschmidt 2009 for an informative discussion of youth negation of gender-signification; see also Herald 2005). Indeed, many trans people have internalised the signifiatory displays associated with their preferred gender, and report an affinity to these displays in terms of their personal narratives, sense of self and identity expression (Rundall and Vecchietti 2010). It is through these displays, and other's recognition of their identity, that an authenticity of self and sense of actualization may be felt to be achieved<sup>40</sup>. Trans and cisgender-identities all are socially constructed within and against the

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<sup>39</sup> At least in early stages of transition, as discussed later.

<sup>40</sup> although authenticity and one's sense of actualization may be undone: by personal experiences of dysphoria; in terms of experience or corporeality; as well as by the action or inaction of others.



gender institution, and Monro (2000:37) makes the important point that surgical ‘and hormonal treatment[s are] simply an extension of the social construction of gender’. Nevertheless, Clegg (2008:212) reinforces the innate complexities of gender, asserting that while ‘the sense of self as a woman or man appears to be highly durable, this does not imply a reduction to (biological) sex’.

Other gender-diverse individuals are also compelled to utilise signifier display or negation in order to trouble, undo, and reposition gender-categorization. It is this cultural language which is so fundamental to enaction and interaction. Risman (2009:83), drawing on Giddens’s (1984) structuration theory, suggests that ‘individuals are the products of their social worlds yet are not determined by them’. However, the author would argue that multifaceted social behaviours are deeply embedded and contained within societal frameworks of understanding. Actions and signifiers are read, interpreted and categorised, both by the author of the action/expression, and readers external to them, through a lens which is constructed from a combination of the social world, each individual’s intersectional attributes<sup>41</sup>, and their past experiences. The potential for divergence between intention and interpretation remains ever present. Additionally, social agents may not always be conscious of their authorship, or may experience a sense of this in a variety of ways in varying spatial, temporal and interactional situations.

Following the above discussion, the ways in which the semiotics of gender shapes trans people’s gender articulations and ensuing individual experiences are considered. Doing, undoing, and redoing, are both consciously and subconsciously achieved: semiotically; within the intertextual constraints of social structures; and both through historical and contemporary discourse. In the context of the Western societal arena, this is overwhelmingly framed within socially ascribed boundaries of hetero- and bio-normativity (Pullen and Knights 2007; Atkinson and de Palma 2009; Chutter 2007; Higgins 2003). Through the institutionalized and widely perceived naturalness (West and Zimmerman 1987) of dominant/expected citational doing, other non-dichotomous, or non-biologically congruent gendered identities<sup>42</sup>, are rendered ‘inappropriate or unintelligible’ (Ehrlich 2007:453). For trans people, this has a crucial

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<sup>41</sup> Such as age, ethnicity, social class, nationality, perceived gender/gender-identity.

<sup>42</sup> As well as those that are congruent but which step outside of prescribed avenues of expression.

bearing on self presentation and expression, not only in order to have one's identity recognised, but fundamentally, to get by in everyday life (Schilt and Connell 2007). Trans-identities are complex and diverse, as are the ways in which trans people seek to anchor themselves and find a place within the social arena, despite frequently being perceived as gender outlaws<sup>43</sup>. Hird (1998:517) makes the important assertion that consideration of the 'self' necessitates the recognition that it is 'highly fractured, contradictory and shifting', and encompassed by both 'inner' and 'outer diversity' that may be contradictory.

Whilst transsexual individuals have repeatedly been portrayed as 'gender overachievers' (Schilt and Connell 2007:614; drawing on Garfinkel 1967; Kando 1973; Raymond 1979), Schilt and Connell's (2007:614) research found that frequently it is in fact surrounding cisgender individuals who 'overdo and reinforce gender', and 'often enlist their transitioning colleague into gender rituals designed to repatriate them into a rigid gender-binary' (2007:596). Furthermore, they (Schilt and Connell 2007:596) found that trans people 'have little leeway for resistance' particularly, as was the focus of their research, 'if they wish to maintain job security and friendly workplace relations'<sup>44</sup>. Ultimately, to fail to conform and toe the gender-binary line is frequently to entertain potential discrimination. Schilt and Connell's findings provide key point of consideration in relation to this thesis, and are considered in the later empirical chapters via the primary data. Additionally, the validity and authenticity of a trans person's identity may be subject to challenges from both cisgender, and other trans, individuals (see Sanger 2008; Ekins and King 2006; Whittle 2002; Whittle *et al.* 2007). This may take the form of challenges to an individual's trans status or the authenticity of their preferred identity, where the trans person may be subjected to others' policing, which repatriates them to their birth gender-category (Schilt and Connell 2007:597). It is entwined with these tensions, and the wider social context of gender-diversity, that trans-identities are individually and collectively experienced, expressed and articulated.

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<sup>43</sup> The term gender outlaw here signifies a living outside and an unsettling of the dominant gender arena. See Bornstein's (1994) discussion of gender outlaw as a deconstruction, rejection, and a living outside of, or playing with, the gender order.

<sup>44</sup> The author later discusses her similar findings, which she suggests highlight the enactment of what she theorises as 'elastic othering'.

The social institution of gender and the culturally determined semiotics of gender, make available a diverse pallet of widely recognized but randomly configured gendered signifiers which individuals may consciously and unconsciously employ in their self presentation (Rundall 2005; Rundall and Vecchietti 2010). The body, and accompanying visual, as well as audible, cues, are both symbolic and agentic tools (see Cromwell 1999; Messerschmidt 2009; Reischer and Koo 2004). These tools are a means through which to: present oneself, reject or signify rejection of other's expectations and/or negate the gender order, and lay claim to a position within the social arena. This may be a source of pleasure as well as pain and discrimination (Connell 2002), especially where the signifiers one gives off are adverse to the presentation of self that one would otherwise wish to present/articulate. Ekins and King (2006) highlight the differences in identity articulation and signification that occur within and between subgroups of the trans community. They state that whilst many MTFs articulate their sense of femaleness by being out as trans/gender-diverse, 'out' FTMs, particularly the 'younger generation', 'take a much more postmodern line and are freely playing with the signifiers of gender in more overtly innovative and experimental ways' (Ekins and King 2006:224).

It is important to note here, however, that trans women are frequently less able to pass in their preferred gender role than their trans male counterparts (Whittle *et al.* 2007; Whittle 2006). This makes them significantly more likely to be targets for discrimination, in comparison with many trans men who, post-testosterone, are more readily able to pass and thus are frequently able to 'melt away' into the gender order after a degree of transition (Whittle *et al.* 2007). The variation between trans men's and trans women's experiences is a key issue that is considered in detail in the later empirical chapters. Intrinsically, passing frequently governs discrimination: if someone does not pass, and appears gender-diverse, then they may be subject to transphobic or genderist responses. Thus, the identity 'trans' or 'transsexual' may be perceived to gain a greater, and potentially necessary, degree of importance for trans women, although this is not to deny the importance of 'trans' for trans men and other trans-identified individuals. Cromwell (1995) in particular discusses the importance of reclaiming and taking pride in terms like transsexual in order to disempower attached social stigma, although Butler (2004:91) counters this with the caution that, to utilize language which has effaced the nuances of one's existence constitutes a sacrifice

(albeit one that may be necessary). In this thesis, the author aligns herself with Cromwell's approach.

Expressions of gender are complex and continually policed, and it is necessary to acknowledge the tensions that may ensue in trans people's day-to-day lives. Fundamentally, for poststructuralists, social agents are more than artefacts to be read, regardless of whether external expression is intended, or unintended, or where expression is not perceived to match that which *is* intended. The presentation or omission of external signifiers, both linked and unlinked to corporeality (or others' assumptions/perceptions of this), provide the bedrock for interpretive interaction. And yet, presentation of the body is not always easily manipulated in order to achieve the effect one desires. One may appear: too short or tall, too robustly or finely featured, too broad or too slender; when appraised in relation to other's expectations of 'normative' physical gender characteristics.

As discussed below, expression is not always successful, and one can become 'undone' through the gaze of others and the backdrop of the wider gender institution (Lorber 1994; Butler 2004; Pullen and Knights 2007). Vecchietti persuasively conceives of this as incremental passing (Vecchietti 2008; see also Rundall and Vecchietti 2010). Trans people may seek to pass in their preferred/acquired gender, and indeed some may seek to live as stealth<sup>45</sup>. However, this option is not open to all trans people either some or all of the time. And indeed, some trans people who have the option to pass and live as stealth choose not to do so some or all of the time. This research focuses in particular on these complexities, and the extent to which they impact on trans experiences in, and in relation to, the work environment, in chapter five. It is this 'reading', by oneself and by others, which, if known, may encourage or require the adaptation of behaviour or presentation in order to achieve desired gender perception (cf. Messerschmidt 2009). Contra-intentional interpretation can be particularly problematical, as dichotomously rooted legitimacy is interwoven within gender-signification to such an extent, that to resist or to unsuccessfully conform to expectations 'is to be perceived as a social failure' (Davies 1989, drawing on Huang 1987, Walkerdine and Lucey 1989). It is against this backdrop of

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<sup>45</sup> Where a person passes and lives as their preferred/acquired gender, and withholds their trans-status or history from others (Rundall and Vecchietti 2010).

expression-versus-interpretation that personhood is ultimately perceived/achieved (Butler 2004; Hostetler and Herdt 1998).

### **1.2.2: Interpretation and Recognition**

Following the complexities of gender-expression, this chapter now turns to the tensions surrounding the interpretation and recognition of gender-identity and gender-diversity, as this fundamentally shapes trans people's individual experiences. Drawing on Bordieu ([1980] 1990), Lorber (1994:26) notes that 'the gendered practices of everyday life reproduce a society's view of how women and men should act'. Indeed, institutional and individual meanings and understandings of social structures are derived from contemporary discourse, and are as culturally embedded and relevant as the structures they ascribe meaning to (Cameron 2005, in Ehrlich 2007:153; Sackmann 1998:180). It is the actions (or perceived actions) of the majority which maintain gender norms, even if these alter slowly over time in relation to political and cultural shifts.

Western society is fundamentally rooted in 'male/female, man/woman' constructs (Connell 2002:3), which although damaging, are 'normative conveniences' (Goldner 2003:134) for interpersonal classification, as well as the basis for institutional and power structures. Despite an increasing recognition of masculinities and femininities, their conceptualization invariably continues to be binarily derived and prescribed (Knights and Kerfoot 2004:431; drawing on Brittan 1989; Linstead and Thomas 2003; and Linstead and Brewis 2002). These are hierarchically coded and 'mapped on to bodies which are...viewed (or made to represent) maleness and femaleness in terms of [presumed] genital and other physical signifiers of sex' (Carver 2007:129).

As noted previously, social actors are held accountable to the gender institution through other's reading of their sex-category (Connell 2009:105), and crucially, in the majority of interpersonal interactions, sex-category and gender are perceived to be congruent and thus indistinguishable (Messerschmidt 2009:86). This is not to say they are congruent, but that they are perceived to be, and thus sex-categories become legitimised (Stokoe 2004). For example, Messerschmidt (2009:86) noted in

his research that the perception of a social agent's sex-category intrinsically navigates the meanings an onlooker attaches to their behaviour in terms of gender. It is also based on the onlooker's experience of their own gender. Thus, gender is not only a 'doing'; it is also a 'done to'. For example, gendered spaces such as lavatories or changing rooms are sites in which gender may be ascribed, but also where individual gender-validity may be problematised (Browne 2004). Browne (2004:331) in particular investigated these issues in terms of the policing faced by lesbians in public conveniences when they did not employ expected signifiers of femininity. However, social agents frequently draw on unconscious and automatic (and in many ways essentialist) methods of interpersonal categorisation (Herald 2005). Indeed, an onlooker may fail to notice a missing or incongruous signifier if other expected, more dominant signifiers, are present (Herald 2005). Nevertheless, where incongruity is perceived, where a person fails or seeks not to pass, the gender matrix is brought into stark relief and made very visible (Lorber 1994).

The processes of interpretation are multifaceted and complex, and occur on institutional as well as interpersonal and individual levels<sup>46</sup> (Risman 2009). Trans people's experiences have provided the academe with an opportunity for more intricate analyses of gender within the wider societal population, both in terms of performativity and cultural construction, but also in terms of one's sense of self as a gendered being, even in the face of contra-socialization. Individual experiences of gender, and responses to wider gender influences, are made visible by a group whose expressions and identities are considered by many to be 'atypical'. And yet, notions of 'typical' and 'normative' are highly policed social constructions rooted in essentialized fallacy which fails to acknowledge human diversity, regardless of gender-identity, gender-categorization, and corporeality. Referring to identity processes, Devor made the suggestion in 1997 (p. xxvii)

'that most of the issues confronted by transsexual persons are neither theoretically nor practically distinct from those of other members of society and that gender and sex dysphorias and gender fluidity are part of all of our lives'.

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<sup>46</sup> On an institutional level, as discussed later in subsection 1.3, the GRA 2004 signifies recognition of transsexuals, but does so on the basis of expected gender-binary repatriation, and removal of gender trouble, at least on paper.

Whilst it is agreed that many individuals may experience a sense of dissonance or dysphoria in terms of the types of 'woman' or 'man' they are expected to be and how they wish or are able to be, and experience their sex/gender in various ways depending on spatial, temporal, intersectional and interactive factors, the author disagrees with Devor's above statement. The author questions its validity on the basis that, to experience dissonance in terms of the schema pertaining to a socially ascribed sex-category to which one identifies (and is categorised by others), is fundamentally different to experiences of dissonance with the category itself. It is one thing to identify as a different sort of 'woman' or 'man', and to feel constrained or uncomfortable about internal and external navigational influences which shape one's identity construction, presentation and external interpretation. It is quite another to reconcile one's identity as one that is outside of the boundaries of normative biocentric expectation, and to navigate one's sense of identity, expression and interpretation accordingly.

Crucially, trans people face an elevated level of difficulty in self-expression and gender-actualization compared to the majority of cisgender people. Indeed, for individuals who are not able to pass, and whose corporeal canvasses unsettle other's interpretation in terms of gender recognition and ascription, the complexities of identity processes they may face on a daily basis are both theoretically and practically different. Devor wrote the above at a time of his own self-asserted cisgender-identification (see Devor 1997:xv). However, since he transitioned to the male role, it would be interesting to know if after experiencing the process of transition and gender-actualization first hand, he has reviewed his earlier assertion.

Passing is key in discussions of gender interpretation and recognition, and it is to this that the discussion now turns. The transsexual population is diverse, and although Sanger (2008) found that many trans people have a sense of self as one or other of the gender-binary, interpretation and recognition of gender-identity by other social agents may be problematized by trans people's wish, and ultimately ability, to pass (and thus be reabsorbed into the gender-framework without *visible* conflict). Vecchietti (2008, cited in Rundall and Vecchietti 2010:133) conceives of passing 'as a structure of incremental signifiers, which exist in competition with opposing signifiers'. Vecchietti (2008, in Rundall and Vecchietti 2010:133) makes the further point that

passing is uncertain and that, 'just as passing is incrementally assembled, it can also be incrementally disassembled'. Transsexual individuals' gender articulations have been subject to a variety of interpretations (Hird 2002:577), including: authentic (as a "real" woman or man); performative ('as hyperbolic enactment of gender'); and as transgressive (which Hird suggests renders 'the modern two-gender system obsolete').

And yet, many authors, including Hird (2002:577; see also Sanger 2008; Hines 2007; Ekins and King 2006) note that, although possible, transgression is 'not guaranteed by all forms of transsexualism'. Many trans people do seek to pass, with varying degrees of success. Furthermore, many of those who do pass, in particular trans men, for whom this is frequently a possibility (Rundall and Vecchietti 2010, see also Whittle 2002; Whittle *et al.* 2007), choose to live for the most part as stealth. However, passing fundamentally relies on the current binary framework for meaning, and thus retains, and maintains, a hue of essentialism, even if individual gender enactment includes fluidity under the outward veneer of sex-category conformity. Subsequently, apparent gender-binarism comprises a textual interface and tool. Nevertheless, this repetition contributes to the reinforcement of binarism which is used by social agents to police gender-diversity, resulting in a 'catch twenty-two' situation. As highlighted throughout this thesis, gender presentation and expression, and in particular, passing, intrinsically shapes the likelihood and types of discrimination trans people may face. If one passes entirely, one is unlikely to face transphobia, but this does not necessary mean that other difficulties due to one's gender-diversity or gender-history will not be experienced. Thus, interpretation of trans-identities is complex.

Gender is categorized through societally dominant typologies which are informed by, and flex to incorporate, individual understandings and conceptualizations. Consequently, where a trans person does not pass all or some of the time as their preferred gender, the manner in which they will be interpreted is dependent on onlooker's knowledge, previous experience, and awareness of societal discourse on the issue<sup>47</sup> (see Rundall and Vecchietti 2010, also Hoffman 1998). It is this that forms

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<sup>47</sup> Including through media depictions.



the basis of whether they recognise the trans person as trans, and moreover, whether they appropriately recognise the trans person's preferred gender-identity<sup>48</sup>. The same is in many ways also true regarding trans people who pass and live as stealth, but who come out (or are outed) as trans. It is later theorised and discussed that this process is an instance of mutually experienced dysphoria in the institution of gender which unsettles individual perceptions and experiences of gender. It is at this point that the onlooker can accept or reject the trans person's gender-identity, and the manner in which the institutionalized gender order remains undone, redone, (or untouched if the transperson passes and is stealth), with the transperson placed either within, without, or regressed to their birth sex-category.

Hostetler and Herdt (1998:250) discuss the ways in which 'specific sexual identities are socially and discursively instantiated...as alternatively privileged or marginalised forms of personhood'. Whilst trans is frequently designated as a marginalised form of personhood, the recognition and acceptance of transness, and moreover of one's gender-identity as valid, may for an instant, grant a fuller sense of personhood. As discussed later, there is a growing construction and (tentative) internalisation by some portions of the wider cis population, of 'trans' as a blameless and treatable condition rather than a dangerous 'disruption' or 'perversion'. Nevertheless, as demonstrated later, members of the dominant cisgender collective, in seeking to maintain the notion of gender as natural and thus incontestable, determine what constitutes deviance in a given situation (see Deetz 1992, in Davey 2008; Becker 1963, in Dennis and Martin 2005). Frequently, gender-diversity continues to be constructed as deviant, although to varying degrees<sup>49</sup>. To designate deviance is frequently to dehumanise and delegitimize, thus removing power and threat<sup>50</sup> (Taylor 2009). Not only may trans people face delegitimization as trans, but onlookers may delegitimize the validity of their gender-identity by 'holding them accountable to their birth gender' (Schilt and Connell 2007:598). Connell (2009:105) posits that behaviour produced in the face of gender/sex-category-rooted accountability is not a 'product of gender', but is in fact 'gender itself'. Thus it is not necessarily trans people who unsettle gender, but the

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<sup>48</sup> Some trans people are comfortable to be recognised as trans or gender-diverse, at least in certain situations, as this perception forms recognition of their complex identity. For others, to be perceived as trans can be extremely upsetting, and increase their sense of dysphoria and societal invalidity.

<sup>49</sup> Please see the later theorisation of elastic othering.

<sup>50</sup> Whilst implications of power have been interwoven throughout chapter one, please note that an explicit discussion is presented in chapter two.

interpretation and subsequent behaviour of both cis and trans onlookers in the face of sex-category/gender in/congruence.

Lorber (1994:22) notes that the binary gender institution is reliant upon making groups of people and their actions appear similar in order to maintain and reproduce this binary illusion in the face of complex multifaceted gender experience. Social agents may be perceived to concurrently undo 'some aspects of gender and [do] others (Anna Guevarra, personal communication, 2008, cited by Risman 2009:83). And yet, as West and Zimmerman (2009:117) commenting on Risman (2009) reassert, accountability to sex-category (be it known in terms of birth ascription or assumed) sits at the core of doing gender, and they caution against 'undoing' as an implication of abandonment of this accountability. Schilt and Connell (2007:615) note that, when faced with (in this case) a trans male colleague who increasingly passes as male, biomale colleagues in particular may validate their colleague's male identity and incorporate them into 'male' interactions<sup>51</sup>. One could argue that this 'recreates' accountability in terms of the trans male colleague's newly acquired sex-category, and displaces what may otherwise constitute troubling of the gender order.

Sanger (2008) observes that currently the gender institution does have its uses, as a basis for classification, and as means of identification and political force. But so does 'trans', particularly in the face of currently pervasive discrimination and inequality (Whittle *et al.* 2007). Sanger (2008) also notes the debates which surround the feasibility of undoing gender, at a time when so much currently rests on current gender matrices. Lorber (1994:32, drawing on Scott 1988a:7) states that 'because gender is a process, there is room...for modification and variation by individuals and small groups but also institutionalized change'. And yet, until trans people are widely recognised and perceived as valid in their gender-identities, regardless of whether these conform to the current gender-binary, current gender in/out group power dynamics and discrimination will remain. This constitutes a daily struggle for trans people seeking to participate in everyday life, despite the continuing introduction of

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<sup>51</sup> Schilt and Connell attribute this to biomale colleagues' desire to avoid being perceived as homosexual, should they continue to show an interest in their trans male colleague's genitalia, and so instead choose to relate as guys.

British equality legislation aimed at availing transsexual individuals with protection, as discussed in the following section.

### **1.3: Medicolegal Approaches and the Construction of Trans-Validity**

*'can the law respect gender without imposing gender?' (Whittle 2002:78)*

To be recognised and afforded protection from discrimination and harassment under law is theoretically to be made present, to have one's existence and rights acknowledged within the socio-political framework. And yet, accessing and achieving rights and recognition may be problematic when protections are unsuccessfully implemented and enforced, and when one's identity is largely pathologized within society. The transference of protections and recognition into everyday actions and interactions, on both institutional and interpersonal levels, continues to be widely lacking for trans people in the UK. Furthermore, the scope of legislation and medical approaches to gender-diversity are currently limited, and exhibit a preoccupation with navigating gender-diverse individuals back within the framework of binary gender 'normativity'. Moreover, medicolegal approaches are largely based on a homogenised medically-rooted construction of 'transsexual' that excludes the many gender-diverse individuals who do not conform, and also constrains those trans people who do seek to move from a birth sex-category to its social opposite. The medicolegal framework comprises an aspect of the institution of gender that reproduces gender-binarism through its sole focus on 'transsexual' protections and gender-recognition. This intrinsically influences trans people's individual experiences of gender and means of identity actualization.

To achieve recognition, or to access protections, gender-diverse people are encouraged to assimilate to the medically and legally validated construct of 'transsexual'. For some trans people who identify with, and seek to repatriate to the opposite sex-category, this concurs with their sense of self. However, for others it does not, or at least not fully, and consequently a hierarchy in medicolegal provisions and recognition is demonstrated. Not only does this perpetuate genderist perceptions

amongst the wider cisgender population and societal institutions, but also impacts upon the ways in which trans people individually and collectively perceive and construct themselves. Legal recognition of gender transition is firmly rooted in the medical paradigm, and since the introduction of the SD(GR)R 1999 and the GRA 2004, key aspects of medically facilitated gender-confirmation processes have been linked to the legal sphere. Because the legal and medical approaches to gender-diversity are complexly intertwined, both are presented below.

### **1.3.1: British Legal Approaches to Gender-Diversity**

Currently in the UK, the only gender-diverse individuals to be afforded protection from discrimination are those who conform to the current medicolegal definition of ‘transsexual’ and who propose to, have started, or have ‘completed a process (or part of a process) to change his or her sex’ (EA 2010 and guidance). However, legal recognition of preferred (binary) gender (after certain prescribed medically-linked steps, discussed below) is restricted to transsexual individuals who have received a diagnosis of gender dysphoria<sup>52</sup> (GRA 2004:3), and who wish to transition from their birth gender to its societally designated opposite (SD(GR)R 1999; GRA 2004; EE(SD)R 2005; EA 2006; GED 2006; SD(AL)R 2008). This is despite the fact that other gender-variant people face similar levels and types of discrimination; an issue which the government has acknowledged but has yet failed to address<sup>53</sup> (GED 2006; Mitchell and Howarth 2009:vii). Indeed, ‘transpeople...form one of the most oppressed groups within Western society’ (Monro 2000:34), in addition to suffering significant discrimination internationally<sup>54</sup>.

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<sup>52</sup> Gender Dysphoria is defined as: ‘The experience of... dissonance between the sex experience, and the personal sense of being male or female’ (DSM-IV-TR2 – APA 2000). The NHS provides the following definition: ‘where a person feels that they are trapped within a body of the wrong sex’ (NHS 2009). The World Health Organization defines transsexualism as: ‘the desire to live and be accepted as a member of the opposite sex, usually accompanied by the wish to make his or her body as congruent as possible with the preferred sex through surgery and hormone treatment’ (ICD-10 – WHO 1990).

<sup>53</sup> Trans-citizens face discrimination and inequality in all aspects of daily life, including violence, abuse, ostracism, and threats. See: Whittle et al (2007); Whittle (2002); Rundall and Vecchietti (2010).

<sup>54</sup> The Yogyakarta Principles 2006, and the UN Declaration on Sexual Orientation and Gender-identity 2008, have sought to address international homo/transphobia, but implementation remains ineffective.

Current legislation rests on the medicalization of transsexuality (discussed below), and remains firmly entrenched in institutionalized dichotomous sex/gender norms, thus excluding a significant proportion of the UK's gender-diverse population, of which transsexual individuals are a minority (O'Keefe 2004; see also Outen 2009). Trans 'cultures radically challenge normative taxonomies of gender and sexuality' (Hines 2006:52), and yet, to be granted protections (and recognition), one must confess to pathology (O'Keefe 2004), and re-conform, or be seen to seek to re-conform, to the current gender-framework. This is made all the more complex by aspects of flexibility/fluidity in gender-identity, and personal and social barriers which mean that many individuals who might otherwise, cannot/choose not to transition and assimilate within the 'transsexual' framework (Whittle *et al.* 2007), or indeed feel able to take the prescribed steps to achieve medicolegal gender recognition. Moreover, assimilation with the current societal gender order and the binarisms that underpin it is not desirable for many trans-identified citizens (Hines 2007a:3.4).

Hines (2007a:3.1) and others have highlighted the increasing societal interest in 'trans' and gender-diversity, facilitated primarily via media and popular culture. However, Hines (2007a:1.2) in particular discusses the complexities of the ways in which gender-diversity may be perceived to gain validity through 'social, cultural and legislative developments' in the UK, whilst drawing attention to the discrepancies in the levels of inclusion experienced by different groups of gender-variant people. It is because of the above bipartite legal provisions that this thesis focuses specifically on self-identified transsexual individuals/individuals who wish to move from their birth sex-category to its opposite. This is specifically in order to investigate the experiences of gender-diverse individuals who are currently afforded legal protections and the possibility of gender recognition.

The discussion now considers the trans-related legislation that currently exists in the UK, and the implications this has for trans-equality provision. The first piece of British legislation to grant protection to transsexual people was passed in 1999 as a consequence of a ruling by the Advocate General of the European Court of Justice (P v S and Cornwall County Council, Case C-13/94 [1996] IRLR 347, ECJ), which compelled the British government to introduce legislative change. The ensuing Sex Discrimination (Gender Reassignment) Regulations 1999 provided individuals who

*'intend to undergo, are undergoing, or have undergone, gender reassignment'*<sup>55</sup> with protection from discrimination in employment and vocational training. However, a number of sub-clauses sanctioned the continuation of certain types of discrimination, subsequently diluting some of the progress made by the ECJ ruling (Whittle 2002). More recent legislation (Employment Equality (Sex Discrimination) Regulations (EE(SD)R) 2005; Equality Act (EA) 2006; Sex Discrimination (Amendment Of Legislation) Regulations (SD(AOL)R) 2008; Equality Act 2010) has extended protections to include both discrimination and harassment, notably in the use of public sector facilities, and in the provision of goods and services<sup>56</sup>. Additionally, the EA (2010:7(1)) has amended the above inclusion criteria first presented in the Sex Discrimination (Gender Reassignment) Regulations (SD(GR)R) 1999 with the following:

*'A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.'*

This recognises that many trans people choose not to, or are unable, to undergo all aspects of what some consider to be 'full' medical transition. However, it was only with the introduction of the Gender Recognition Act 2004 (GRA) that transsexual individuals, via the Gender Recognition Panel, were able to gain legal recognition of their preferred gender, and to 'acquire' it for all purposes under law. Prior to this, whilst trans people could change their name and sex on all documentation except their birth certificate, their legal sex remained birth determined, impacting upon pension and marriage rights, as well as causing repetitive instances of sex-versus-gender disclosure<sup>57</sup> (Whittle 2002). The passage of the GRA into law was not a smooth one, as it was met by numerous barriers, including disagreement from religious circles<sup>58</sup>, and a wide lack of understanding in both parliamentary houses about gender-variance (O'Keefe 2004).

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<sup>55</sup> This remains the inclusion criteria of current protections.

<sup>56</sup> The Equality Act 2010 also extended protections even further into the private sector.

<sup>57</sup> Primarily this effected trans people who passed as their preferred gender.

<sup>58</sup> who sought to impede the Act and contest its validity.

Until the GRA, the UK was one of only four European countries that did not provide full recognition of transsexual citizen's preferred gender (Whittle 2000). The GRA was a significant step away from the Ormrod ruling (*Corbett v Corbett* [1970]2 All ER 33) that had previously shaped the state's approach to gender-diversity. Ormrod ruled that determination of sex was tripartite: chromosomal; gonadal; and genital appearance (*Corbett v Corbett* [1970]2 All ER 33; Whittle 2002:8). This ruling was not only disastrous for trans people in the UK, negating the possibility of legal preferred-gender recognition for over thirty years, but also exerted international repercussions (O'Keefe 2004). Indeed, the majority of countries internationally also focus on transsexuals, or on a diagnosis of gender dysphoria, to the exclusion of other gender-diverse people, although Nepal became the first country to recognise a transgender citizen's chosen identity (Blakely 2009).

The basis of the GRA, although medically rooted, is comparatively very progressive compared to legislation in some other European countries (see Whittle *et al.* 2008). In the process of achieving gender recognition, it does not require applicants to undergo hormone therapy, or surgical or sterilization treatments (although reasons why the first two are not sought or undertaken are frequently requested)<sup>59</sup>. Nor does the GRA bar applicants who seek a Gender Recognition Certificate (GRC) (to enable gender recognition) from previously, or in the future, having offspring, as several countries internationally do. And yet, the process of gender-actualisation (both medically and legally) and legal recognition does require a number of steps to be fulfilled to signify a person's unwavering desire to transition, and their ability to do so 'successfully'<sup>60</sup>.

As discussed below, trans people are required to live full-time in their chosen gender role for a period of two years as part of the real life experience (RLE) (GRA 2004:2(1)(b)). This involves changing their name and gender details in all areas of

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<sup>59</sup> The medical evidence required as part of the legal process of gender recognition is carefully controlled by the Gender Recognition Panel, who stipulate who constitutes a suitable medical professional, from their list of practitioners in the field of gender dysphoria. This procedure reiterates the symbiotic nature of the medicolegal approach to gender-diversity.

<sup>60</sup> Success here refers to one's ability to participate as a fully functioning member of society post-transition, ostensibly in one's chosen gender role, but overarchingly as a citizen. It does not, however, overtly depend on passing; and yet, where one does not pass and thus disrupts gendered binaries, the reactions of others may impede one's ability to achieve one's full potential in day to day life and social participation.

their life, including at work, and with financial institutions etcetera. As part of this process, trans people are encouraged to make a statutory declaration, stating their desire to change their name, and to live in their chosen gender role until death<sup>61</sup> (a clause also included in the GRA 2004 (2(1c)). This and other amended documentation form part of the evidence required by the gender recognition panel if a gender recognition certificate is later sought (GRP 2007 [2004]). However, contrary to the intention of the GRA, the process of changing one's name and gender details in the workplace has become a site of misinterpretation (Rundall and Vecchiotti 2010).

The workplace is a space in which individual and institutional gender becomes enmeshed. This sphere has enacted a 'gatekeeping' influence in terms of gender-actualisation since a place in employment or education has (generally) been required<sup>62</sup> (Whittle 2002; Whittle *et al.* 2007), in order to demonstrate that an individual can successfully engage in social obligations and interactions in their preferred gender role. Since the GRA, however, some employers have erroneously requested trans-employees provide a gender recognition certificate *before* they will agree to change any necessary details at work (Whittle 2008). This is not required by the GRA, and also presents an unfulfillable barrier to the process of gender-actualization. Facets of the institutional impede the individual through the actions and inactions of social agents. As highlighted in the later empirical chapters, where an organization is part of the service sector, such as banking, this contrived requirement may also be extended to their customers. Thus, not only do trans people face inequalities rooted in genderism and transphobia, but the already difficult and complex process of gender-actualization is further marred by misunderstanding and bureaucracy.

It is important here to note the tensions that legal approaches to gender-diversity and recognition present. The scope of the GRA and the provisions it, and other pieces of legislation, provide or deny have been a significant point of contention in the trans community (O'Keefe 2004; Whittle 2002). Firstly, the provision of protections and

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<sup>61</sup> Which demonstrates a hue of finality and immovability which ensnares the legal and medical perception of gender-actualization; further placing those individuals who do not seek gender containment or repatriation at odds with current medicolegal provision.

<sup>62</sup> The 'gatekeeping' role enacted by UK workplaces is highlighted in chapter two, and in the later discussion chapters.



recognition only on the basis of binary-gender repatriation creates a distinction which Monro (2005) and O'Keefe (2004) argue separates the 'nice trans people' from the not so nice trans people<sup>63</sup>. Gender identities are summarily validated or invalidated as either 'acceptable' or 'unacceptable'. The majority of cisgender social agents draw on outdated, uninformed, and restricted discourse surrounding gender-diversity which centres on the transsexual model and of gender re-conformity. This subsequently leads to confusion, mistrust, or the invisibility, of trans people who do not conform to this expectation of 'transsexual homogeneity'. Combined with many trans people's desire to 'fit in', to be validated, and the pressures of their own pedagogically navigated 'self-regulation' (Sanger 2008:47), this legal 'incentive' to reconform exerts significant pressure on the ways in which trans people perceive, and feel able to construct, themselves (Rundall and Vecchiotti 2010; Hines 2007). Combined with this, as ever, there exist limitations to individual agency, and thus part of the process of self-expression occurs at a subconscious and socially mediated level.

Whilst the protections and recognition available are undoubtedly important, to require re-assimilation may cynically be perceived to be bipartite; to extend much needed legislative provision, but only on the basis of gender re-conformity, illustrates an attempt to remove or at least minimise the unsettling influences of gender-diversity. The imposition of sex-category norms under the auspices of recognition becomes a double edged sword, which, although welcomed by many individuals who do seek to repatriate within the binary gender-framework, becomes a further source of oppression for those who do not (O'Keefe 2004). As O'Keefe (2004) argues, other gender-diverse people have been relegated even further down the socio-cultural ladder, conforming to neither 'male, female, [nor] transsexual'. Another point of contention was the addition of a clause in the GRA that specified when someone could access protections on the basis that they *intend* to undergo gender reassignment. Gender-diverse people can now only cite this intention for legal purposes after they have consulted a medical professional, thus preventing people who do not wish to undergo 'reassignment', and those who feel unable to consult their doctor, from accessing necessary legislative provisions (see also Gires 2008:b).

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<sup>63</sup> In terms of those who accept the gender-binary 'party line' and those who reject and intentionally unsettle it.

Whilst an act of legislation cannot by itself change behaviours (Whittle 2002:78) but rather provides an institutionalized avenue of recourse, legislative provisions have different implications for the members of a diverse trans-population (Whittle 2002). For individuals who do not always pass in their preferred gender (something that is a consideration for many trans women in particular, as well as both trans men and trans women in the early stages of transition) or who are 'out' about their trans-status/history (or who have been outed), the chief requirement has been the need for legal protection and recourse in the face of pervasive inequality, discrimination, and harassment (Whittle 2002; Whittle *et al.* 2007). In comparison, Whittle (2002:91) states that, for trans men, who statistically find passing easier after hormonal treatment, recognition is of additional importance, enabling a fuller sense of masculinity to be actualised. Whittle's assertion is key to later discussions about gender and patriarchy in this thesis. Indeed, for those trans people who live in role full-time and pass, possession of a GRC and a subsequently amended birth certificate, enables them to live as stealth should they choose. Nevertheless, as highlighted in Rundall and Vecchietti (2010), living as stealth is not always a secure position, and is subject to potential deconstruction and reinterpretation.

Moreover, many trans people (YouTube presents a wealth of international trans-autobiographical discourse; see also Rundall and Vecchietti 2010) report feeling a sense of alienation when living as stealth, and that, after transitioning, they feel that they do not so much as 'come out', but rather have a sense that they 'go back in', and become invisible through a 'loss' of their pre-transition history and experiences. So, whilst passing and 'invisibility' may be a personal goal, it can also potentially induce feelings of isolation. Disclosure can be a daily point of difficulty for trans people as they navigate social institutions and the agents within (Whittle 2002; Whittle *et al.* 2007; Rundall and Vecchietti 2010). The GR(DI)(EWNI)O 2005, whilst in many ways problematical as it allows instances in which disclosure of a persons' trans status/history is legally acceptable, does provide an avenue of recourse if a trans person is outed by someone who has obtained this information in a professional capacity. However, as will be discussed later in relation to the data (see also Rundall and Vecchietti 2010), inappropriate and harmful disclosure is still a significant concern for trans-employees, and the need for privacy, and the legal basis of protected disclosure, remain misunderstood, misinterpreted, and ignored. Furthermore, as will

later be highlighted, the spirit and letter of other protections are also misunderstood, or are unfamiliar, to cisgender people in positions of power, in, for example, the workplace. This contributes to the pervasiveness of inequality faced by trans-employees in their daily work life, and their individual experiences of gender discrimination.

Citizenship is dichotomously biocentric and heterosexualised (Monro 2003; see also Hines 2007a, and her citation of Richardson 1998), and this negatively impacts upon the possibility of equal rights (Rocco and Gallagher 2006). Tee and Hegarty (2006) conducted research into the roots of opposition to trans-equality and protections, and found that biocentric views about the biological roots of gender-identity correlated with individuals with prejudiced views. Hines (2007a:7.4) argues that, whilst one might be able to change one's gender legally, the institutional gender-framework remains firmly intact. In a similar vein, whilst national legislation and organisational policies may be constructed, implementation and adherence is by no means guaranteed. Sanger (2008:46) reiterates the impact of societal 'governmentality', where each person is ascribed a gender through legal sex, exerting the pressure of intertextual expectation regarding how social agents 'live their lives, as well as the recognition they give to and receive from others'. Moreover, Monro (2000:150, cited in Hines 2007a) argues that inequalities persist, because 'current notions of citizenship...hide gender inequality[ies]' and treat the needs of men and women as the same. And indeed, with regards to trans-citizens, inequalities also persist because of the 'pathologization of trans', and ensuing 'transphobia at [both] structural and individual levels' (Monro 2000:41). Interestingly, Monro's (2000:41) research found that the 'complexit[ies] of trans' were perceived by many of her cisgender participants to be 'threatening', providing some indication as to the ways in which responses to gender-diversity are an enactment of threat removal (See also Taylor 2009).

Whilst there is no data available on which to make a decisive estimate as to the size of the UK trans population (Whittle *et al.* 2007), ten thousand adults have sought medical treatment for gender-identity disorder in the UK (Gires 2009:4). Gires (2009:4) posit that there will be an annual increase of fifteen percent in the number of people who present as gender-diverse, and thus speculate that the ratio of trans:cisgender individuals in the UK population is approximately 20:100,000. They

suggest that this increase is due to 'better social, medical and legislative provisions for transgender people, coupled with the "buddying effect" of snowballing mutual support' amongst the trans-population (Gires 2009:4). However, not all of the individuals seeking medical support will transition, nor seek full legal recognition of their preferred binary social gender. As of October 2009, only 2,436 gender recognition certificates had been issued (Gires 2009[a]). This may be for a number of reasons including: not wishing to repatriate; due to fears of prejudice (Whittle *et al.* 2007); or the requirement that people seeking a GRC divorce their existing spouse (and enter into a civil partnership thereafter should they choose). Notwithstanding the increasing visibility and (albeit largely misinformed) awareness of gender-diversity in the UK, the need for adequate legislative provision for all gender-diverse people is of even greater importance now that greater numbers of gender-variant people are seeking to actualise their gender-identities. Only through this, and a wider paradigmatic shift in the agentic social consciousness, can trans people participate in, and engage with, social institutions without fear and experience of discrimination and inequality.

### **1.3.2: British Medical Approaches to Gender-Diversity**

It is necessary to consider medical approaches to gender-diversity as this is another dimension of how gender is framed at an institutional level. It is within, and against, the medical framework that trans people are required to seek to actualise their gender-identity, transition, and subsequently gain legislative protections. Moreover, as demonstrated below, medical care is another key site of pervasive discrimination, which calls into question the suitability of this framework. The medical profession's approach to gender-diversity is rooted in an arena of normative pressures, expectations, and power play, at both the individual and institutional level. Indeed, the institution of medicine, as a social structure, is implicitly constructed by its historical and contemporary societal context. Moreover, it is also shaped at both a collective and an individual level by staff informed by their own prejudices, experiences, expectations, and assumptions. As previously highlighted, the gender arena is pedagogically navigated both overtly and covertly, and the same is so of the medicalization of gender-variance. After the workplace, healthcare is the sector in

which trans people experience the most pervasive prejudice and discrimination (Whittle *et al.* 2007:25), both in terms of gender confirmation treatments, and in relation to gender-unrelated healthcare. Healthcare is not universally managed or mismanaged, but there exist considerable levels of misinterpretation of gender-diversity amongst non-specialist medical professionals (Outen 2009; Whittle *et al.* 2007). Moreover, individual prejudice continues to significantly impact upon the quality of healthcare (both gender related and unrelated) that trans-patients' receive, and therefore impinges on individual experiences of gender through in/validation.

In the following discussion some of the barriers which trans people face when accessing/seeking to access the medical sphere are illustrated, which demonstrate the pervasive discrimination experienced. Whittle *et al.* (2007) provides the most comprehensive recent UK-focussed study of trans healthcare experiences. Over one hundred of Whittle *et al.*'s (2007:46) participants reported delays in treatment, or outright refusal. For example, almost 21%<sup>64</sup> of Whittle *et al.*'s (2007:16) participants reported that their GP did not want to help, and indeed 6% stated that their GP refused to help with their gender reassignment. However, the majority of GPs (80%: 482/599) 'were willing to help, but 60%' (365/599) 'of those who wanted to help lacked appropriate information' (Whittle *et al.* 2007:44). Poor medical care not only affected gender related treatments. In gender-unrelated care, Whittle *et al.* (2007:16) report: '17% of respondents had experience with a doctor or nurse who did not approve of gender reassignment, and hence refused services'. Indeed, 'some 29% of respondents felt that being trans adversely affected the way they were treated by health care professionals' (2007:16).

Moreover, Whittle *et al.* (2007:46) found that '22% of participants felt that being trans affected the way that they could access routine treatment that is not related to being trans', and this experience was by no means limited to trans people who were currently transitioning, or who had recently transitioned. Combined with the above barriers to treatment, numerous participants reported: being addressed by the incorrect name or pronoun; being placed in an inappropriately gendered ward; and 'staff allowing their personal feelings about transsexualism to be known by the patient'

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<sup>64</sup> The trans-participant sample size of Whittle *et al.*'s (2007) study was 872.

(Whittle *et al.* 2007:46). These findings demonstrate the ways in which cis-individuals' experiences and conceptualizations of gender predominantly employ the genderism and biocentrism ingrained in the current institution of gender. This widespread discrimination, disapproval, and dehumanisation, all impact upon the accessibility of healthcare, regardless of the issue, for trans people, which affect both processes of gender confirmation, and overall wellbeing. It is within, and against, this medical framework that trans people are required to seek to actualise their gender-identity, and subsequently gain legislative protections. In turn, these processes minutely shape trans people's experiences of gender and societal and interpersonal in/validity.

The ways in which gender-diversity is conceived in the medical sphere are now considered, and how this influences the gender-actualization process. 'Medical and psychological studies have constructed particular ways of thinking about gender-diversity, which continue to inform social, cultural and legal understandings of [trans]' (Hines 2007a:5.1). Medical models of transsexuality are complex: many locate the aetiology in physiology and biology (Monro 2000; Hines 2007a:5.2; Gires 2008b), including both in terms of genes, and brain physiology shaped by hormones during pregnancy (BBC 26/10/08). However, there also remains a perceived 'correlation' of trans with 'psychological pathology' (Hines 2007a:5.2), which shapes perceptions held by many members of both the medical profession, and the wider population. This is further perpetuated by the inclusion of gender dysphoria, gender-identity disorder, and transsexualism in the DSM-IV (APA 2000) and ICD-10 (WHO 1990), terms which are rejected and disliked by members of the trans-population because of their pathologizing overtones<sup>65</sup> (Gires 2008e). Consequently, the institution of gender is constructed to contain a pathologization of gender-diversity in favour of the illusion of birth-linked binary homogeneity.

Gender-identity is 'conceived alternately as the achievement of the 'true self' or as a mental disorder' (Vidal-Ortiz 2009:100). A newspaper discussion of the athlete Caster Semenya asserts that 'the way [the general cisgender population] cope with [someone] of disputed sex, is to tell ourselves that she is nothing like us, nor anyone

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<sup>65</sup> And yet, these are they very terms that trans people are forced to draw upon, and be subjected to, in order to access treatments and protections.

we know...she is in the court of public opinion, a freak' (Rumbelow 2009:2). This extract highlights the author's 'othering' approach to trans (as an indication of wider sentiments amongst the general populous), in order to diminish its polluting capability for 'normal' cisgender individuals. And yet, as has previously been employed by LGB people, the assertion of a biological basis of gender-variance guards against the assumption that trans is a lifestyle choice (Tee and Hegarty 2006), instead designating the gender-variant 'other' as blameless, as someone whose condition may be medically managed and which is not polluting or 'catching'. The dominant and essentialized 'wrong body' narrative internalised and perpetuated by both medical professionals and many members of the trans-population<sup>66</sup> (that of gender dissonance experienced since childhood), interlinks with this construction of blameless unchangeability.

Whilst not all sufferers of gender dysphoria request gender confirmation treatment, many transsexual individuals do (Outen 2009). However, for many trans people, approaching a doctor may be a last resort (Gires 2008b). Gires (2008b) further highlights the significant degree of discomfort experienced by trans people throughout their lives, particularly whilst trying to assimilate with their ascribed sex, or repress their sense of gender dissonance. Although transsexualism is predominantly recognised to be 'innate and symptomatic' (Outen 2009:8; Gires *et al.* 2006), and frequently only successfully treated via gender reassignment<sup>67</sup> (Pfäfflin and Junge 1998), securing treatment can be fraught with difficulty. Current medical approaches focus on a triadic treatment pathway: of the real life experience<sup>68</sup>, hormones and surgery, depending on the desire of the trans person (Outen 2009). And yet, a referral by a gender specialist is no guarantee to surgical provision, because securing NHS funding is dependent upon individual Primary Care Trust policy regarding the validity of gender reassignment and associated treatments.

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<sup>66</sup> At least whilst seeking gender confirmation treatments, as discussed below.

<sup>67</sup> The Department of Health identifies surgical treatments as 'not only a desirable, but an urgent and constant preoccupation' (Gires 2008b:49).

<sup>68</sup> The requirement for trans people to live in role and attempt to pass for a year before treatments are granted 'pose an extreme threat to the health [and indeed safety] of would-be patients' (West and Zimmerman 2009:120). And yet, it is through this Foucaudian exaction of a medicolegal 'regulatory apparatus' that the 'suitability of transition' is determined (Butler 2004:90).

Indeed, tensions between the medical and administrative components of healthcare greatly restrict the efficiency of trans healthcare provision, and some patients may find themselves in gender limbo for a number of years (Whittle 2002). This both affects and impedes individual experiences of gender and preferred role expression. The negative impact this may have on trans-patients is recognised by the department of health: 'delays in the "system", whether clinical or financial, cause a great deal of stress' (Gires 2008b:49), and that ultimately, 'the inability to access timely treatment may also be a cause of suicidal feelings' (Gires 2008b:48). Whittle *et al.* (2007) found that the difficulties of navigating life whilst experiencing gender dissonance and prejudice, as opposed to inherent psychiatric instability, has led to significant proportions of attempted suicide amongst their trans-sample. They report that 34.4% of trans adults have attempted suicide, with 14% attempting at least twice (Whittle *et al.* 2007:78). For some trans people, the gender system is experienced as both 'abusive' and 'heterofascist' (Monro 2000:38). Indeed, Monro (2000:38) highlights the impact a 'construction of self via oppressive gender social norms can be seen to lead to psychological dysfunction'. In other words, 'the transperson experiences, and is seen as having mental health problems rather than oppressive social norms being challenged' (Monro 2000:38).

The transition process varies depending on the requirements, desires and eventual goal of the patient, and the accessibility of funding for treatments. For a proportion of trans people, the transition process is ongoing, for example those who feel the enactment of their gender-identity to be in perpetual construction. Some trans people feel that hormone therapy and sex reassignment surgery (SRS) are a key part of their transition, for others they are not, and the gender 'needs' experienced are individually relative. The decision to undergo genital surgery in particular is dependent on the extent to which the trans person has internalized pervasive culturally constructed expectations regarding genitals and gender. In some cases hormonal treatments or surgery are not feasible on health grounds. In other cases, unacceptable results or prevalence of complications with current surgical techniques mean that many trans people choose not to undergo genital surgery due to the loss of sexual sensation, urinary dysfunction, infection, or other potential complications which may arise.



The fact that so many people do choose to undergo genital surgeries, despite these risks, highlights the strength of essentialist gendered constructions of the body, and the extent to which the internalization of these can shape an individual's sense of self and experiences of gender against the gender institution. Moreover, Hines (2007a:7.4) posits that 'whilst identity is embodied, rather than...rigid, the relationship between gender-identity and the physical body shifts and evolves through transition'. Sadly, in some cases, post SRS a trans person may find that the results were not what they had hoped for, and that they continue to feel bodily dysphoric (see Whittle 2002:88/89). Furthermore, continued experiences of prejudice, particularly if the individual does not successfully pass, highlights their continued categorization as 'other' by members of society via macro regimes of gender and cis experiences, despite surgery, which may ultimately lead to decreased emotional wellbeing. Potentially, therefore, where a person does pass successfully, and where their trans status or history is private, their decision to undergo genital surgery, their assessment of the results, and of the wider impact of surgery on their life, may be less linked to the responses of others, and linked more directly to the individual's own internalization of biocentric views and genderist expectations.

A number of authors have highlighted the ways in which trans people, particularly when seeking or undergoing treatment, feel compelled to present/distort their sense of gender, and experiences of gender dissonance, in a manner that conforms to what they believe the medical professional expects of them (Monro 2000, Hines 2007a, Hines 2007; Rundall and Vecchietti 2010). Consequently, an institutionalized medical 'script' is constructed and employed. This may in some cases also extend to presentations of sexuality, as the medical management of trans has often 'privileged heterosexual people' (Bolin 1988, in Tee and Hegarty 2006:71). Not only can this 'distort' trans people's personal narratives, but also the manifestation of the gender-identity they present to the medical professional (Monro 2000). Hines (2007a:5.6), employing 'Foucault's notion of the "docile body"', elaborates:

'whilst the 'wrong body' hypothesis can be seen as a discourse that produces its subject, the self-conscious repetition of the 'wrong body' narrative can be read as an agency driven process whereby trans people employ knowledge as power'.

Trans 'identities are formed through and in opposition to medical discourse and practice' (Hines 2006:64), and indeed may be perceived to be socially constructed: the provision of hormones and surgery are in essence 'an extension of the social construction of gender' (Monro 2000:37). Crucially, however, Sanger (2008:47, drawing on King 1993 and Prosser 1998) recognises that 'regulatory mechanisms are not limited to those emanating from the state and [cisgender social agents]'. She states that some 'transpeople themselves, perhaps through incorporation of medical notions of who should receive treatment and in an attempt to avoid stigma, forge regimes of truth relating to norms which must be adhered to in order to be accepted as a "true transsexual"' (Sanger 2008:47, drawing on King 1993; see also Perlmutter 2002 for intra-subgroup discrimination). Thus, it is a complex matrix of internalised, rejected, and temporarily employed gender 'norms' that trans people, in interaction with the medical sphere and the institution of gender, navigate in order to actualise their gender-identities, and to gain legal provisions and protections via medicalized sociocultural policing mechanisms.

## **Conclusions**

This chapter has considered the contemporary British social context in which trans people's experiences are formed and lived. Trans is constructed within and against institutionalized normative binary gender constructs and notions of gender/sex interdependency, and it is these which navigate societal perceptions of, and responses to, gender-diversity. Frequently, trans people are othered and face sanctions for unsettling the gender status quo; for bringing the unstable institution of gender into stark relief. Trans people's experiences of discrimination are frequent, particularly for those whose gender-diversity is visible: i.e., those who are unable to 'satisfactorily' pass. This is a particular issue for many trans women, and individuals in the early stages of transition. Passing, or successfully presenting dominant gendered signifiers (and hiding incongruities) is key in achieving others' recognition of someone's gender-identity. This is not to suggest that their identity will not be recognised by others if they do not pass. Rather, they may concomitantly experience pressure to conform to their preferred gender in an 'acceptable' manner, whilst also facing challenges to the legitimacy of their gender-identity.

Trans people participate in a biocentric and genderist employment sphere, and it is within this arena that their gender-identity is enacted, ascribed, achieved, and unsettled. The processes of gender-expression, interpretation, and recognition rely heavily on the intertextual semiotics of gender and individuals' iconic and arbitrary knowledge. Discourse surrounding gender-norms and medicalized gender-diversity frame both trans, cisgender, and structural conceptualizations and responses to gender-variance, and therefore inform and influence individual experiences of gender in/congruence. As has been highlighted, the medicolegal framework which currently provides the main avenue for gender-actualization and recognition is itself restrictive, and is a site of significant institutionalized discrimination. This crucially shapes the position in which trans is located societally. The interdependency of spatial and temporal context, iconic and arbitrary sociocultural knowledge, and individual and collective agency, all influence the concomitant presence and absence of trans-validity, and the ways in which social agents navigate, police, and recognise the multiplicity of genders within and against existing dichotomous classification. The medicolegal framework is rooted in societal and cultural structures of gender, and exerts significant influence over the ways in which the process of gender-actualization, and gender in/validity itself, are experienced individually and collectively by members of the trans-population. Whilst this framework remains in place unchanged, the current barriers and influences which mediate trans peoples' individual experiences of gender is likely to continue.

The UK has a growing population of gender-diverse citizens who are seeking to actualise their gender-identities within the current medicolegal framework. However, the pervasiveness of transphobic and genderist discrimination and inequality undermine the efficacy of trans people's social participation and inclusion. The following chapter considers the complexities of the employment sphere for trans-employees in the UK.

## **Chapter Two: Biocentrism, Genderism, and Gatekeeping in the Employment Sphere**

### **Introduction**

A key concern within this thesis is to understand how trans-employees' experiences of, and treatment in, UK workplaces are shaped by perceptions of, and responses to, their trans-status or history. The interaction between gender as institution and individual experiences form a recurrent theme. This chapter will address the ways in which the workplace influences trans people's gender-expressions. The gatekeeping influence that the workplace exerts over trans-employees' gender-actualization and wider life is considered. Furthermore, particular attention is paid to the prevalence of transphobic discrimination, as recent empirical research has highlighted the pervasiveness of inequalities and discrimination faced by trans people in the workplace; indeed, this was the area in which the greatest levels of discrimination were reported (Whittle *et al.* 2007).

It is exigent to consider the multiple implications of pervasive trans-discrimination for a number of reasons. Firstly, a place in employment (or education) is usually considered to be a prerequisite to accessing medical gender-confirmation treatments. Secondly, employment frequently permeates all aspects of daily life. For example, employment enables financial participation in society for all employees, and is one of the core components of adult citizenship within a capitalist framework. Many personal choices revolve around employment/remuneration, such as: the provisions one may make for one's family; where one is able to live; the leisure activities one may engage in; the standard of living one may enjoy; and the financial buffer/security that may be retained in case of unforeseen difficulties.

However, for trans people, remuneration is all the more important in order to offset some of the difficulties faced due to the potential of: wider ostracism; isolation after loss of family and community support (including one's home); and extensive NHS waiting times which impede gender-actualization (Whittle 2005), where personal finances may enable swifter treatment. Thirdly, employment is a significant part of

many people's daily life: much of one's day is spent at work, and one's identity and sense of self is likely to be influenced by interactions with others within this space. So, for trans people (more so than for cisgender people), employment is complex. Employment forms a fundamental component of medical gender-actualization, as well as being a source of remuneration that impacts upon all spheres of life. And yet transphobia is pervasive in the workplace, and discrimination is rife. It is in this climate that many trans people must seek to actualise and experience their genders, and forge security for other aspects of their lives.

In this second literature review chapter, the employment sphere is considered in terms of institutionalized genderism and biocentrism, and the ways these impact upon trans people. Browne's (2004:331) use of genderism is employed to mean 'the hostile readings of, and reactions to, gender ambiguous bodies'. Biocentrism is used to refer to the notion that birth-ascribed sex possesses greater validity than medically managed or reassigned sex (Sensagent 2009). Literature which demonstrates the gendered and hierarchical nature of the employment sphere, and the ways in which this transfers into genderist matrices of power, and thus inequality is drawn upon. This is considered in relation to the wider biocentric societal context of expected sex-category-body congruence, and the impact this has on trans-employees. The 'gatekeeping' role that the workplace, through its policies, mechanisms, and social agents, exerts over trans-employees' gender-actualization and employment 'quality' is then highlighted. Throughout this chapter, recent empirical data resulting from this growing area of study regarding trans-employees' experiences in UK workplaces is referred to. This helps to contextualise the primary research and later discussion presented in this thesis. Finally, conclusions are drawn in relation to the current socio-cultural biocentric and genderist nuances at play in the UK employment sphere, and the impact this has for trans-employees.

## **2.1: Genderist and Biocentric Inequalities in the Employment Sphere**

The employment sphere has long been recognised as a key site in which hierarchical gender 'norms' and associated inequalities are reproduced in conjunction with other

types of discrimination (Schilt 2006:485, also citing Williams 1995; Ruwanpura 2008:77) such as age, sexuality, and ethnicity. Within this space, as with other sites, societal beliefs are both enacted by social agents, and become embedded in organisational structures and practices, thus creating and perpetuating inequality and discrimination (Schilt 2006:485; citing Martin 2003, Valian 1999, Williams 1995; GIRES 2008b:48). Tackling this can be problematic as institutionalized gender-based inequalities may frequently seem invisible because they reside and operate on a level of ingrained cultural ideology (see Schilt 2006:485; who cites Martin 2003, Valian 1999, Williams 1995) in a manner akin to other sociocultural norms.

Moreover, Connell (2006:437 with reference to Yeatman 1990) (focussing on state institutions) asserts that organizational 'gender reform' involves an 'unavoidable interplay with other agendas of change'. Gender-diverse individuals comprise a small and dispersed minority population, and thus equality agendas may neglect this population's needs in favour of more dominant or visible minorities. It is the 'invisibility' of gender privilege which enables its continuation and the subordination of those affected (see Rocco and Gallagher 2006:32, citing Wildman 1996). Consequently, gendered divisions of labour and power, and occupational segregation, persist throughout the employment sphere (Connell 2006:435; Dick and Nadin 2006:481), crucially shaping perceptions of human capital and worker performance (Schilt 2006:475). In this manner, the workplace is a space that is informed by, and provides a setting in which both individual experiences and dominant ideals/notions of gender play out.

It is necessary here, however, to note that gender-based discrimination can impact to varying degrees on all employees. Within a binary gender-framework, it is frequently cisgender women who to varying degrees, influenced by their intersectional characteristics<sup>69</sup>, are predominantly perceived to experience workplace inequalities attributed to the pervasiveness of the 'patriarchal dividend' (Schilt 2006:465-6; Connell 1995:79). This is most notably apparent: in the devaluing of positions with a proportionately high female cohort; discrimination during maternity leave and time off due to childcare; in the manifestations of the gender pay gap; and the restrictions that

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<sup>69</sup> In particular, their ethnicity, class, age, and sexuality.

the proverbial glass ceiling places on many women's work progression (Lips 2003, Wingfield 2009:5, Bihagen and Ohls 2006; Reichman and Sterling 2004; Thornley 2007; Hakim 2006; Jacobs 1999; Davey 2008). And yet, employment discrimination also affects cisgender men to varying degrees, again with reference to their intersectional characteristics (Carver 2006:450). Indeed, research into trait discrimination in employment has demonstrated the ways in which personal attributes, or lack thereof, may impact upon both male and female employees (Yuracko 2004:167). If someone is not the 'right' sort of man or woman, or does not exhibit the masculinities or femininities expected by others, they are, as highlighted in chapter one, likely to face social disadvantage, if not sanction (Turner 2007:561). The 'institutional' therefore becomes interpersonally policing.

The purpose of this policing may be considered to be threefold: to navigate the transgressor back towards the expected folds of gender-expression and representation; to make an example of the transgressor as a warning to other would-be transgressors; and to 'shore-up' the policing individual's position within the dominant 'correct' collective (Rundall 2005). It is this, with the additional complications that gender-diversity presents, which problematizes many trans-employees workplace experiences of employment participation and gender-expression. Hancock and Tyler (2007:512) provide a particularly useful discussion of the nuances of organisational gender-policing, attributing workplace gender un/doings to the 'aesthetic economy'. It is via the organizational 'aesthetics of gender', of 'organizationally compelled ways of un/doing gender', that organizations, through the articulations of their workforce, position themselves in the global market and 'affirm regimes of managerially desired meaning' (Hancock and Tyler 2007:512). Gender regimes are thus produced through interpersonal interactions within the gendered workplace arena. Therefore gender-diverse gender articulations may be perceived to unsettle these, and within the above framework, pose a threat to the apparent smooth functioning of the organization.

Following the above, the ways in which organisations, through their structures (as institution) and agents (as individuals and collectives), 'do' gender, are now considered. Gender organization theory recognises the multifaceted and inter-agentic reproduction and maintenance of gender expectations and ensuing

manifestations of the patriarchal dividend (see Schilt 2006:466 with reference to Acker 1990, Martin 2003, Williams 1995; Connell 1995). Organizations are 'characterised' by their 'gender regime' (Connell 2006:436) which both stem from, and sanction, the maintenance of dominant culture via the intertextual interaction of history, language, and culturally derived hermeneutics (Rocco and West 1998:177). This is not to suggest that organizations are cohesive entities, a view which Monro (2007:16) proposes should be treated with caution. Nonetheless, an organization's gender regime shapes and policies both interpersonal and institutional matrices of power at all levels, exerting influence over formal and informal workplace interactions, employee identities, and structural governance (Davey 2008:650). The politics of this then determine and manage workplace insider/outsider positionality and the lens through which interactions, performance, and achievement, are interpreted (Davey 2008:650).

Where one seeks, or is perceived, to step outside of the dominant gender-framework (even if only temporarily), one becomes not only 'othered' by the wider sociocultural milieu, but one's workplace-insider status may also become suspended or displaced. From this position, which Collins (1990:12; also cited in Schilt 2006) terms the 'outsiderwithin' perspective<sup>70</sup>, transpeople, are able to perceive 'the contradictions between the dominant group's actions and ideologies', and thus the genderist and biocentric matrices of power and privilege. They also experience its pedagogical effects through the behaviour of others, as demonstrated by the following research. Whittle *et al.* (2007:15) found that 42% of participants 'not living permanently in their preferred gender role were prevented from doing so because they feared it might threaten their employment status'. This apprehension is appropriate as ten percent of Whittle *et al.*'s (2007:15) respondents reported experiencing transphobic verbal abuse in the workplace, with six percent reporting physical abuse. Drawing on Pfäfflin and Junge's (1998) finding that gender reassignment greatly improves quality of life for trans people, Whittle *et al.* (2007:32) highlight that it is the genderist and biocentric climate of current workplaces that prevent trans-employees from fulfilling their potential.

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<sup>70</sup> Collins (1990:12; also cited in Schilt 2006) considers the 'outsiderwithin' perspective in relation to Black female employee's perceptions of workplaces.



The process of transition at work is a core aspect of gender-actualization for many trans people, and using the following literature some of the ways in which this process is shaped by, and accomplished in, the workplace, are considered. Schilt and Connell (2007:597) highlight the ways in which 'gender transitions' can throw the 'mechanisms...[of] occupational sex segregation...into stark relief'. As previously stated, the point of gender transition is one of the key triggers of discrimination and inequality in the workplace (Whittle *et al.* 2007). Furthermore, transition is not a finite or cohesive process for many transpeople, and thus many face numerous 'personal and professional obstacles' in the transition and gender-actualization process; a chief concern being the maintenance of paid employment (Pepper and Lorah 2008:330). With a place in employment considered to be a prerequisite to demonstrating the efficacy of gender transition, many trans-employees undertake at least part of the real life experience and their transition whilst at work. Consequently, individual experiences of gender-actualization and expression are minutely informed through interaction with gendered employment structures and personnel.

It is thus within and against an organization's gender regime that gender-actualization and expression are negotiated (Schilt and Connell 2007:597), and to which trans-employees respond. It is an interactional process that is subject to the navigating<sup>71</sup> influences of others, and the trans person's reflexive self-surveillance. Indeed, whilst trans people have often been portrayed as 'gender overachievers', Schilt and Connell (2007:596) report that it is often cisgender colleagues who enlist their trans-colleague 'into gender rituals designed to repatriate them into a rigid gender-binary'. In other words, trans-employees are expected to attempt to conform with the organization's gender regime. To resist is to potentially damage workplace relations and undermine the trans person's employment security (Schilt and Connell 2007:596). Thus, even where gender-diverse individuals seek to explore gender; navigational influences in the workplace encourage caution in the extent to which they unsettle the gender

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<sup>71</sup> The term 'navigation' and its derivatives are employed to incorporate the intertwined manner in which individual actions and interactions are managed and directed consciously and unconsciously, and with or without agency. Individuals may navigate social frameworks and interpersonal interactions around them by making conscious choices in order to achieve goals or avoid difficulties, as well as by drawing on unconscious societal and personal knowledge, and unknowingly taking action. Individuals may also be navigated by other's policing and directing mechanisms/behaviours, again both consciously and unconsciously employed, as well as by the intricate pressures of societal frameworks.

status quo, so as to avoid sanctions and further ostracism (Schilt and Connell 2007:598).

This is not to suggest that all trans-employees are propelled into their preferred binary gender by others' needs to reclassify them. Many trans people concurrently experience tensions between those who wish to repatriate them, and those who challenge their gender-identity and seek to anchor them to their birth sex-category (Schilt and Connell 2007:597). The presence of recognisable sex-signifiers greatly impact upon this. Schilt (2006:483) found that for pre-hormone FTMs, acceptance and recognition of their male gender remained tenuous, and was repeatedly undermined by other's responses and the use of incorrect pronouns. Without the presentation of overt sex-category linked signifiers to enable gender classification, on-looking social agents frequently resort to biocentric iconic knowledge enshrined in gender regimes which characterise workplaces, and it is only through heuristic interaction that arbitrary knowledge may replace habitual patterns of perception and categorisation (Herald 2005:168; Hoffman and Pasley 1998:189).

Research shows that during the initial transition process; and afterwards where a trans-employee does not fully pass in their gender role, or their gender-history is known to others; trans people frequently face the genderist responses of others both within and without the workplace. Several problems that have been identified include: barriers to transition and medical leave; the use of gendered facilities; and a lack of support in the face of transphobia<sup>72</sup>. Trans-employees may face barriers when seeking to take time off for appointments and treatment, which is all the more problematical if they do not wish their employer and colleagues to know they are undergoing gender reassignment. Occupational health and medical practitioners may be able to circumvent this becoming known by line managers to some extent,<sup>73</sup> although difficulties can arise when lengthy periods of convalescence and the accommodation of restricted physical movement post-surgery are required (Whittle 2005:10). Furthermore, employers and colleagues are not always understanding of

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<sup>72</sup> Please note that additional problems are highlighted in subsection 2.2 in relation to both transition and post-transition employment.

<sup>73</sup> For pre- and currently transitioning individuals, this is before physical changes manifest or the change of name and gender details at work are required. For trans-employees post-transition who pass, such as many FTM's who have the option of living in stealth, medical absence can frequently be attributed to another cause.

trans-employees taking time off, as some may view their loss of productivity as an inconvenience, and their decision to seek treatment as elective rather than as a medical necessity.

Another significant area of difficulty that has been noted by trans people and highlighted in recent empirical research is the use of gendered facilities in the workplace, such as lavatories and changing rooms. Browne (2004:331) usefully highlights the ways in which these spaces are highly gendered, and effectively police and reify sex-category/body congruence, in what she discusses as 'the bathroom problem' often faced by lesbians who do not conform to stereotypically 'female' appearance. Trans women in particular face challenges to their use of these facilities on the basis that these are women only spaces (see Gottschalk 2009:167), most frequently due to religious belief and personal genderist sensibilities. Employers have the responsibility to enable trans-employees to use the facilities appropriate to their preferred gender, but are currently only required to fulfil this when they consider it reasonable (Whittle *et al.* 2007; SD(GR)R 1999, see also Croft v Consignia 2002). Whittle *et al.* (2007:15) found that, despite the increase in trans-focussed equality legislation, one in four trans-employees 'have been made to use an inappropriate toilet in the workplace, or none at all, in the early stages of transition'.

In terms of discrimination from outsiders involved with the workplace setting, trans-employees may face discrimination from contractors and customers. Compared to instances where cisgender individuals face external work-related discrimination (see Rocco and Gallagher 2006:37), trans people may face even greater levels, but with less workplace support and the ability to achieve protection and recourse due to their existing 'othered' status. This again impacts upon trans people's sense of the possibility of gender-actualization at work, and the approaches they may take to the visibility of their gender-diversity. This issue is investigated in detail in chapters five and six.

Patriarchy has been an implicit thread in aspects of the above discussion, and the thesis now turns to the ways in which patriarchy has been shown through empirical research to impact upon trans-employees. Passing and external presentation are incorporated within this to highlight the ways in which gender-interpretation and

recognition shapes trans people's experiences in the workplace. Despite the finding that trans-employees are over-represented in 'senior' occupation classes compared to the UK national average (Whittle *et al.* 2007:15), the prevalence of transphobic and genderist tensions in the employment sphere result in a significant threat of demotion and employment termination (Levi 2003). Indeed, whilst many organizations claim to be trans-friendly (Whittle *et al.* 2007:31), the treatment trans-employees receive causes a large proportion to withdraw from employment due to stress, or to change jobs after transition in order to make a fresh start (Whittle *et al.* 2007:15). Nonetheless, whilst both trans men and trans women experience discrimination in employment, more trans women than trans men (23% compared to 15%) feel compelled to change their job (Whittle *et al.* 2007:38). However, Whittle *et al.*'s (2007:38) study found that the proportional differences between these two groups were negligible in terms of missed promotions and informal exclusion.

Additionally, research has found that in some instances, whilst trans women may be ejected from high powered positions, some of their trans male counterparts gain status post-transition (cf. Griggs 1998; Schilt and Connell 2007; Schilt 2006). Indeed, as with the 'glass elevator' effect that cisgender men in 'women's professions' experience, so too is it possible that post-transition FTMs will experience upward mobility in these fields (Wingfield 2009:5). This could suggest a reinforcing of patriarchy and gendered behaviours. Interestingly though, 'trans men in higher professional jobs' report less of a change post-transition, citing the overall 'professionalism' of their organization (Schilt 2006:474). Also of note are the differing levels of discrimination reported in the public and private employment spheres. Whereas a previous study (Whittle 2002) demonstrated that trans-employees experienced greater discrimination in the private sphere<sup>74</sup>, in Whittle's more recent study (Whittle *et al.* 2007) the levels of discrimination experienced in these sectors had been reversed.

Schilt (2006:469/473) suggests that increases in trans men's employment status are because of the degree to which masculinity is privileged in society. Indeed, in accessing the patriarchal dividend, many trans men find that other's perceptions are

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<sup>74</sup> Whittle theorised that this was due to public sector organizations adopting equality policies earlier than their private sector counterparts.

re-evaluated accordingly, affording them increased respect, authority, and reward (Schilt 2006:465). However, not all trans men benefit to the same extent, in much the same way as inequalities impact differently on cisgender employees. As noted previously, many pre-hormone FTMs continue to experience contestation of their gender-identity. Additionally, Schilt (2006:465/484) found that tall white trans men benefit considerably more than shorter FTMs and trans men of colour. This implies that signifiers of masculinity comprise an important part of the gender capital required to succeed in the workplace.

Physical appearance aside, the lack of gender-identity-appropriate socialization may mean that trans people may lack a reserve of 'gender capital' and past experience on which to draw in workplace interactions, which may impede their employment progression, particularly if they are living as stealth. Interestingly, contrary to expectation, Schilt (2006:75) found that whilst trans men living as stealth might be expected to benefit significantly more from the patriarchal dividend than their non-stealth counterparts, in fact a considerable proportion of 'out' FTMs also reported post-transition advantages. Providing that signifiers of masculinity are presented, this finding, in comparison to pre-hormone FTMs, demonstrates that genderist and biocentric perceptions may be suspended, and replaced with the recognised repatriation of the trans man back within the binary gender order. Clearly, it appears preferable to recognise someone as part of the gender-binary rather than acknowledging the possibility for it to be unsettled. Through interpersonal maintenance, institutional regimes of gender can 'flex' their boundaries in order to prevent them from being shattered entirely. However, stealth trans men were more likely to report increased economic advantage post-transition, highlighting their recognition of a previously experienced gender pay gap (Schilt 2006:480).

As highlighted in chapter one, passing in one's gender role, and living as stealth, is not always an option for trans people, although proportionately more trans men have this choice. In the same way as passing as heterosexual has been used by LGB people to ensure economic survival and interpersonal relationships (Rocco and Gallagher 2006:32), so too does passing as cisgender afford certain protections to trans-employees. Notably, trans peoples' individual experiences of gender are significantly framed by the need to achieve personal safety during gender-identity

expression. However, as discussed later in chapters five and six, living as stealth is not a secure option (see Rundall and Vecchietti 2010), because one is constantly at risk of being read or outed as trans. Not only can hiding one's sexuality or gender-history come at a psychological cost, but it may also impede LGBTQ employees' ability to form 'meaningful' work-based relationships (Rocco and Gallagher 2006:35).

Moreover, the constant fear of discovery can result in stress, and greatly restrict an employee's productivity (Rocco and Gallagher 2006:32) which can ultimately lead to sanctions on this basis<sup>75</sup>. Thus there are complex benefits to being out about one's LGBTQ status (Rocco and Gallagher 2006:37), but this is tempered by the risk of discrimination for being out. Whilst one's workplace-insider status might become suspended when one's gender-diversity becomes known, ultimately 'insider status is open to negotiation' (Crow *et al.* 2001:29). Therefore, the cultivation of 'meaningful' workplace relationships is likely to facilitate this, even if only sporadically in certain spatial and interpersonal contexts.

However, in contrast, one may also find that interpersonal relationships become subjected to 'courtesy stigmas', where cisgender or heterosexual colleagues face discrimination, or where their gender-identity/sexuality is called into question due to their association with an LGBTQ person<sup>76</sup> (see Rocco and Gallagher 2006:35, who cite: Badgett and King 1997, Ragins and Wiethoff 2005, Goffman 1963). Chutter (2007:22) asserts that 'society's heterosexist and homophobic [and the author would suggest genderist and biocentric] attitudes influence all people'. Thus, it is against the societal and organizational backdrop that trans-employees navigate their gender and employee-role under threat of great psychological and economic risk. Nevertheless, the desire and medical need to actualise one's gender-identity, as highlighted in chapter one, provides the impetus for those gender-diverse individuals who seek or retain employment as a trans person, or as someone with an 'atypical' gender-history.

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<sup>75</sup> Wadsworth *et al* (2007:18) discusses the prevalence of stress experienced by 'minority ethnic workers' due to discrimination; and this discussion is comparable to the experiences of the trans-employee minority.

<sup>76</sup> The recent introduction of the Equality Act 2010 makes it unlawful to discriminate against someone on the grounds of their association with an LGBT person, demonstrating a formal recognition of associative stigmatization.

## **2.2: Workplaces' Role as 'Gatekeeper' Regarding Gender-Actualization**

As stated previously, employment is frequently<sup>77</sup> a condition of medically supervised gender transition. However, as discussed in this subsection, the gatekeeping influence that workplaces exert over trans-employees through their agents, mechanisms, and policies, is complex, and is not only restricted to the accessibility of medical treatments. The organisational and interpersonal climates of a workplace can impact upon the extent to which trans people feel gender-actualization is possible whilst employed. Furthermore, interactions between individuals and an organizations' gender regime may also influence the extent to which gender-membership may (or may not) be experienced and perceived. Interlinked with both the possibility of gender-actualization and the achievement of gender-membership is the trans person's sense of employment security and job progression, which ultimately impacts upon individual well-being and productivity. All of these issues exert what becomes an institutionalized gatekeeping influence over trans-employees' gender-actualisation, gender-membership, and employment. In the following section, literature is used to highlight the ways in which these issues can impact upon trans people at different stages of gender-actualization.

Firstly, it is necessary to consider gatekeeping, and the ways in which it may be enacted and resisted. Gatekeeping is an exercise in power; of political and social tensions constructed and maintained in order to overtly or covertly achieve either a conscious or an unconscious individual or organizational goal. Karen (1990:227) asserts that gatekeeping takes place within organizational and political contexts, and that it comprises the microprocesses derived from these contexts that 'contribute to our stratification order'; i.e. the means by which intra-organizational categorization takes place. Furthermore, Karen (1990:239) maintains that 'gatekeeping links the dynamics of the organizational field and the microprocesses of the organization'. Thus, aspects of organisationally and individually enacted gatekeeping mechanisms may be perceived to exert influence in all levels of an organisation, through its agents,

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<sup>77</sup> But by no means always. A place in education is also acceptable, and indeed gender confirmation treatments can be granted to individuals who are not in employment or education, at the gender specialist's discretion.

structures, mechanisms and policies. The political and the social become *practically* enacted.

And yet, Karen, (1990:234, paraphrasing Bourdieu 1984) highlights that 'actual political struggles are refracted in symbolic terms'; that the symbolic is 'relatively autonomous from the practical', and thus 'has independent, consequential effects on social outcomes'. This impacts upon the manner in which social agents process the world around them; and it is this symbolically derived processing which 'maintains and reinforces a given social reality and unequal distributions of power' (Karen 1990:234, paraphrasing Bourdieu 1984). In terms of gender-perception, practical behaviours towards gender-diverse individuals may be linked to wider symbolic understandings of the gender-order, but also be tempered by increasing understanding of changes in the socio-political view of gender-diversity. Literature has generally used the umbrella term 'gatekeeping power' (Crombez *et al.* 2006:323) to refer to both the actions of gatekeeping, and what Crombez *et al.* (2006:323) term the 'exogenous codified procedural right' of organisations' gatekeeping mechanisms. The author joins Crombez *et al.* in suggesting that both are implicitly intertwined, and in terms of gender, the strength and ingrained nature of societal norms may grant cisgender individuals a sense of 'procedural right' when exerting power (and potentially gatekeeping) over the gender-articulations of their trans-colleagues in the employment sphere.

Before focussing specifically on trans-employees, it is important here to consider the complexities of power and the manner in which it can be exercised and resisted. Power is widely recognised as 'a product of human interaction' which 'holds [the] potential for [varying degrees of] resistance' (Powell and Gilbert 2007:195). Through Foucault's 'microphysics' of power (see McNay 1994:3), power is perceived to be 'imbricated in all social relations, discourses and institutions' (Westwood 2002:135). Moreover, power influences 'everyday practices of individuals and groups...so as to produce, perpetuate, and delimit what people can think, do, and be' (Dreyfus 2003:32). For Butler (1998a:13, emphasis in original), 'power not only *acts on* a subject but, in a transitive sense, *enacts* the subject into being' (the author would argue through both resistance and conformity).



In her theory of performativity, Butler (1990) also considers the impact that discursive practice may have on the genesis and maturation of the constitutive subject. For it is not only something that one opposes: it is also something, she (Butler 1998a:2) suggests, that one 'depend[s] on for...existence'. Indeed, 'power is not only imposed externally, but works as the regulatory and normative means by which subjects are formed' (Butler 1993:22). How then, does this transfer into intersectional navigations of the self? Powell and Gilbert (2007:195, with reference to Bernauer and Mahon's 1994 discussion of the ethics of Foucault) assert that 'multiple subject positions' maintained by social agents in their everyday existence require an interaction between the 'reflexive self' and the 'ethical subject'. This interaction creates instability, contradictions, and tensions in discursively produced identity which requires management, and implicitly produces the 'potential for resistance' of power mechanisms (Powell and Gilbert 2007:195, see also Whitehead 1998). Where an individual lacks power in one situation, this lack is not necessarily uniform across spatial or temporal contexts.

The same is true of organizational and structural power, where circumstances may evolve to either reify or unsettle its strength of influence. Importantly, Rouse (1994:108) reminds us that 'power is exercised through an agent's actions only to the extent that other agents' actions remain appropriately aligned'. Thus, 'the actions of dominant agents are...constrained by the need to sustain that alignment in the future', an alignment that 'subordinate agents may seek to' challenge or evade (Rouse 1994:108). In organizational terms, alignment between personnel and structures may also be perceived to be similarly constrained. It is suggested here that across all contexts power is a doing that is subject to the potential threat of being undone, but that the process of undoing may appear unachievable, and where successful, may appear invisible in all but outcome.

Gatekeeping practices and power tensions in the workplace, as in all social interactions, rely on both individual and collective action and inaction for their perpetuation. Crook (2007:564) provides an interesting discussion of the power structures which surround a cubicle-based workplace framework, which is a useful tool to consider practices across the employment sphere. He suggests that cubicles are 'civilizing spaces' which depend 'upon subjects acting in a compliant manner'; that

'performative reciprocation is crucial' (Crook 2007:564). Moreover, Crook (2007:567) goes on to argue that (organizational – in his case cubicle) power 'works [by] normalizing itself', that its strength lies in its taken-for-granted 'ordinariness'. This aids unreflexively enacted habitual patterns of perception and behaviour, which further contribute to the continuation of existing power structures (Crook 2007:567).

It is argued that in terms of societal gender-membership, the workplace exerts a 'civilizing' (read as restrictive and policing) pressure over employees, which for many cisgender people appears so ingrained that it is essentially invisible, and for whom acting in a 'compliant manner' is unconsciously achieved. The dominance of cisgender over trans is thus socioculturally and organizationally unreflexively perpetuated. It is chiefly those individuals who are perceived to transgress (and so may disrupt or threaten) the gender regime who are likely to not only be aware of the mechanisms at play due to their outsiderwithin status, but experience both overt and covert pressure to reconfirm. It is the individually specific experiences of gender designated by the gender institution as 'other' that brings this awareness into focus. Nevertheless, 'the production of the subject [either cisgender or trans] is not...static', but rather a '*temporalized*,...continual...process of sedimentation and congealment' (Powell and Gilbert 2007:196, also Butler 1993:2). Crucially, though, Karen (1990:234) reminds us that 'actors respond to the multifaceted...manifestations' of the "'enacted" environment', which may both reify and unsettle 'power relations...and cultural orientations' within and between organisations.

Whilst social categorization may 'signify [both] subordination and existence at once' (Butler 1998a:20), as argued later in the discussion chapters, to be recognised as trans and made 'present', whilst potentially incurring discrimination, may also enable a more inclusive shift in gender-perceptions within the immediate organizational context (see also Karen 1990:235). 'Meaningful' participation in the work environment as one's 'full' self (rather than a highly mediated stealth presentation) may increase trans-employee's sense of empowerment, 'control, efficacy, and social justice' (Peterson *et al.* 2005:233, and for discussion of empowerment). However, again, the climate of the workplace, the pressures exerted by the gender institution, and trans-employees' perceptions of these, shape the steps trans people feel able to take towards gender-actualization, expression, and trans-visibility.

The process of beginning transition at work is complex, and it is to that the thesis now turns. Most firms claim to be trans-friendly, but whilst discrimination is illegal in the UK, the pervasiveness of transphobia in the employment sphere demonstrates that firms are not as trans-friendly as they might wish to appear (Whittle *et al.* 2007:31). Trans-employment discrimination and harassment are endemic in all areas, from recruitment, to retention and promotion (Whittle 2000:12; Whittle *et al.* 2007:22), and many employers fail to construct and implement relevant anti-discrimination policies, despite the legal requirement to protect trans-employees (Whittle *et al.* 2007:22). Although legislation has not prevented discrimination and harassment, it has led to the veiling of organizational transphobia. In recent research (Whittle *et al.* 2007:31; see also Rundall and Vecchietti 2010), trans-participants reported that employers had tenuously justified their demotion or dismissal for reasons other than gender-diversity, but which had appeared to materialise shortly after they started to transition, or came out as trans. Where someone is an existing employee, their perceptions of the workplace climate, gender regime, and the views of their colleagues and employer, are likely to influence the extent to which they feel able to consider their potential transition. Thus, deciding whether or not to embark on transition whilst at work presents a difficult choice for many trans people.

Although the oppression faced by LGBT workers has historically been neglected in literature on the labour movement (Grevatt 2001:63), this is a growing area of academic and activist interest, as well as an issue gaining ground in the wider social consciousness via media coverage. Furthermore, although trans people repeatedly report feelings of isolation<sup>78</sup>, increasing internet-based communication between members of the trans community furnishes trans or gender-questioning individuals with anecdotal evidence regarding other's (frequently negative) experiences in the employment sphere. Connell's (2010:47) research found that, regardless of whether a trans person is out about their trans-status/history, 'their workplace interactions sensitized them to gender discrimination'. Thus, an employee may be reluctant to transition not only because of their own perceptions or experiences of the stigma attached to gender-diversity and subsequent repercussions, but also because of the

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<sup>78</sup> Workplace isolation and bullying is by no means particular to trans-employees. Bullying in the employment sphere is common, and people can be ostracized and bullied for a number of reasons. However I, and recent empirical research, suggest that being trans increases the potential for this to be experienced.

experiences and concerns of others. In this way, trans people's experiences of the interaction between the gender regime, personnel, and workspaces is both individually and collectively informed.

The first consideration is whether or not to come out about one's intention to transition. Once a trans person has decided they feel able to embark on transition at work, they are faced with the dilemma of whether to confide in their employer, human resources department, or colleagues, particularly before they commence their real life experience or medical treatment. Connell (2010:38) states that 'the decision to be "out" as trans...must be individually negotiated [in relation to] complex and' at times 'contradictory' factors such as: 'financial; psychological; political; and personal considerations'; as well as with the violence, stigma and oppression historically faced by trans people. Many trans people, fearing discrimination and harassment, are reluctant to reveal information on their trans-status (and later, history) or treatments they are receiving, to the extent of lying on confidential medical forms (Whittle 2005:11).

Recent research has demonstrated that for many trans people, the above issue is irreconcilable, resulting in a significant proportion feeling unable to live full-time in their preferred gender, specifically due to fears surrounding employment (Whittle *et al.* 2007:15). Interestingly however, research conducted by Connell (2010:41) highlighted that 'coming out as [trans] sometimes mitigates, rather than incurs, ambiguity in gender-presentation'. For example, she (Connell 2010:41) suggests that a label of trans may assuage other's discomfort where an employee's previous gender-presentation was incongruent with social expectations<sup>79</sup> (the example Connell provides is if a trans man previously presented as a masculine female). This can result in a trans-subject being 'read as more gender normative', enabling them to experience greater acceptance (Connell 2010:41). Nonetheless, many trans-employees choose to keep their intention to transition private for as long as is feasible, and then may only choose to confide in key personnel.

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<sup>79</sup> If one considers increasing societal understandings of trans as medically rooted and thus blameless, as discussed in chapter one.

Breaches of confidentiality do arise: for instance, after confiding in their employer, some trans people have found that their employer has outed them to the rest of the workforce without their consent, and in an inappropriate manner (Whittle 2000; Whittle *et al.* 2007), causing the trans person to be the subject of gossip and even ridicule. However, Schilt and Westbrook (2009:459) argue that, if a trans person gains the support of people in dominant positions in the workplace, they may experience increased acceptance and better treatment from their colleagues. Where top-down support is lacking, however, trans-employees may experience 'resistance' from colleagues, even where there has been a previously positive work-relationship (Schilt and Westbrook 2009:459). In essence, these 'dominant' individuals 'gatekeep' the potential for acceptance or resistance (subject to other individuals' own views on gender-diversity). Combined with this, individuals in non-dominant employment roles remain powerful, and contribute to the workplace climate, and through their behaviour and responses gatekeep trans people's workplace inclusion.

The real life experience is a core part of transition. The gatekeeping impact that workplaces exert over this stage of transition are now considered. Beginning the real life experience, and becoming overtly visible as a gender-diverse person, is one of the key triggers of employment discrimination (Whittle *et al.* 2007). Recent research has highlighted that as many as 38% of trans-employees experience harassment during their transition (Whittle *et al.* 2007:23). According to Connell (2010:31), they face 'unique challenges in making interactional sense of their sex, gender, and sex-category, and simultaneously engage in doing, undoing, and redoing gender in the process of managing these challenges'. As 'gendered expectations...are deeply embedded in workplace structures (Schilt and Connell 2007:596, with reference to a multitude of literature), trans and cisgender colleagues are forced to 'negotiate gender-identity' during the visible (or known) transition process (Schilt and Connell 2007:597).

Crucially though, trans-employees must (and indeed are compelled to) remain cognizant of their organization's gender regime in their gender articulations: to be perceived to deviate is likely to attract negative responses, as discussed previously. It is through interactions with individuals in the workplace (and against the wider societal backdrop) that trans people learn what is considered (or perceived) to be

appropriate or inappropriate for their workplace gender-role (Schilt 2006:466). Indeed, Connell (2010:42) argues that 'out trans people are subject to greater gender accountability' in the workplace than their cisgender colleagues, who may enjoy increased 'room for improvisation in their gender performance[s]'.

In undertaking the RLE, trans-employees are required to live fully in their preferred gender role<sup>80</sup>. This includes doing gender via 'gender appropriate' attire. Trans people employ gender-stereotyped clothing in order to express themselves, as well as to facilitate other's recognition of their gender-identity, although research demonstrates that trans people's essentialized gender-presentations frequently become more relaxed as they become more comfortable in their gender-role<sup>81</sup> (Connell 2010:45; Hines 2007; Rundall and Vecchietti 2010). However, trans-employees may face barriers when seeking to dress as their preferred gender, particularly if their workplace requires uniforms to be worn (Whittle 2000). Managers may refuse permission for a change of attire to be worn to work until a later stage of transition, or may refuse permission for non-work issue or modified uniforms to be worn. This is a particular consideration if gender-specific uniforms are not available in sizes that may be required for 'atypically sized' employees, and this is likely to: impede the transition process; cause trans-employees great distress; and may potentially encourage ostracism and disrespectful behaviour from co-workers due to a pack 'othering' mentality.

The difficulties trans-employees may face when seeking to use gendered-facilities such as lavatories whilst at work was noted earlier (Whittle *et al.* 2007:15). As with clothing, this is a site in which gender is done (and done to), and where the othering of trans-employees, and resistance of their gender legitimacy, by colleagues and employers may become solidified, making the workspace untenable. Here again is an instance where top-down support is crucial for the smoothness of this aspect of transition, and necessarily entails educating the immediate workforce on trans-issues. Educating colleagues is itself a point of contention, particularly where employers lack information, are unsupportive, or where a trans-employee is expected to conduct

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<sup>80</sup> As this constitutes part of medicolegal gender-actualization and potential gender recognition.

<sup>81</sup> This is also potentially because medical treatments have enabled their gender to be more readily recognised by others, especially in the case of FTMs.

training themselves but does not wish to do so<sup>82</sup>. Few organizations have trans-specific equality policies and practices (Rundall and Vecchietti 2010), which is a focus in the primary data (see chapter eight). Therefore, workplaces may lack the knowledge and skills necessary to support gender-diverse employees within the workplace framework, and appropriately address the responses of colleagues, supervisees, clients, and contractors, increasing the risk of negative repercussions from situations being mishandled.

Changing one's name and gender on documentation is a core part of the transition and RLE processes, but since the introduction of the GRA, organizations have been confused as to whether or not a GRC is required before changes can be implemented (Whittle *et al.* 2007:15). Whittle *et al.*'s (2007:41) research highlights that many employers fail to understand that someone cannot apply for a GRC without documentary proof of living in role, chiefly facilitated by changing their name and gender at work. Additionally, the changing of a person's title and gender at work does not affect their statutory gender (Whittle *et al.* 2007:41), which can only be achieved by obtaining a GRC. Organizations frequently lack policies and practices regarding changes of name and gender for trans people, and this confusion can impede the transition process for trans-employees who are already in a sensitive and stressful situation. In other words, individual and collective misunderstandings and ignorance can undermine legislative progression and provision at a societal-institutional level.

Once an employee has changed their name and gender at work, this is by no means the end of the matter, as they may find that colleagues and their employer either inadvertently or intentionally 'slip up' in the manner in which they address their trans-colleague, both in formal and informal situations (Whittle 2002; Whittle *et al.* 2007; Schilt 2006). This is a particular difficulty faced by pre-hormone trans people (see Schilt 2006:483), and highlights the ways in which trans people may be held accountable to their birth sex-category (Schilt and Connell 2007:598), and excluded

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<sup>82</sup> Humphrey (1999:134) makes the interesting point that (in her research) lesbian and gay employees may become 'carriers of the sexual consciousness of their organizations', while concurrently walking a 'precarious tightrope between being out and pursued for their specialist knowledges, and...persecuted for...[perceived] perversities'. In some cases trans-employees may also be compelled to walk this tightrope. Indeed, in bringing gender to the fore, trans-employees (whilst being policed by others) 'can influence' the ways in which (cisgender) 'others interpret and experience their own gender' (Connell 2010:53). This idea is later developed by conceiving of mutual dysphoria in the institution of gender.

from preferred gender-membership<sup>83</sup>. Continuation of inappropriate references may constitute harassment, and ultimately mean that a trans-employee feels unable to continue their transition at work, potentially jeopardising both their medicolegally-linked gender-actualization (Whittle *et al.* 2007:31), and their (and their family's) financial security. Additionally, where HR has failed to remove previous name and gender details from their files, or has not restricted access to those documents it cannot amend, breaches of confidentiality and confusion may continue long after the initial point of transition. This may result in a trans person being outed both within and without their workplace, for example, via postal correspondence, online personnel searches, tax records, and future employment reference queries.

So, the treatment trans-employees experience from colleagues, employers and the organizational structure during their RLE may determine (and essentially gatekeep) whether they feel able to continue their transition at work. If not they may seek leave of absence, or resign entirely from the workplace (Whittle *et al.* 2007). Should they decide to continue their transition at work, they may face difficulties in gaining time off to attend appointments and for post-surgery convalescence (as highlighted above). Misunderstanding surrounding the lengthiness of transition and long NHS waiting times (Whittle 2005:10) may compound others' negative reactions. Some trans-employees may elect to take a leave of absence from work in order to transition, but many do not, and these individuals thus remain entwined in 'inequality regimes' and interactional gender policing in their attempts to gain membership in their preferred gender role, whilst openly unsettling the binary gender status quo (Acker 2006:441).

The policing mechanisms faced may be overt, covert or embedded, and which frequently centre on ignorance, misunderstandings, and discomfort where gender is taken to be fixed/essential. In seeking to lay claim to membership of their preferred gender, trans-employees run the gauntlet of what the author suggests is intertextual gender accountability. Within this it is suggested that the following factors are incorporated: perceptions of the validity of identity; sociocultural biocentric notions of sex and gender; the semiotics of visual, aural and behavioural presentation; and both the implicit and explicit knowledge of someone's gender-diversity and boundary

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<sup>83</sup> Moreover, this reinforces the extent to which birth sex-category/gender are presumed to be fixed, and deviation is perceived to be disruptive.



transgression. Cisgender individuals maintain a position of privilege: it is they who fundamentally gatekeep, via acceptance and recognition, the accessibility of gender-membership for trans people (see also Rocco and Gallagher 2006:32). They can choose whether or not to fight inequality and discrimination (Rocco and Gallagher 2006:32), and it is the ways in which they include or exclude trans-employees that largely determines the latter's sense of empowerment and gender-experiences in the workplace (see Peterson *et al.* 2005:241).

Cisgender individuals can to some extent also choose whether or not to accept trans-colleague's identity and gender articulations<sup>84</sup>, regardless of the presence or absence of congruous or incongruous external signifiers<sup>85</sup> (see Connell 2010:52; Rundall and Vecchietti 2010). Connell (2010:32, paraphrasing West and Zimmerman 2009) asserts that 'the accountability structures that maintain gender may shift to accommodate less oppressive ways of doing gender...but [that these] are never entirely eradicated'. Therefore, trans-employees are likely to concomitantly face both inclusion and exclusion, and recognition and resistance, in different interpersonal and intra-workplace spatial contexts, resulting in a complex matrix of fluctuating gatekeeping influences.

Following the initial point of transition, whilst recent research shows that the levels of discrimination reported by trans-employees fall slightly at this stage compared with earlier in the transition process, a considerable percentage (25%) continue to experience transphobic harassment (Whittle *et al.* 2007:23). The same research found that, despite the presence of trans-focussed equality legislation in the UK, many trans people 'are not fulfilling their potential because of the current climate' in the employment sphere (Whittle *et al.* 2007:32). Moreover, employment discrimination leeches out into other social spheres, diminishing trans people's capability to play an autonomous role in society, and creates a burden on both trans people, and the state (Whittle *et al.* 2007:39). The circumstances of an individual's post-transition employment and trans-visibility are pivotal factors in the treatment they

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<sup>84</sup> However, cisgender individuals may also experience peer pressure to refuse to their trans-colleague's gender-identity. This is something that is discussed in chapters six and seven.

<sup>85</sup> Whilst Connell (2010:41) reported that trans-participants report instances of telephone customers 'mishearing' their name and repeating one instead that was, for them, more congruously gendered with the participant's voice, individuals in the immediate work environment may choose to suspend their initial classificatory response.

may experience. Gender-expression continues to be negotiated and enacted interactionally, and is necessarily mediated both internally and externally in terms of the visibility of a person's gender-diversity/history. As previously stated, whilst many trans men are successfully able to pass, for trans women, passing fully is frequently less possible. The context of employment, and other's awareness of one's trans-status/history, combined with one's appearance, therefore all contribute to the interactions one has with others, and the ways in which one is treated.

Although many trans people feel compelled to change jobs or withdraw from employment during their transition, as previously highlighted, should someone gain support initially at work, in the long term they may potentially gain greater acceptance and inclusion by remaining in the same post than if they change organizations. And yet, acceptance does not necessarily equate to equality, as many trans people's employment progression suffers post-transition due to stagnation, demotion or redundancy (Whittle *et al.* 2007; Levi 2003). Additionally, retrospective privacy of an employee's trans-status/history is unachievable, and thus they are likely to continue to be openly judged on their gender-expression. The dynamic of the organizational gender climate is far from static, and it is important to recognise that newcomers to the workspace are likely to be informed of a colleague's atypical gender-history. Therefore, gender-navigation and identity (re)interpretation may take on a cyclical effect dependent on the ever changing employment context. Notably though, the author would argue that whilst newcomers may change the dynamic of a workspace, the manner in which members of the existing team treat, and respond to, their trans-colleague will help navigate the responses and behaviour of incoming individuals. Thus, gender-membership and acceptance are invariably intertextually mediated across interpersonal and temporal frameworks within the workplace.

Post-transition, gender accountability continues to dominate interactions (see Connell 2010:46; West and Zimmerman 2009), and whilst trans people settle into their gender roles, they will frequently have to contend not only with their own responses to any short comings in relation to what they had hoped to gain by transitioning<sup>86</sup>, but also the responses of colleagues keen to see an end to the destabilization of the

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<sup>86</sup> Such as not being able to pass as well as they may have hoped, or avoid discrimination and stigma as a trans person.

institutionalized binary gender-framework<sup>87</sup>. Particularly where a trans-employee does not pass, they may feel compelled to consciously do gender in a manner that is not perceived to be threatening to the gender expectations and identities of their colleagues. They may feel obliged to take on the 'role expectations incumbent on' their gender, in terms of age, ethnicity, and class (see Connell 2010:44) where they otherwise might elect to resist. Media depictions of trans may provide a socially-mediated pallet on which to derive aspects of self-presentation (see Turner 2007:595), and enable the archetypal 'blameless' medical construct of trans to be drawn upon. It could be argued that to be seen to seek to conform to expectations surrounding the gender-binary, rather than actually achieving the invisibility of gender-diversity, is key in offsetting potential ostracism (although this may be largely unavoidable)<sup>88</sup>.

However, some trans people use their visibility or "outness" [as a gender-diverse person] as a strategy for political visibility' (Connell 2010:46; who focuses on transgender rather than transsexual employees), in an attempt to tackle implicit genderist power dynamics in place in the employment and wider societal spheres. Others, through lack of choice, may also find their self-presentation is politicized by the very nature of the hierarchical gender order. Visibility of gender-diversity may ultimately facilitate an awareness-driven shift in the consciousness of colleagues, employers, supervisees, and customers, although this is tempered by the stress of fighting (through choice or otherwise) on the front line of what may be perceived as an intertextual perceptual gender battle. At any time, treatment by others, and the impact this has on one's work, may make the workspace untenable, and result in a trans-employee choosing or feeling forced to seek alternative employment. This has clear implications for financial security, and the future accessibility of privately funded surgical revisions if required.

Post-transition, the need to change jobs and seek new employment can be problematic (Whittle *et al.* 2007; Rundall and Vecchietti 2010), regardless of whether or not one passes. Based on the pervasiveness of trans-discrimination in UK

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<sup>87</sup> As noted in chapter one, genital surgery and obtaining a GRC and new birth certificate constitutes a watershed in gender-validation for many trans and cisgender people alike.

<sup>88</sup> Therefore, attempted but incongruous gender performances may be accepted at work.

workplaces, it is unsurprising that levels of unemployment in the trans-population exceed those of the wider UK population, and that this has proved to be a long-term trend (Whittle 2002:103). As with any jobseeker, the individuals who conduct the selection and interview processes enact gatekeeping power over trans-jobseekers' employment chances on behalf of the organisation (although the recruitment process is implicitly shaped by the recruiter's own views and perceptions). In other words, the recruiter's individual experience of gender, and perceptions of the institution of gender combined with the workplace gender-regime, frames the focus and direction of their approach.

The recruitment process is often anchored in the gatekeeping individual's gender schema surrounding the post and who they are looking to employ (Schilt and Connell 2007:596). Moreover, with reference to recruiter's gender schemas, Schilt and Connell (2007:596) note that gender-diverse applicants are unlikely to be represented in a recruiter's target applicant population, already putting 'out' or visible trans-applicants at a disadvantage. There are numerous factors which may impede and disadvantage trans-jobseekers in the recruitment process. The crux of the issue is whether or not to disclose one's trans-status/history, and indeed whether one has the option to conceal this information. For example, an 'atypical' employment history for someone of one's preferred gender may reveal one's gender-history, or place one at a disadvantage in relation to the grade of post one is recruited into. Indeed, recent research highlighted post-transition salary disadvantages, with many of Whittle *et al.*'s (2007) trans-participants reporting that they are now engaged in lower paid work, and are in positions requiring skills below their qualifications and expertise.

Another pitfall is the information contained in employment references. Whilst previous employers should not disclose a trans-employee's trans-status/history when providing references, this is a potentiality, and may thus exert gatekeeping power over future employment (Whittle 2000). Obtaining a GRC and a new birth certificate can help to prevent administrative disclosure of a person's gender-history, and provide legal recourse should this occur (Whittle *et al.* 2007), but fundamentally, visibility of gender-diversity remains an overbearing determinant of the ways in which trans-employees are treated at work. Although changing employers post-transition is a way of making a fresh start in one's new gender-role for many trans people,

whether one passes or not, it is those who can, and choose to, pass, who may experience the greatest impact on their job progression and workplace inclusion<sup>89</sup>.

Human resources departments have a duty to ensure information concerning a person's trans-status/history remains confidential, particularly if the trans-employee possesses a GRC. Thus, if one is able to pass, one can separate the legal and administrative aspects of employment and gender-history from one's role as an employee and subsequent day-to-day workplace interactions. Gender-'past' may, as far as the immediate working team are concerned, become divorced from gender-'present', enabling the stigma of trans to be displaced. And yet, as discussed elsewhere (Rundall and Vecchietti 2010), and later in chapters five and six, working as stealth is not a secure position, as one is constantly under threat of having one's gender presentation reinterpreted by onlookers, or being outed by unforeseen or unfortunate circumstances. Also, whilst mediating the self that one presents at work may avoid transphobia, barriers to a full sense of acceptance and inclusion may also be experienced as a result (see Rundall and Vecchietti 2010, and chapters five and seven). This may in itself impact negatively upon trans-employees, their productivity, and overall wellbeing, as the strain of maintaining the confidentiality of one's gender-history takes its toll.

## **Conclusions**

It is within and against the organizational gender regime (the institution of gender) that trans people perform their workplace-gender, and fulfil medicolegal requirements prior to treatment and potential legal gender recognition. The workplace is a key site in which regimes of gender are manifest and gender inequalities are reproduced. Trans-employees are subject to the tensions that these create, as well as to the sociocultural construction and policing of gender-diversity. Transphobic discrimination and harassment are rife in the employment sphere, and are

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<sup>89</sup> In particular, see earlier literature discussed in relation to trans men's post-transition sense of privilege, and their access to the patriarchal dividend (Schilt 2006:465-6; Connell 1995:79). Additionally, it is posited that where a trans woman presents at stealth in their new workplace, they are likely to continue to enjoy an echo of the foundational privilege accrued (depending on their intersectional characteristics) in their prior role as a bio-male employee, especially in terms of salary, and past employment experience.

experienced at all stages of transition, preventing trans people from achieving their full work-potential. This is particularly so where a trans person's gender-diversity is visible, or their gender-expression is perceived to be a threatening or 'incongruous performance'. As stated in chapter one, the presence of legislation does not guarantee equality, but rather provides an avenue of recourse. Organizations may wish to present themselves as trans-friendly, but recent research has highlighted that this is frequently not the case. Many organisations fail to construct trans-relevant equality policies, and where they do exist, the author suggests that poor implementation diminishes their efficacy and impact. Fundamentally, discrepancy exists between legislation and action, as it is difficult to control people's interactions and responses to instances where the dualisms, language, and expectations that make up dominant social structures are challenged or unsettled.

Building on chapter one and the social context of gender-diversity, in this chapter literature and empirical research has been used to explore the ways in which biocentric and genderist tensions in the workplace impact upon trans-employees. Additionally, the ways in which these tensions, in conjunction with: the behaviour of employers and colleagues; and policies, practices, and organizational gender regimes; both overtly and covertly gatekeep gender-actualization at different stages of the transition process, have been discussed. Many trans people feel unable to actualise their gender-identities because of the impact this may have on their job-security and work-life. Crucially, it is the perception of the organisational climate, and the views and behaviour of others in the workplace, which influence whether trans-employees feel it is safe to transition, or to remain at work during or after this process. Those that do embark on this process at work are required to negotiate their gender performances in their interactions with cisgender individuals, and it is through these interactions that the doing, undoing, and redoing of gender, and the ways in which gendered regimes in workplaces, are brought in to stark relief.

Cisgender individuals exert what may be perceived to be their 'procedural right' to police and socialise trans-colleagues' gender-expressions, and to enable or impede their ability to achieve preferred gender-membership, acceptance, and recognition. Gender-identity may be resisted, particularly if there is a lack of top-down support from individuals in dominant positions in the workplace. Additionally, lack of support

also influences the treatment trans-employees are likely to experience from other social agents. Once someone's gender is recognised in the workplace, however, the above literature highlighted the ways in which experiences of power and privilege may shift. Moreover, it is trans-employee's outsider-within status which enables such shifts to be perceived. Overall, the literature in this chapter provides an important empirical backdrop to the formation of the research questions, and the discussion of the primary data in the discussion chapters.

## **Chapter Three: Theoretical Frameworks**

### **Introduction**

This chapter discusses two key theoretical perspectives which underpin the thesis and have been implicit in the literature and discussions presented in chapters one and two. These are: poststructuralism and queer theory. This framework is used in the analysis, interrogation and discussion of the primary research findings. Each of these theoretical positions is focussed on in turn, assessing their strengths and limitations in relation to this doctoral research. However, whilst each is considered separately, it is acknowledged here that interplay occurs between them. Indeed, it is for this reason that it is suggested they are, in combination, particularly suitable theoretical approaches with which to explore trans-employee's experiences in UK workplaces. This thesis treads a fine line between notions of essentialism (or essentialism-driven societal assumption and expectation) and wider fluidity and complex everydayness (Miller 2005). Thus, I seek to find a balance between theorizing the findings via the combined poststructuralist/queer theory framework that are presented here, and remaining grounded in the daily lived experiences of trans-employees.

### **3.1: Poststructuralism**

Poststructuralism focuses on the textual and discursive interplay that constructs meaning (Hines 2006:50). It presents a specifically 'philosophical response...against the social scientific pretensions of structuralism' (Peters and Burbules 2004:7). Moreover, it seeks to displace positivist frameworks that underpin structuralism whilst 'preserving cultural elements of structuralism's critique of the humanist subject' (Peters and Burbules 2004:8). In particular, poststructuralism extends structuralism as it allows for intentionality and thus agency of interpretation and presentation of meaning, even though authorship and interpretation are unfixed and subject to significant variation. This aspect of poststructuralism makes this theoretical perspective particularly suited to discussions and theorizations of self-authorship,



presentation, and interpersonal gender (in)visibility, which are undertaken in this thesis. Poststructuralism refutes the logocentric view of an overarching truth that gained dominance in Western theoretical and academic circles after the Enlightenment, instead recognising the importance of contextually specific interplay (Aitchison 2000:133). Rather than a 'reality' therefore, it is social and textual interactions which produce meaning, and thus the social world, in different spatial, temporal, and interpersonal contexts.

Epistemologically, this perspective asserts that knowledge and meaning are produced and interpreted by social agents in relation to their conceptualizations of self and the world around them. Existential interpersonal constructions and interpretations of power are thus implicitly entwined within this perspective, and are necessarily underpinned by interactions with and against strands of societal and personal discourse. The institution of gender versus individual experiences of gender may therefore be teased apart through a poststructuralist approach. This then gives rise to individual and collective discourse. Poststructuralism allows sociocultural trends to be recognised, and for their continuation through individual and collective repetition to be acknowledged, but with the potential for rejection and thus change ever present (Allen and Hardin 2001:172). Poststructuralism, as a theoretical lens, allows for a form of analysis that draws on other theoretical perspectives, including deconstruction, intertextuality, psychoanalytic theory, and French philosophy (Aitchison 2000:133; Clegg 2006:323; see also Scott 1994). It is most often associated with the works of: Foucault; Derrida; Kristeva; Butler; Barthes (in his later work); and Moi. As a theoretical approach, poststructuralism's complexity has enabled increased understanding of issues such as identity, experience, and intersectionality (Clegg2006:322).

Poststructuralism has been critiqued for ignoring material and structural realities, which in the case of this research is particularly perceivable in relation to the personal 'costs' that may be incurred during transition<sup>90</sup>. However, it is argued that poststructuralism *does* allow for material personal 'costs' to be acknowledged and discussed, particularly in relation to everyday manifestations of these. In the following

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<sup>90</sup> Such as loss of status, friendship, community, family, employment, etc.

empirical chapters, experiences of discrimination and harassment are discussed as 'costs' of transition. Individually experienced dissonance with macro level regimes of gender is systematically made both present and absent in societal arenas. Nevertheless, through trans-employees' workplace experiences, these tensions may be highlighted and elaborated upon. Poststructuralism is concerned with the everyday: of the interaction of social structures and individuals (English and Irving 2008:270). This is useful here, as experience, and the constructions and interpretations of both the self and the onlooker, *are* everyday, and comprise the fabric of daily existence. Epistemologically, poststructuralism enables both micro and macro socio-political processes to be unpicked, investigated, and theorised. It also engenders an ontological diversity that facilitates the recognition of multifaceted and intersectional existence, providing a flexible and reflexive theoretical lens with which to question norms, processes, and meaning (Allen and Hardin 2001:172).

And yet, despite its recognition of the everyday, poststructuralist accounts can at times neglect the physicality of everyday existence, and the impact this has both in terms of interpersonal interactions, and constructions and interpretations of the self; embodied, or disassociated. In privileging the discursive, there is a danger that the physical self, however interpreted, may become subsumed within a wider emphasis on a discursive 'fiction'. This is an important concern in this research, as trans people's textual readings and interactions are intimately shaped by other's perceptions of the (in)visibility of their gender-diversity. Indeed, in the following discussion chapters, the management of the 'fleshy' external self forms a crucial underpinning in discussions of workplace experiences. To be treated in a particular way because one appears/is trans necessitates the recognition of the complexities presented by corporally-interpreted interaction and semiotic classification. Shilling (1993, in Shilling 2001:328) notes that sociology has in many ways treated the body as an 'absent presence'. Moreover, it is suggested that the body is at once *both* personal and institutional, in that regimes of gender navigate, police, and frame, understandings and interpretations, and everyday practices, of corporeality. And yet, in poststructural terms, as a 'text' (see Ball 2006), the body is both 'a source of', and primary *location* for...symbolism' (Shilling 2001:333, emphasis in original). Recalling Butler's (1990) assertion that gender is a discourse based repetition of corporeal signs, it is theorized that societal discourse frames individual and interpersonal

understandings of gender and the body, enabling each to be comprehensible. And yet, understandings and experiences of gender are more than just discourse, which is strikingly highlighted by the gauntlet of ostracism and inequality that many trans people feel compelled to run in order to actualize their innate sense of self, contrary to their primary and secondary socialization.

As discussed in chapters one and two, the semiotics of gender play a core role in social interpretation and classificatory mechanisms (see Goffman 1963). Foucault's, and later, Butler's, theorizations of the body have been instrumental in shaping this perspective's approach to corporeality and embodiment. But both have been subjected to criticism: the Foucauldian body for its passivity, limited agency, and lack of specificity and coherence (see McNay 1991:125; Oksala 2004; Dudrick 2005; Butler 1989); and the Butlerian body for its arguable descent into the phantasmic (Nayak and Kehily 2006; refer also to Butler 1990). Nevertheless, it is useful to bare in mind Foucault's discussion of the impact that surveilling technologies of the self (Foucault 1988; Foucault 1978; see also Callero 2003; Cadwallader 2007), and the 'inscribable'/docile surface of the body (Foucault 1984; Foucault 1977; see also Naidu 2009 for interesting discussion of the inscribable body); as well as Butler's (amongst others) insistence that the body is understood, and literally gains meaning, through sedimented societal conceptualizations, cultural inscription, and discourse<sup>91</sup> (Butler 1993; Hall 1996; Hey 2006). And yet, the corporeal dysphoria experienced by trans people demonstrates that whilst the body is ascribed meaning and categorization through social discourse, there is considerably more complexity than the above allow. Gender-identity rooted in, but more than, simply discourse based identities. These theorizations are particularly useful so in order to understand both trans people's approaches to, and other's interpretations of, artefactual corporeal representations, and the impact of their intertwined socio-cultural gendered baggage.

So, despite these limitations that surround conceptualizations of physicality, poststructuralism usefully both unsettles taken-for-granted societal structures (Ryan 2001, cited in English and Irving 2008:270), and recognises their power (English and Irving 2008), for example in the intersection of 'social, economic, and political

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<sup>91</sup> In other words, the *institution* of gender.

variables' with, for example, gender (Chan-Tiberghien 2004:477). This approach thus lends itself particularly well to an investigation of trans-employees' experiences borne from the doing/undoing/redoing of gender-norms, individual intersectionality, and contextual interaction. As discussed in chapter one, trans is constructed as 'other' to its socially 'normative' cis counterpart. This dualism, and the power structures embedded within, present material tensions and barriers for trans people in workplace and non-workplace settings alike. Consequently, poststructuralism's exposure and deconstruction of overt, covert, and embedded othering mechanisms that are enacted or rejected by both dominant and othered groups is especially appropriate here (Aitchison 2000).

Poststructuralism provides a nuanced and subtle framework through which to understand how individual behaviours are cognitively and materially navigated and surveilled (Davies 1989), and are incorporated into the construction of the unfixed constituted subject (Chan-Tiberghien 2004:457; Davies 1997; Czarniawska 2006). Indeed, this theoretical stance can inform analysis of both symbolic and structural power, and the ways in which these are discursively (re)produced, amended, and enacted both across and within intersectional, cultural, temporal, and spatial contexts (Aitchison 2000; Allen and Hardin 2001). The dimensions of sex-gender 'norms', power structures, and associated hierarchies are integral to this research. Thus, an investigation of trans-employees' experiences necessarily entails a cognizance of the intrinsic part in which: societal expectations; the semiotics of gender; and privileged performances of gender-expression; play in the production of the ways in which trans people are perceived and treated. These impinge on *individual* experiences of gender. Poststructuralism has 'open[ed] up "gender" for discursive signification' (Chan-Tiberghien 2004:476), and enables movement beyond the male/female dichotomy and the 'essentializing' practices which maintain it (Davies *et al.* 2006:88, cited in English and Irving 2008:270).

Ziarek (2001:5) makes the interesting point that 'embodiment cannot be confused with the biological body'. In other words, people's embodied sense of self may be divorced from corporeal materiality by the ways in which they perceive, re/designate, or 'erase', bodily parts and structures. Indeed, where the body is viewed as an assemblage, one may more easily perceive 'the dynamic process of discursive

practices *and* the materiality of the body', in relation to discursive and semiotic interplay (Zembylas 2007:29, emphasis in original; see also Probyn 2000). This more adequately accounts for the ontological state of human existence (see Vasterling 2003), where conceptualizations and embodiments of both the symbiotic internal and external selves exist in interaction, however dysphorically experienced in actuality.

These points are crucial in this research, as trans people's gender transitions and potentially 'gender-norm unsettling' gender articulations both deconstruct, and may also reconstruct, the societally dominant gender order. Belsey (1997) usefully highlights the poststructural subject as one in flux: a process of constitution which fundamentally contains the possibility for transformation. The 'fragmentation, diversity and diffuseness' present in 'all spheres of life' are thus recognised via a poststructural lens (Aitchison 2000:134). And for trans people who choose to actualise their sense of gender, transformative constitution of the self is, at least initially<sup>92</sup>, a process that is externally visible. Interestingly, whilst many trans people draw on a grand narrative of an innate<sup>93</sup> and thus blameless gender-identity (solidified by medicolegal discourse, as discussed in chapter one), poststructuralism has deconstructed 'the concept of "identity" as characteristic of a unified...subject' (Hines 2006:49). This useful here as it recognises internal and representational tensions within notions and senses of identity, and the ways in which facets may be externally and visibly articulated. This then further facilitates an analysis of the complexities implicit in individual experiences of gender, and gender as regime, and the interactions between the two.

Poststructuralism has proved useful in deconstructing gender-categories and analysing gender-diverse people's experiences, their constructions of self, and the ways in which some gender-diverse groups 'radically challenge normative taxonomies of gender and sexuality' (Hines 2006:52; see also Monro 2000:42; Aitchison 2000). Butler (1990) argues that poststructural feminism contests both phallogentrism and compulsory heterosexuality, and it is argued that, in a similar vein, it also problematizes assumptions of sex/gender/body congruence. Indeed, Hines (2006:50)

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<sup>92</sup> And indeed for many trans people a visible constitution of the self/gender-identity continues to be perceived by onlookers.

<sup>93</sup> Although for many this is their experience of their gender dissonance.

persuasively argues that the separation of gender from sex and dichotomously categorized bodies facilitates the recognition of a wider scope of masculinities and femininities; providing an important theoretical apparatus for the academe, and trans-sociology in particular. Nevertheless, the importance of grounding poststructural theorizations of gender-diversity in trans people's lived experiences (Hines 2006:63), and in the "'real" world' (Monro 2000:43) is key, as there is a danger that theory may become separated from material existence and experience, and the management of 'real' bodies in particular (see Miller 2005).

Davies *et al.* (2006) articulate the intertextual construction and existence of individuals (as texts in and of themselves) within the textual context in and from which they are borne. Moreover, Czarniawska (2006:248) states that textual structure is constructed by the interpreter: this fits with the issue of the 'reading' of gender, and onlookers' interpretations and categorizations of trans people. Thus, interpersonal recognition may be both flexible and essentialist, and in terms of interpersonal interaction, trans people (and cisgender people) may not always be able to retain authorship of themselves as 'text'. Rather, their self-authorship may be suspended, and instead emphasis is placed on the onlooker's 'authorship' over textual interpretation. This is a topic which is explored through the empirical data in chapter five in relation to trans-employees' (in)visibility in the workplace.

However, whilst poststructuralism undoubtedly lends itself as a theoretical lens to the consideration and investigation of gender-diversity and experience, it has nevertheless been subject to criticism, and it is to these that the thesis now turns. These are voiced not only by those who align themselves with alternative epistemological frameworks, but also by authors who employ a poststructural narrative. The most widely voiced criticisms concern poststructural conceptualizations of power, structure, and agency (Clegg 2006; Aitchison 2000; Allen and Hardin 2001; English and Irving 2008). Regarding its analysis of power, aspersions are cast over what some argue are poststructuralism's inability to locate domination and oppression on a systemic and widespread scale (Aitchison 2000; English and Irving 2008). For example, Aitchison (2000; see also Hartsock 1990) asserts that an emphasis on the contextual and temporal subsequently privileges 'only specific contexts of subordination, resistance and transformation'. Thus, the

'sovereignty of experience' becomes 'valorised' (English and Irving 2008:271). Indeed, some feminists in particular have argued that poststructuralism is 'inattentive' to systemic structural exclusion mechanisms on a grand scale, for example in the subordination of women within a widely dominant patriarchal framework<sup>94</sup> (English and Irving 2008:271).

However, in this research the author is aware of the fundamental need to interlink trans-participants' individual experiences, trends within the primary data, and the indications these give regarding wider structural inequalities. Furthermore, by not designating a specific overarching 'oppressor', English and Irving (2008:271) argue that mobilization against oppression (in terms of structural or intersectional characteristics) becomes diluted. It is suggested however, that inequalities are complex, and it is the facets that constitute their enactment, which are made visible through poststructural deconstruction, that need to be recognised and tackled in order to address oppression as a whole. In other words, it is necessary to address the micro directly in order to engage change on a macro level, although this is not to suggest that direct focus on a macro level is not also important. This has been a Feminist concern for several decades.

The unpicking and deconstruction of ontological constructs by poststructuralism nevertheless presents a risk of undoing a basis of identification that is an important tool to combat the oppression of a collective (Clegg 2006; see also Rundall 2005). This ties in with the criticisms made of what some see as the lack of attention paid to the institutional and structural mechanisms that shape social categories, interpersonal means of interpretation, and widespread inequality regimes (see Monro 2000). This is important here, as it is a combination of widespread structural and individual genderism, biocentrism, and transphobia which undermine trans people's ability to participate fully in society (as discussed in chapter one and two, see also Monro 2000). The castigation of poststructural conceptualizations of agency is also widespread (see Clegg 2006). Poststructuralism is criticized for being 'incapable' of theorising 'agency and selfhood' (Clegg 2006:310) and for its overriding negative formulations of subjects (see McNay 2000). Crucially, the power of the (albeit

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<sup>94</sup> Albeit that inequality is not homogenously experienced amongst the category 'woman', and again, in terms of this research, amongst trans people.

unfixed) self is undone by the privileging of 'the discursive' (Clegg 2006:314), and thus agentic power becomes problematised. Individual active agency may be over emphasized, to the neglect of everyday limitations.

Miller (2005) usefully discusses the ways in which individuals construct both biological and ontological narratives. It is via the interaction of these that people gain and 'maintain' a 'recognisable sense of self', 'shaped by the material, cultural and political circumstances in which they live' (Miller 2005:61). The trans embodied self, indeed all selves, are experienced in relation to the corporeal canvas that a person possesses, modifies, mediates, identifies with, or rejects; as well as onlookers' responses to their perception and categorization of someone's corporeal textual representation. Embodiment and corporeality raise complex issues when one considers the incongruence experienced by many trans people between their internal sense of self, and their outer artefactual corporeal self, with all the gendered social baggage that is attached to it<sup>95</sup>.

The author agrees with Miller that the recognisable self is one that individuals are compelled to practice and enact in order to own, to mediate (and/or modify), and indeed to come to terms with the tangible limitations it presents. Whilst trans people may feel navigated/compelled<sup>96</sup> to draw on a pallet of societally recognised gendered signifiers, and means of gender-expression, in order to be recognised as their preferred gender, individual agency is key. Expression and actualization stem from the decision/compulsion to step away from the birth-linked gender-framework, and modes of expression continue to evolve throughout the life course, as with any social agent. And yet, the expression of the self remains intertwined with the fleshy body (see Miller 2005), and for trans people in particular, the 'taming' or 'untamability' of the body may be a journey of both pleasure and pain. In externally expressing their gender-identities, or in seeking to have their identities recognised, trans people are compelled to manage their corporeal canvasses in their day-to-day lives, and find a way for their inner sense of self to come to terms with, and embody (in a way that feels safe/manageable) their corporeal canvas. For it is through and within this

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<sup>95</sup> And indeed the incongruence that may be experienced by an onlooker when reading a trans person's potentially dissonant corporeal text, their textual mediations, and their expressions of their inner self.

<sup>96</sup> As well as feeling a connection to these.



vessel that social agents take part in the physical social world (see Vasterling 2003; Shilling 2001).

Another aspect for which poststructuralism is criticised is its theoreticism (see Clegg 2006; Moi 1999): it is argued that works based on this framework may be 'dismissed as...purely theoretical debate' (Aitchison 2000:131). Combined with this is the suggestion that poststructuralism is too apolitical (Chan-Tiberghien 2004), and whilst not responsible for a decline in activism, has contributed to this trend (Clegg 2006). And yet empirical research that has incorporated a poststructural analysis has made important contributions to the recognition of trans issues, not only in academia, but also in policy and legislation, and subsequently activism. By employing poststructuralism's activist relative, queer theory, it is hoped that aspects of this potential limitation will be minimised. However, this research is not grounded in activism, but rather academic rigour with a desire to feed back to the field, and so this thesis seeks a middle ground.

Nevertheless, any single theoretical approach should be employed reflexively in order to ensure any potential weaknesses are recognised, and where possible, minimized. In terms of trans-focussed research, Hines (2006:49) cautions readers regarding what she persuasively suggests is poststructuralism's prevailing 'lack of emphasis on particularity', resulting in a homogenised theorization of trans. Whilst recognising the usefulness of a poststructural perspective in considering the ways in which trans 'cultures radically challenge normative taxonomies of gender and sexuality', however, Hines (2006:52) also notes the ways in which 'non-performance based [trans] practices' may be neglected. Her discussion highlights the theoretical complexities involved in trans-focussed research, and the ways in which researchers need to remain cognizant not only of the benefits of a theoretical approach, but also of its limitations. This point is crucial here, as the author seeks to demonstrate the complexities of trans-employee's experiences, and indeed trans-employees themselves, in relation to the UK employment sphere, and the backdrop of sex/gender norms/expectations. Monro (2000:39) also disputes aspects of the efficacy of poststructuralism in this research area, as she suggests that there is something missing from poststructuralist accounts of the intersection between trans people's experiences and the 'social context in which they develop their identities'.

This thesis demonstrates, via primary research and theoretical discussions, the foundational interaction of individual, collective, and structural mechanisms in the constitution of trans-employees' experiences in UK workplaces. The many benefits of a poststructural lens will certainly be useful in theorizing the research findings. Importantly though, awareness of the above criticisms are useful so that, via a combined theoretical approach, some theoretical inadequacies can be minimized, whilst the benefits of a poststructuralist apparatus can contribute to a more nuanced level of analysis.

### **3.2: Queer Theory**

Queer theory is, amongst other influences, greatly rooted in poststructuralism. However, it provides a more political theoretical lens which may at times be perceived to be missing from a poststructural perspective. Nevertheless, as with any theoretical stance, it is subject to limitations as discussed below. And yet, queer theory opens up and makes visible many nuances of the everyday self and interpersonal experience which are so crucial to this research. These are discussed in the following paragraphs. Queer theory actively engages in radically (Danby 2007; Tyler and Cohen 2008) exposing, delimiting, problematizing, destabilizing, and subverting, sociocultural norms and normalizing discourses surrounding constructions of: gender; sex; the body; and sexuality; and the ways in which these are frequently presumed to be fixed and to interlink (Burdge 2007; Hubbard 2002; Kerry 2009; Oswin 2008; Richardson 2007; Shlasko 2005; Sumara and Davis 1999; Young 2002; Seidman 1996). This is of particular importance in this research. Epistemologically, this perspective asserts that knowledge and meaning are produced by individual and collective understandings, performances, and discourses, of sexuality and gender: of 'natural' versus 'other'. Because of its central position in widespread societal discourse, essentialism underpins dominant dichotomous understandings of insider/outsider and natural/other. This therefore frames constructions and interpretations of trans.

Queer theory focuses on the ways in which the above dichotomies are pedagogically reproduced, resisted, performed, and policed. This affords some insight into the ways in which these categories/constructs ‘constrain everyone’s lives’ (Filax 2006:144). Insight is thus facilitated into the impact of the institution of gender over trans people’s everyday experiences. Furthermore, it considers the structural frameworks which surround, form the basis of, and are incorporated into, inequalities and social hierarchies, particularly in relation to discourses which produce ‘sexual knowledge and...ways...[of]...organising social life’ (Kerry 2009:701, discussing Seidman 1997; see also Cornwall 1998; Danby 2007). For example, Danby (2007:42, drawing on Badgett 2001) suggests that one of the core aspects of queer theory is that it recognises the ‘state or nation not [as] a neutral space in which individuals move or organise, but something created and recreated in part via heterosexual [and it is suggested also bionormative] citizenship’. Danby further explicates this point by asserting that ‘the category “heterosexual” is a consequence of heteronormativizing action by the state, not a cause of it’. It is argued that the same is true of biocentric and genderist frameworks and the subsequent normalization of their ensuing ontologies.

As with poststructuralism, queer theory is also critiqued, and employed to various ends. Hostetler and Herdt (1998) suggest that queer theory is primarily a textual approach, although Filax (2006:139) presents ‘queer’ as both ‘a method of inquiry and a political strategy’ embedded in ‘action research’. The term queer theory was coined by de Lauretis (Cornwall 1998; Wiegman 1994) ‘to describe “the conceptual and speculative work involved in discourse production, and...the necessary critical work of deconstructing our own discourses and their constructed silences”’ (de Lauretis 1991:iv, cited in Cornwall 1998:73). De Lauretis’ elaboration of her intention when coining the term queer theory explicitly demonstrates this perspective’s intimate association with poststructuralism. Queer theory is often associated with the works of: de Lauretis; Butler; Seidman; Namaste; Fuss; and Sedgwick. According to Shlasko (2005:123, with reference to Yep *et al.* 2003), ‘queer theory is often discussed not as a discrete theoretical model, but rather as an indeterminate and shifting set of theoretical possibilities’. And yet, it is suggested that queer theory is *both* a theoretical framework and a broader mechanism through which to frame theorizations and research. Indeed, queer theory draws on many influences,

including: gay politics; deconstruction; phenomenology; feminist theory; social criticism; postmodernism; and poststructuralism in particular (Allen 2006; Hammers and Brown 2004; Plummer 2003; Tyler and Cohen 2008; Young 2002; Namaste 1996). And yet, according to Halberstam (2003), queer theory currently resides at the periphery of academia, and Seidman (1996:13) suggests that 'queer theory and sociology have barely acknowledged one another'. However, since Seidman's suggestion, queer theory has been increasingly incorporated into the sociological academe, although this is not to suggest that it does not in some way still (and in order to retain its 'queerness' seek to) remain somewhat at the margins.

Queer theory incorporates and interrogates diversity (see Geller 2009), and considers the ways in which social agents are either wittingly or unwittingly enlisted into reaffirming social norms, matrices of exclusion, and subordination, in various spatial and temporal contexts (see Hammers and Brown 2004). This is particularly useful in order to engage with trans-employees' presentations of self, and responses to the gender institution which inform wider workplace regimes. Like poststructuralism, queer theory challenges the notion of a 'preconstituted subject' (and indeed a preculturally determined corporeal signified/'preconstituted body') and similarly recognises power as something that is productive rather than merely oppressive (Oswin 2008:89). Transgression is one of the chief facets of queer theory and queer activism, be it either temporary or permanent rebellion against 'normative' structures and social divisions: particularly those which surround gender, sex-categorization, and sexuality (Klesse 2007; Seidman 1996; Sumara and Davis 1999). However, as with poststructuralism, individual active agency can be overemphasized in combination with a lack of focus on the limitations of everyday existence. Nevertheless, as will be discussed later, queer theory produces its own power effects and exclusionary mechanisms (Klesse 2007; see also the discussion in Hostetler and Herdt 1998).

This theoretical framework has proved particularly useful for investigating and theorising the shifting, unfixed, unstable, and multiplicitous nature of identity: even the very concept of identity (Crawley 2008; Gamson and Moon 2004; McPhail 2004; Hammers and Brown 2004; Oswin 2008; Sumara and Davis 1999; Shlasko 2005; Tyler and Cohen 2008). It has been used to 'decent[re] concepts of subjectivity'

(Hostetler and Herdt 1998:251), to demonstrate the temporal deconstructiveness inherent in identity articulations (Hammers and Brown 2004), and the ways in which people are 'constructed and contained by multiple practices of categorization and regulation' (Cohen 1997:439). For example, Seidman (1996:11) suggests that identities are composites comprised of an infinite number of intersectional permutations<sup>97</sup>, and that identity constructions, by the very nature of their construction (and concurrent existential deconstruction<sup>98</sup>), 'necessarily entail the silencing or exclusion of some experiences or forms of life'. And yet, identities are compounded by, or are experienced via the rejection of, the fleshy vessel of the body and all the nuances and meanings with which society imbues it. It is for this reason that many trans people seek to modify/mediate their corporeal self in order to engender a sense of congruence with their sense of personal self, and the self whom they wish others to read and recognise.

But as has been discussed in earlier chapters, and which forms a key component of later discussion chapters, the (in)visibility of trans-employee's gender-diversity does indeed rely on some aspects of silencing/exclusion, or muting, just as Seidman asserts in relation to identity above. This is a particularly apt discussion in relation to this thesis, and will be an important issue when considering the ways in which trans-employees navigate their identity in relation to their past, present, and potential future, in relation to the workplace. According to Morris (1998), 'queer' is both a subject position and a politic, and for Burgess (2005), it is both internal and relational. Essentially, queer is a politics of subversion (Chambers 2007; Butler 1990) and 'labours at the juncture of inside and out' (Namaste 1996:201).

There are a number of ways in which queer theory provides a useful theoretical lens through which to consider trans people's workplace experiences, which was why it was chosen over other perspectives. As discussed in chapters one and two, the social construction of gender-diversity in relation to 'normative' binary conceptualizations of sex/body/gender congruence, underpin the ways in which trans people are perceived and treated. This societal backdrop, combined with the ways in

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<sup>97</sup> For example, gender-identity, legal sex, age, class, nationality, religion, socio-economic status, political views, past experiences, level of education, geographical location.

<sup>98</sup> See Rundall 2005.

which cis social agents respond to gender-diversity, therefore influences the ways in which trans-employees navigate their gender-actualization. The ontological constructs male and female are 'deeply embedded in Western epistemology and discourse', pedagogically navigating 'self-construction and social and political engagement' (Hostetler and Herdt 1998:253). Queer theory recognises the regulatory mechanisms<sup>99</sup> which underpin sociocultural sex and gender classifications, and the ways in which these are interwoven with 'normative mechanisms of power' (Puri 1999:5). Furthermore, this framework, in examining the ways in which ontological constructs are created and normalized via repetition (Allen 2006; Warner 2004; see also Butler 1990), exposes the ways in which sexual classifications have come to dominate mechanisms of personal and interpersonal classification (Warner 2004:324). The interactions between individuals' experiences of gender, and institutional manifestations of gender, are therefore made visible by this theoretical perspective, thus contributing an important tool to this thesis.

Moreover, queer theory also highlights the ways in which people's use and repetition of sociocultural cues in the form of identity performances may leave a residue of these on spaces<sup>100</sup> (Johnson 1998; see also Oswin 2008; Bell *et al.* 1994). This is particularly useful when considering the ways in which biocentric, genderist, and heteronormative mechanisms are materially (re)constructed in the employment sphere. These become tangibly manifested in many ways to a greater degree than could be expected simply through a daily repetition of dominant discourse. In other words, spaces become saturated by reproductions of normativity, with daily repetition simply maintaining this saturation. The deconstruction and separation of biological sex and gender-identity exercised by queer theory has 'opened [up] greater possibilities for thinking [about]...plurality of intersecting identities and practices' (Young 2002:411). This is germane to this research, as trans people's constructions and expressions of self *are* intersectional, regardless of the two-dimensional essentialized view which a large proportion of wider society has constructed around 'transsexualism'. And yet, it is important to note that this 'opening up' can 'subordinate' the identities of trans people who strongly identify on the binary, and

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<sup>99</sup> But is by no means the only theoretical stance to do so.

<sup>100</sup> Resulting in 'gendered' spaces, and gender regimes, as found in the employment sphere.

who may wish to achieve surgically facilitated corporeal 'sex' congruence, in queer theoretical conceptualizations.

Social institutions are rooted in, and enforce, binary sexual divisions (Gamson and Moon 2004) stemming from the notion of a corporeal dichotomy. Indeed, surgical alteration of genitals is one of the preconceptions widely held about gender transition. Hines (2006:49) recognises that queer theory has utilized 'the concept of difference to incorporate transgender into analyses of sexual and gender-diversity' (albeit resulting in a degree of homogenization and 'lack of...particularity', as discussed below (Hines 2006:49)). Queer theory recognises the fallacy of a 'purely' biological body; rather queer theorists have argued that the body is an interface in interpersonal societal articulations (see Butler 1993; Butler 1990; Moore 1994; Goffman 1990). The semiotics of gender and passing will be discussed in chapter five of this thesis in relation to the (in)visibility of gender-diversity, and the impact this has on trans-employees' experiences.

Butler (1988:519) notes that 'social agents constitute social reality through language, gesture, and all manner of symbolic social signs'. It is unsurprising then, given the strength of politically charged societal sex/gender norms, that both language and discourse are key in othering gender-diversity. Wilchins (2004:38) argues that the 'language of gender is highly political', and that no neutral or positive terms currently exist in the West with which to refer to gender-variance: all are tainted as other, signalling a deviation from the norm<sup>101</sup>. This is interesting if one considers the construction of trans-focussed equality legislation and organizational policies, and the ways in which progress may be inhibited by the use of restrictive or othering terms, particularly those rooted in medical, and mental, pathology. Nevertheless, in order to access medically facilitated gender confirmation treatments, trans people are predominantly compelled to 'toe the line' and to some extent, at least on the surface, present themselves, and their desire for transition, in terms of socially dominant essentialized corporeal frameworks. The *institution* of gender and its medicolegal gatekeeping mechanisms demand notional adherence at the very least.

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<sup>101</sup> So, whilst one may argue that the trans community's use of preferred terms is suspended from this, outside of these circles, in the wider community, even these preferred terms become co-opted by biocentric and genderist undertones.

Butler (1990) famously argued that identity categories are regulatory regimes, even those used for political or emancipatory purposes. Indeed, one could suggest that recent equality legislation has essentialized what it means to be 'transsexual' with regard to legal protections and recognition, neglecting a more progressive and encompassing inclusion of other gender-diverse individuals. Hostetler and Herdt (1998:252) state that civil rights movements rooted in cultural discourse 'reinscribe normative taxonomic structures that can operate only through the articulation of an excluded other'. Although bipartite in their provision, as highlighted in chapter one, recent legislative changes have been hampered by the need to gain recognition from people in positions of power (for example in both Houses of Parliament) whose own knowledge of gender-diversity is almost certainly limited, and constrained by their own societally governed biocentric and genderist sensibilities<sup>102</sup>. Thus, whilst queer theory seeks to deconstruct social categories, queer theorist Josh Gamson (Seidman 1996:22) notes: 'social movements...gain credibility and effectiveness when their political demands appeal to some notion of a unitary...identity'. He therefore suggests that 'there is no escape from...essentializing and destabilizing identities' (Seidman 1996:22).

Gamson's above assertion ties in with literature discussed in chapters one and two which highlighted the ways in which trans people may make use of medicolegal narratives and frameworks in order to actualise their gender-identities, despite the frequent failure of these narratives and frameworks to recognise actual varied experiences and perceptions. Thus, queer theory's reactionary and deconstructive approach is useful in this thesis as it enables increased theoretical delimitation and problematization of social norms experienced in everyday expressions of gender-diversity. Nevertheless, many queer theorists themselves also recognise the need to make use of the avenues available in order to live a 'liveable' life. This is paramount when considering the inescapable dimensions of trans-employees' everyday experiences, and the ways in which they seek to navigate the work environment. This is discussed in the following chapters. Therefore, whilst theoretical lenses can

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<sup>102</sup> However, the Equality and Human Rights Commission have expressed a desire to cite this research in relation to trans-issues in their triennial 'State of the Nation' report, to be presented to Parliament in the summer of 2010 under the auspices of the Equality Act. Additionally, a summary of the research findings have been submitted to Lynne Featherstone, the Deputy Minister for Equality (September 2010), and through her, circulated to her officials in the Government Equalities Office.



be utilized to investigate and theorise research findings, there comes a point where they are unable to fully account for the complexities of individual's everyday lived experiences. This is a messiness that researchers must remain cognizant of throughout their research, analysis, and theorizations. In the following chapters it is through empirically rooted theorizations of everyday messy lived experiences that this thesis seeks to make both theoretical and wider sociological contributions.

As with poststructuralism, and other theoretical perspectives, queer theory has also been subject to criticisms, and now several limitations are considered. Before doing so, however, it is important to note that no theoretical perspective is flawless. And yet, despite limitations (of which queer theory has many), the benefits here outweigh the former, whilst the limitations coexist. Commensurate to criticisms levied at poststructuralism, queer theory is perceived to be better at 'identifying problems than specifying solutions' (Hostetler and Herdt 1998:254, referring to Seidman 1993, Patton 1993). Feminist writers in particular have been highly critical of queer doctrines (see Richardson 2007; Hostetler and Herdt 1998). One initial point of concern centres on the use of the word 'queer'. Hostetler and Herdt (1998:253) for example, note that for some, 'queer' carries 'too much negative cultural baggage to ever be socially or politically effective'. Additionally, queer theory has been denounced by some as an 'elitist and exclusionary movement...removed from the concerns' of everyday people (Hostetler and Herdt 1998:254, referring to Escoffier 1990; Malinowitz 1993; see also Gamson and Moon 2004). Hostetler and Herdt (1998:257) argue that, whilst seeking to undermine widespread exclusions rooted in, for example, gender and sexuality, queer theory nevertheless 'produce[s] its own norms and exclusions'.

Klesse (2007:275) also remarks upon queer theory's 'collusion in certain forms of oppression', facilitated by an insufficiently 'complex analysis of power'<sup>103</sup>. For example, one of the foundational concepts of this theoretical stance is transgression, and this in itself becomes problematical. Klesse (2007:290) additionally highlights the ways in which transgression creates its own 'internal power effects'. With such a

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<sup>103</sup> In order to deal with these exclusions, queer theory is employed in order to investigate the impact that gender-diversity has in interpersonal interaction. The author does not, however, place a value on the extent to which trans-participant's pass, or unsettle/transgress societal gender norms/boundaries. This is something that queer theory has been criticized for, as discussed in this paragraph.

celebrated emphasis on non-assimilation, groups who are already constructed as other (even if temporarily) within wider society may find themselves additionally othered by a queer perspective for not being quite transgressive or 'queer' enough. This issue is discussed in relation to trans-identities in more detail below. However, whilst it is agreed this is the case, it is suggested that this does not negate the usefulness of some aspects of queer theory for trans-focussed research. Shlasko (2005:124) makes the excellent observation that at times, queer theory's 'acknowledgement of its own inevitable partiality' is 'contradictory'. Indeed, any epistemological position *is* partial, but reflexivity is, as ever, a necessary and integral component of responsible academic research and discussion, and something that the author remains cognizant of throughout this thesis.

A significant proportion of criticism levied at queer theory targets its focus on the 'symbolic and the cultural', to the expense of 'structural and material [including corporeal] realities' (Hostetler and Herdt 1998:253; see also Richardson 2007). This theoretical stance is perceived to 'understate the role of institutions' (Gamson and Moon 2004:48, referring to Edwards 1998, Gamson 1995) and societal structures in the construction and perpetuation of: hierarchies and power dynamics; inequalities; exclusionary cultural norms; and the ways in which these impact on people's constructions and interpretations of self (Young 2002; Richardson 2007; Hostetler and Herdt 1998; Seidman 1996). However, in this PhD research, particular attention is paid to inequalities intertwined with structural frameworks, and the ways in which these, in combination with interpersonal interactions, shape trans-employee's experiences at work. Furthermore, the extent to which queer theory seeks to deconstruct identities and categories is also a point of contention. Gamson and Moon (2004:48, referring to Edwards 1998, Gamson 1995) note that queer theory has a 'tendency...to overstate the benefits of category-deconstruction' (see also Klesse 2007).

Indeed, there is, according to Seidman (1996:12), a 'strain of anti-identity politics' in some queer theoretical approaches. Concerns have been raised about the queer deconstruction and elision of identity, to the extent, some suggest, of negating difference, and thus the 'subjective experiences that constitutes difference' (Hines 2006:50, referring to Seidman 1993; see also Hostetler and Herdt 1998; Papoulias

2006; Prosser 1998). According to Hostetler and Herdt (1998:257), 'politically relevant subjectivities...are informed by unique life experiences'. And yet, where resistance is not in progress, queer theory has frequently been perceived to neglect individual agency, instead focussing its attentions on 'a collective political agency' (Hostetler and Herdt 1998:259). This research focuses on trans-employee's *individual* experiences, although the author does seek to highlight any trends apparent in the primary data.

Whilst queer theory does present as a perspective that is useful in this research, this stance's approach to the participant sample is not without some difficulty. In line with its celebration of transgression, queer theoretical texts have lauded *transgender* and *genderqueer* peoples' 'unsettling' of the binary gender-framework as a pinnacle of social-norm contravention (see Prosser 1998; Klesse 2007; Rubin 1999; Lane 2009). The institution of gender is expounded by a queer lens as a non sequitur. In comparison, queer theory frequently depicts *transsexual* people's 'narratives as conservative, essentialist, biological-determinist, and gender-conformist' (Lane 2009:139, referring to Rubin 1999, Prosser 2006). Thus, not only are trans people who conform to the medicolegal definition of *transsexual* othered by mainstream genderist and biocentric discourse, and subjected to harassment and pervasive inequalities; paradoxically, their identities also face rejection from some queer circles for not being queer enough. Fundamentally, queer theory's emphasis on gender performativity (see Tyler and Cohen 2008; also Butler 1990) problematizes many transsexual identified people's sense of their innate gender-identity (see Prosser 1998), as discussed in previous chapters.

This theoretical perspective has been criticized for what many have suggested is its 'apolitical' and 'reactive' approaches to sociocultural structures such as gender and sex-categories (Hostetler and Herdt 1998:253), where, according to Prosser (1998), there is a danger of gender performativity slipping into gender theatricality. According to Papoulias (2006:232), an increasing number of 'trans activists and academics are distancing themselves from the queer theoretical emphasis on the mobility and deconstruction of gender'. This is precisely because they negate 'the materiality of trans bodies and the practices of embodiment which constitute trans experiences in their specificity' (Papoulias 2006:232). The author remains cognizant of this

corporeal materiality in this research, and employs this as a crucial backdrop to the following discussion chapters. As with poststructuralism, Hines (2006:49) also argues that queer theory is guilty of a 'lack of emphasis upon particularity'. Nonetheless, she maintains that, providing that queer theory is incorporated into a sound sociological framework and ensuing practice, this theoretical lens is 'relevant to the analysis of gender-diversity' (Hines 2006:49). Despite the acknowledged limitations of queer theory, the author agrees with Hine's suggestion, and seeks to employ queer theory, in combination with poststructuralism, in a sociologically informed manner appropriate to the research topic and sample.

## **Conclusions**

In this chapter poststructuralism and queer theory have been discussed, highlighting the usefulness of these 'grand narratives' in relation to this research on trans-employee's workplace experiences. Key criticisms levied against these theoretical perspectives have also been detailed, demonstrating an awareness of these limitations and associated 'messiness', as well as outlining some of the ways in which the author seeks to minimise, where possible, their impact on this research. However, avoiding limitations entirely is impossible, and so this thesis remains reflexive about the impact these may have on the analysis and conclusions, as well as the contribution this work can make to these. This combined theoretical framework is employed in order to consider the implications of individual participant responses, and trends across the dataset. Additionally, the ways in which these findings interlink, or differ, from literature reviewed in chapters one and two, are acknowledged.

The author aims to avoid 'theoreticism', ensuring that discussions are rooted a posteriori in the responses of the trans and business participants. This research is grounded in the 'everyday' of trans-employees' experiences, the treatment they face in UK workplaces, and the wider employment context. It is suggested that this theoretical framework will prove a useful theoretical underpinning in order to help me discern the politicized and regulatory impact of sociocultural practices and dominant sex/gender 'norms' in the employment sphere. The impact of 'normative' societal

structures on (and their interaction with), interpersonal interaction and interpretation, and constructions and navigations of self shall be considered, and the ways these give rise to behaviours and meaning. Combined with this is the backdrop of the (in)visibility of gender-diversity, and trans-employees' visible or hidden active agency, particularly in relation to the management of external signifiers and the responses of others.

This theoretical framework reflects the author's own epistemological position, and as such aids the theorizations of the findings. It is suggested that this framework will prove invaluable as a lens through which to perceive, theorize, and engage with the complex and intertextual nature of trans people's work-related experiences. Included in this are the ways in which these experiences differ in varied temporal and spatial employment contexts; albeit against an enduring backdrop impregnated with biocentric and genderist tensions. It is concluded that the 'grand narrative' lens provided by a combination of poststructuralism and queer theory comprise an important component of this research practice. It frames the research in important ways which reflect the contested nature of individual and interpersonal gender articulations/interpretations within and against regimes of gender institutionalized within workplace arenas.

## **Chapter Four: Methodology**

### **4.1: Background**

As noted in the previous literature review chapters, the pervasiveness of discrimination and inequality faced by gender-diverse people, in addition to the frequent impotence of ever evolving equality legislation in achieving its *raison d'être*, present numerous barriers to gender-expression at work. Consequently, an investigation of the nuances of trans men's and trans women's everyday workplace experiences is necessary. It is timely to question how and why difficulties remain prevalent in this particular space; an issue which is currently under researched, particularly from the trans-employee's perspective. Furthermore, it is an important point at which to consider the steps that could be taken to engender informed change in business practice so as to ensure that legislative requirements are at the very least widely met, if not yet exceeded. In order to explore the complex issues which circumscribe trans people's experiences, a mixed method approach has been adopted. This chapter will detail the methodological and ethical processes encountered in the primary research which sets out to address the research questions below.

### **4.2: Research Questions**

The formulation of research questions is clearly important as they fundamentally direct the design of primary research and the choice of processes engaged to address them (Blaikie 2000, in Bartlett 2004).

Consideration of the literature and empirical data surrounding trans-employment and social constructions and interpretations of gender, led me to formulate the main research question:

***What impact does transitioning, or having transitioned, from one gender to another, have on a person's experiences in UK workplaces?***

In order to understand the nuances of trans men's and trans women's experiences, a number of subsidiary questions were developed so as to guide and inform the research:

- How/does the visibility, readability, or other's knowledge, of an individuals' gender-diversity or gender-history impact upon the way trans-employees are treated at work?
- How/are trans-employees' expressions of their gender-identities at work navigated and policed, both by themselves, and others?
- How/do trans-employees interpret and negotiate their experiences at work in relation to the context of expected hetero- and bio-normativity in the UK employment sphere?

Whilst trans-employees were the primary focus of, and participants in, this project, consideration of other research projects<sup>104</sup> led me to conclude that it would be beneficial to provide a contextual backdrop to this groups' experiences. The author therefore decided to collect a limited amount of data from a selection of businesses about their approaches to trans-employment in both policy and in practice<sup>105</sup>. In order to provide this backdrop, the following research question was also included:

- How and in what ways have businesses sought to afford trans-employees support and protection at work, and how effective has this been?

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<sup>104</sup> Such as Whittle *et al.* 2007, Schil and Connell 2007.

<sup>105</sup> Please note that the author had intended to include data from Trade Unions regarding their approaches to trans-equality and trans-member support. Unfortunately only two union-informants were successfully recruited. Whilst interviews were carried out with these respondents, due to the limited data collected the author chose to omit a specific trade union focus from this thesis. Nevertheless, she hopes to conduct future research in this area.

### **4.3: Research Design**

The design of this primary research was pragmatically driven by the topic and populations under investigation, and the types of data desired, rather than by a specific epistemological allegiance<sup>106</sup> (Ussher 1999). Nevertheless, the methodological choices will undoubtedly have been informed by the author's ontological stance of constructionism/relativism (Braun and Clark 2006). Overwhelmingly, however, ethical considerations informed the research design process, as is detailed in subsection 4.7.

Due to the different characteristics and needs of the separate participant samples, it was decided that a combined method approach would be the most appropriate. This enabled me to draw on and combine various positivist and interpretivist facets so as to facilitate a 'richer' exploration of [the] research topic (Benoit *et al.* 2007; Crawford and Kimmel 1999; Ussher 1999; Tinsley 2005; Smyth 2006; Millen 1997; Bryman 2004; Bennett and Elman 2007; Tashakkori and Teddlie 2003, in Kelle 2006). The author was particularly informed by Hammersley's (1996:168) 'complementarity' approach. This research sought to employ relevant research instruments which would allow data within, and where possible between, the trans and business datasets, to be dovetailed to complement each other. This could enable instances of triangulation between, and potentially increased depth of understanding and confidence in, the research findings.

Tensions undoubtedly do exist within combined approaches. Indeed, the feasibility and desirability of multi-strategy research continues to be disputed by some academics (see Bryman 2004:452). Nevertheless, heeding the suggestions of Connidis (1983) and others (for example Abbott 1990) it was felt that the benefits afforded by a methodologically eclectic approach considerably outweighed the negatives. Furthermore, they strengthened the research approach by offsetting potential weaknesses liable within a mono-method approach. This is discussed in relation to the specific tools used below.

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<sup>106</sup> Although it is recognised that frequently these may be inseparable, with politicized undercurrents of epistemological association imbuing the research processes, potentially resulting in the construction of methodological fiefdoms (Tinsley 2005:183) and ensuing paradigm wars (Oakley 1999; Kelle 2006).



The experiences transsexual individuals have in UK workplaces are complex and multifaceted in nature. Thus, the author wanted to collect data from trans-employees that was statistically analysable, as well as rich and in-depth, in order to explore this complexity. However, this is not to infer that all of the findings are generalizable, either within this sample, or in the wider trans population. For numerous ethical and methodological reasons, highlighted throughout this chapter, the author elected to use an anonymous asynchronous websurvey comprising both quantitative and qualitative questions. The inclusion of business-informants involved quite different considerations. In order to collect highly detailed contextual data, it was decided that semi-structured interviews would be the most appropriate tool for these samples, again as detailed below.

#### **4.3.1: Websurvey**

An anonymous asynchronous web-survey<sup>107</sup> presented a particularly appealing method of collecting data from a widely dispersed and notoriously private UK trans population, particularly as the topics under investigation were potentially intensely personal<sup>108</sup> (Dillon 2000; Bull *et al.* 2004; Mustanski 2001[a]; Coomber 1997, Hodkinson 1999, in O'Connor and Madge 2001; Riggle *et al.* 2005; O'Lear 1996; O'Connor and Madge 2001; Cantrell and Lupinacci 2007). The author was conscious that, due to the effects of social taboo and geography, a less anonymous and geographically-unrestricted approach might over-represent trans people: who were out about their trans status/history; who might be more experienced or eager to tell their 'story'; or who were most geographically accessible; thus leading to an under representation of trans people who prefer to remain anonymous or are otherwise inaccessible. This would have produced skewed examples of employment experience, which, although informative, would have perpetuated existing hierarchies amongst awareness's of trans-experience, something the author was keen to avoid.

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<sup>107</sup> 'SurveyMonkey' was used to launch the web-survey due to its accessibility, convenience, and cost effectiveness. However, in order to ensure affiliation legitimacy (Mustanski 2001[a]:298; Binik *et al.* 1999), the Oxford Brookes logo was included on each webpage.

<sup>108</sup> The importance of anonymity and asynchronicity for this research sample is discussed in subsection 4.7.

Nonetheless, a level of exclusion will have occurred, as a proportion of the trans-population will undoubtedly have been deterred by the online nature of this investigation.

Notably, though, the internet provides a significant avenue of support for marginalized populations (Jones 1997). Indeed, a large proportion of the trans community, both in the UK and internationally, appears internet savvy, making use of the internet for support, networking, advocacy, and shopping. Because of the strength of the trans community's online presence, it was felt that the potential for inequalities regarding internet access to significantly impact upon the validity of the data would be counterbalanced (ONS 2008[a]; Couper 2000; Bryman 2004; Brady *et al.* 2004; Mann and Stewart 2000; Varoga 2005; Mustanski 2001[a]; Graham and Marvin 1996, in O'Connor and Madge 2001). The issue of under-representation within an already marginalized population is highly relevant here, not only because of the potential for more dominant or vocal members of the trans community to have their views accepted as representative of the whole, but also because those who are under-represented are 'less likely to reap the benefits of the research' (Flanagan 1999, in Keller and Lee 2003:214). This was a particular concern in this research, as many trans people lack a wider forum for their voices to be heard, and historically, research focussing on trans 'issues' has frequently ignored the 'voices' of their informants. Information provided by trans people themselves about their experiences remains acutely limited, both in academic, and in mainstream discourse (Hines 2006; Whittle *et al.* 2007; Whittle *et al.* 2002) particularly in relation to the UK employment sphere. Cognizant of the potential for loss of data, or silencing of experience, which have stereotypically been associated with questionnaires and closed questions (Crawford and Kimmel 1999; Ussher 1999), open-ended questions were included in the web-survey with the intention of allowing the 'voices' of trans participants to 'speak' for their own experiences, adding an important depth to the data.

Trans people in a variety of transition and employment circumstances were likely to be included in the sample (see subsection 4.4), and therefore the ability to tailor the phrasing and presentation of questions to trans respondents' circumstances through

the use of skipping-logic was invaluable<sup>109</sup>. The survey contained a set of core questions, in addition to satellite questions which were presented following specific response combinations. In an offline survey, this sensitive attention to detail would not have been feasible, and would have reduced the scope of the research, and may have led to participant discomfort due to the phrasing of the questions. Importantly, as the topics covered by the survey (listed below) were potentially very personal and even distressing, the anonymity and sensitivity enabled by the online approach is likely to have increased the levels of self-disclosure (Richman *et al.* 1999, in Binik 1999:85) participants felt able to give, reducing the extent to which they might seek to manage their self-presentation (Agnew and Loving 1998; Brady *et al.* 2004).<sup>110</sup> Ultimately the many benefits of using an online approach to collect data from trans-employees greatly outweighed the negatives, facilitating what O'Connor and Madge (2001:1.1) suggest is a research interaction unbound by the temporal and spatial restrictions' which may inhibit research in the 'real world'.

The web-survey took approximately forty minutes to complete, depending on the participants situation. It was split into twelve sections in order to focus on the key topics that, based on the earlier review of relevant literature and networking with members of the trans community, the author considered would provide a flexible and inclusive foundation from which to collect and examine trans-employment experiences. These sections are illustrated in figure 1 below<sup>111</sup>. These areas encompass aspects of both the public and the private with regard to the enactment of identity expression. They are set within the architecture of employment and its related interpersonal interactions; all of which are likely to shape both initial experience and subsequent interpretation of those experiences by trans people. Prior to launch, the websurvey was piloted with the help of two trans male contacts in differing stages of transition and employment.

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<sup>109</sup> Appendix A diagrammatically demonstrates both the survey layout and the use of skipping-logic.

<sup>110</sup> Although there was the potential for errors of self-selection (Brady *et al.* 2004; Koch and Emrey 2001; Dillman 2000) or misunderstanding to occur with this distanced approach, careful construction and piloting the survey avoids this.

<sup>111</sup> A condensed version of the websurvey is presented in appendix B. Due to the extensive use of skipping logic and participants in varying circumstances, a full draft of the survey would be unfeasibly large and therefore impossible to include in this thesis.

Figure 1: The Twelve Sections of the Web-survey

1. Participant characteristics
2. Employment and workplace characteristics
3. Experiences of gender transition
4. Gender presentation and expression
5. Passing
6. Promotion
7. Policies
8. Experiences of inclusion and exclusion
9. Experiences of discrimination
10. Benefits and leave from work
11. Job-seeking
12. The impact of the Gender Recognition Act 2004

On accessing the website, participants would be presented with a condensed participant information page with the option to view a more detailed version should they choose. The issue of informed participation and consent is covered in subsection 4.7. Care was taken throughout the survey to use terms that participants were likely to have existing knowledge of. Potentially ambiguous jargon was defined to ensure that no participants felt excluded by the language used. Additionally, within the web-survey, there were a number of topics on which this research wished to record only those experiences which had occurred after the introduction of protections for trans people in employment and vocational training<sup>112</sup>. This would enable me to assess the effectiveness of legislative protections. Colour coding was used to differentiate between the date restricted and unrestricted topics and questions (Poder 2007; Abrams 2007; Holmes 2009). To further facilitate this, reminders were included on each page on which date-restricted questions were presented.

#### **4.3.2: Interviews**

Semi-structured interviews proved the most appropriate tool to collect detailed contextual data from business-informants for a number of reasons (Rubin and Rubin 2005). Firstly, an interview format would enable interviewees to be highly descriptive, and make reference to policies or practices which they felt relevant or wished to make

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<sup>112</sup> Via the SD(GR)R 1999.

reference to. Secondly, the interactive process of a semi-structured interview would enable me to ask follow-up questions where necessary, to explain any terms not known to the interviewee, and allow me to request copies of policies referred to by the informant. Thirdly, business-informants did not have a vested interest in participating in the way that the trans sample had, and so their participation was reliant on a greater degree of altruism. Moreover, as the focus was on the provisions extended to a minority group that has historically been constructed as 'other' in the UK, some prospective interviewees may have felt disinclined to participate. Therefore, it was unlikely that an online or asynchronous approach would prove effective in achieving the desired levels of participation (Fricker *et al.* 2005). Thus, as the informant's participation was in a professional rather than personal capacity, the use of an interview allowed the research process to be presented in a formal businesslike manner, with an interview appointment made in advance accordingly.

Business-informants were invited to participate in a 'confidential' audio-recorded interview lasting approximately one hour, either in a face-to-face or telephone setting, depending on their preference and schedule constraints<sup>113</sup>. They were provided with a participant information page during first contact, as highlighted in the following subsection<sup>114</sup>. Confidentiality was facilitated through a process of de-identification which involved the removal of identifiers from information collected, in addition to the secure storage of the names of participating organizations (UREC 2000). The names of participating organizations have thus not been included in this thesis, nor were informants made aware of the identities of other interviewees. De-identification was essential to nurture confidence in participation, particularly where informants might be concerned about repercussions of presenting their organization in a less than proactive or favourable light. The ramifications of this could potentially be significant, as discussed in subsection 4.7, particularly if the legality of an organization's practices appeared questionable.

Interviewees were invited to ask questions via email prior to and after the interview meeting or telephone call, in addition to having the option to ask questions throughout. It was likely that interviewees would seek to manage the impression they

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<sup>113</sup> Appendix C presents the business-interview schedule.

<sup>114</sup> The issues of informed participation and consent are dealt with later in this chapter.

gave of themselves and their organization to some extent, both in face-to-face and telephone interview situations, particularly as their identity and professional details were known to the researcher (Agnew and Loving 1998). For that reason, where possible the author decided to request copies of policies that were mentioned in interviews so as to be able to clarify their content at a later date. The construction of rapport was of great importance here, as discussed in subsection 4.8.

Designing the business-interview schedule was a far less complex process than the web-survey, because all questions were in a generic format. The initial questions collected information about the composition of the organizations. The remainder of the interview schedule presented questions regarding: organizational policy; implementation and practices; monitoring; training, and support. Prior to recruitment, the interview schedule was piloted with the help of a personal contact employed in human resources.

#### **4.4: Research Samples and Recruitment Approaches**

In recognition of the multifaceted nature of gender-identity and the innumerable factors which influence gender-actualization, an inclusion criteria was selected which would enable some diversity in the trans-population sample. Whilst inclusion was restricted to individuals who self-identify as ‘transsexual’ or as the social gender opposite to the one ascribed them at birth<sup>115</sup>, respondents could be at any stage of transition. Any state of employment was acceptable<sup>116</sup>, providing participants had been employed in the UK at some point since 2000 (inclusive), and had thus experienced the employment sphere since the introduction of the SD(GR)R 1999. Whilst a minimum participant age of eighteen was chosen because of the sensitive nature of the topics covered, no upper age limit was set. Retirement was not a barrier to participation, providing the other criteria were met.

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<sup>115</sup> As previously discussed, this is the only gender-diverse group to be afforded legal protection and recognition of their gender-identity under current British law.

<sup>116</sup> E.g.: Employed, unemployed, self-employed, previously self-employed.

Drawing on lists of 'LGBTQ friendly' and 'employee-satisfaction minded' employers<sup>117</sup>, the author focused on businesses whose websites demonstrated an awareness of gender-diversity<sup>118</sup>. It was hoped that Equality Officers or Human Resources managers from these presumably cognizant employers might be equipped to discuss, in a research setting, their organization's approach to trans-employment through policy or practice. Less than twenty-five of the 200 organizations reviewed met this inclusion criterion, demonstrating a considerable lack of formal recognition of gender variance amongst even ostensibly progressive employers. Furthermore, only medium and large public and private sector organizations were represented within this condensed sample.

Trans-participant recruitment commenced online on the 4<sup>th</sup> April 2007 and ceased with the web-survey's closure on the 30<sup>th</sup> July 2007, with a final sample of 106 participants being achieved<sup>119</sup>. There were clear ethical<sup>120</sup> and methodological considerations in accessing and recruiting participants from this notoriously private and difficult to access population (Whittle *et al.* 2007: 89). This was greatly facilitated by the distanced and primarily internet-based recruitment approach (Coomber 1997; Hodkinson 1999 in O'Connor and Madge 2001; Mustanski 2001[a]; Riggle *et al.* 2005; Cantrell and Lupinacci 2007; Hash and Spencer 2009).

Initially, convenience sampling, an approach frequently favoured in online research (Musch and Reips 2000), was employed to disseminate email and flyer participant requests<sup>121</sup> with the aid of key organizations in the trans community<sup>122</sup>. These requests specified the rationale for the research, the inclusion criteria, and the web-survey's URL. Conscious of potential transphobic 'saboteurs' (Mustanski 2001[a]), the URL provided the only route of access. In the hope of encouraging participation, and to reduce the possibility of this research being perceived as 'an unwelcome arbitrary intrusion' (Paccagnella 1997:3, in O'Connor and Madge 2001:9.1) The

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<sup>117</sup> Stonewall Top 100 Employers 2007, 2008; the London LGBT Job-fairs in 2007, 2008; The Times Top 100 Employers 2007.

<sup>118</sup> Such as in an EOD Statement.

<sup>119</sup> Although 134 participation threads were recorded a number of these had to be removed due to apparent re-participation. This was discerned through the comparison of key quantitative and qualitative responses.

<sup>120</sup> See Subsection 4.7.

<sup>121</sup> Please refer to appendices D and E.

<sup>122</sup> Notably Press for Change, the Gender Trust, and FTM London.

author's associations with the trans community was also referenced in the recruitment emails<sup>123</sup>.

A secondary stream of respondent-driven snowball sampling was encouraged in order to access trans people not in direct contact with 'formal' trans organizations or groups. Dualistic approaches are particularly useful when targeting groups who wish to be researched (Mustanski 2001[b]), and for whom responsible research is overdue, creating an incentive to participate (Dillman 2000), as is currently the case with the UK trans population. As no single organization or support group 'is likely to be representative of a target-population' (Mustanski 2001[a]:296), a diverse approach was imperative in order to maximize the diversity of the sample, particularly regarding: stage of transition; out/stealth; on/off trans-scene; employment status; age; and geographic location. A number of online surveys have been conducted with the UK trans-population in recent years (Whittle *et al.* 2007; Whittle *et al.* 2008; AIAU 2008; Valentine *et al.* 2009), and thus participant requests are unlikely to faze.

On/offline response rate comparisons are the focus of ongoing methodological debate (Porter and Whitcomb 2003; Bryman 2004:485; Binik *et al.* 1999:83; Kiesler and Sproull 1986; Mehta and Sivadas 1995; Walsh *et al.* 1992). In this vein, it was interesting to note that the overwhelming majority of participants (72%) heard about the research via email. This highlights the suitability of online recruitment approaches with online research. Despite the smallness of the sample in terms of the estimated UK trans population, and in relation to the most recent research comparator<sup>124</sup>, the response rate achieved in the web-survey exceeded the author's initial expectations, and highlighted the desirability of participation for many members of this under-researched population.

The recruitment period for business-informants began on the 4<sup>th</sup> February 2008 and concluded on the 25<sup>th</sup> April 2008, during which time all interviews were carried out.

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<sup>123</sup> The author is a longstanding associate member of FTM London, and a contributor in Whittle *et al.* 2007.

<sup>124</sup> Whittle *et al.* (2007) is the most up-to-date study of trans people's experiences in the UK, recruiting 800 web-participants: the largest survey response ever achieved in a trans-focused research project (Whittle *et al.* 2007:5). However, their inclusion criteria was considerably wider, encompassing all gender-diverse people.



The final cohort included three private sector and five public sector organizations<sup>125</sup>, all but one electing to participate via telephone interview. Recruitment was a lengthy process, and the author was conscious to employ good research etiquette throughout.

Businesses who met the above inclusion criteria were initially approached via email<sup>126</sup>, which was then followed up with a telephone call. The email provided the information necessary for contacts to make an informed decision about whether to participate, in line with UREC (2000) and good research practice (BSA 2002), and also invited queries. Contact details for the relevant points of contact were obtained via the organization's website. Where these were unavailable, contact was made via the main switchboard or Press Office. These 'gatekeepers' often made accessing the relevant person rather difficult, and in some cases impossible, due to their personal reactions to the focus of the research. Responses like: 'why would anyone research *that?*'; '*that* is not an issue we would engage with'; 'we don't have any policies about that, we only mentioned it on our website because we felt we should'; 'our equality post is currently vacant, and no one here would know the answers to your questions'; illustrate the difficulties which may be faced in relation to research on an issue considered by many individuals to be distasteful or taboo. Moreover, it was clear, even amongst the targeted individuals, that trans-employment is an issue rarely considered, thus making visible the confused, complex and ill understood dimensions of trans, and so the need for this research.

Once contact was reciprocated and an informant had expressed an interest in participating, the relevant interview schedule was forwarded so that they could prepare for the interview<sup>127</sup>. Unfortunately, several potential informants withdrew at this stage, citing a lack of relevant organizational policy, time, or negative colleague responses. Throughout recruitment, the author was conscious of ethical considerations relevant to this participant base, as detailed in subsection 4.7, and thus was aware that interviewees could potentially withdraw due to concerns

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<sup>125</sup> A summary of their defining characteristics are tabulated in appendix F.

<sup>126</sup> Please refer to appendix G.

<sup>127</sup> Please refer to appendix C.

regarding their own employment situation and colleague interactions, despite the confidential nature of the interviews.

#### **4.5: Data Collection**

The websurvey component of the primary research was undertaken during April – July 2007. Because it was both anonymous and asynchronous, once launched, the author was not intimately involved in the core part of the online data collection proceedings. However, in the recruitment materials and the participant information page<sup>128</sup> prospective respondents were invited to contact me with any queries about the survey. To facilitate this, an email account was constructed specifically for the research project, the reasons for which are presented in the ethics subsection (4.7). To ensure that respondents received a swift reply, this account was checked several times a day. Only a few respondents emailed me, all pledging their participation should additional research be necessary, or if a trans-related project was conducted in the future. They also all provided positive feedback about the survey layout and content. Mindful that participants might prefer not to make email contact in order to remain totally anonymous, space was also included at the end of the web-survey for participants to: leave feedback about the survey; specify further topics they would have liked to have been asked about; and provide any other information they wished.

The majority of respondents chose to provide some anonymous feedback in this space, most of which was positive. However, several participants reported that the survey had taken them longer than advertised to complete. Whilst the author had sought to realistically and honestly estimate the maximum participation time, it may be that this estimated time proved too conservative for participants whose situation meant they were presented with the majority of the questions, especially the open-ended ones.

Additionally, two respondents reported that they had experienced difficulty with the skipping-logic. However, this stemmed from them misunderstanding or ignoring

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<sup>128</sup> Please note that the issues of informed participation and consent are dealt with in the ethics subsection below (4.7).

repeated requests not to use their browser's 'back-button' because of the disruption this would cause to the skipping-logic, resulting in the presentation of inappropriate questions. This underlines the ever present potential for participants to skim or fail to comprehend research guidance (Varnhagen *et al.* 2005:44; Keller and Lee 2003; Binik *et al.* 1999; Madge 2007; Martin and Meezan 2003). Nevertheless, as the prevailing majority of participants did not report complications, one may assume that the guidance provided was satisfactory.

Another participant took offence over the inclusion of questions relating to passing, gender-expression, and being 'out' at work. They strongly felt that trans people should live as stealth, and not be 'out' at work. Furthermore, this individual vehemently asserted that not all trans people 'look' trans or gender-diverse; something of which the author is very well aware, and which forms a key component of this PhD. It appeared that this participant had misunderstood the intentions of this research, which sought to provide space for trans people who met the inclusion criteria to present their experiences in the context of their personal circumstances, whatever these might be. Ultimately, misunderstanding is a peril of distanced research, particularly where participants choose not to make contact directly to discuss their concerns.

After an initial participation 'boom' the levels of response petered out week by week. Once participation became widely intermittent the websurvey was closed rather than seeking to re-recruit. The response rate achieved at this point was deemed sufficient for the purposes of this PhD, indeed, were significantly more data collected, the sheer volume would result in saturation and impede a close reading of the findings<sup>129</sup>.

One may argue that true representativeness in any research sample is somewhat of an illusion, although even the smallest response rate and sample may provide important and even populationally accurate information (Visser *et al.* 1996, in Fiorina and Krosnick 2004; Brady *et al.* 2004:9). This research did not seek to collect a 'representative' sample, but rather one that was illustrative of the complexities of trans

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<sup>129</sup> Although small in terms of the estimated trans-population of 21:100,000, i.e. 10,500 people' (GIRES 2008[a]), the sample of 106 participants does provide an indication of trends in trans-employees' experience.

workplace experiences. It is posited that it is the symbiosis of similarity and difference within and between accounts of experience which is necessary in order to provide some indication of contemporary trans-employment experiences, facilitating a snapshot of the current societal paradigm.

The interviews with the business-participants took place during February – April 2008. Arranging and confirming the interview appointments proved time consuming, particularly the face-to-face version. As mentioned in the previous subsection, most of the interviewees elected to be interviewed at work over the telephone due to their busy schedules. The business-participant that chose a face-to-face approach was interviewed at their workplace.

Prior to the interview taking place, all informants were furnished with both the participant information page and the relevant interview schedule. All were invited to contact me at any time to discuss queries they might have about the research or the participation, but none chose to do so. However, several contacted me after participating to request examples of well constructed progressive trans equality policies. In each case contacts were referred to Press for Change and the Gender Trust.

Interestingly, whilst all informants had read the participant information page before choosing whether or not to participate, several had not taken time to read the interview schedule. Indeed, in several of the telephone interviews the participant asked me to wait whilst they printed it. A copy for the interviewee was also brought to face-to-face meetings, which proved helpful.

At the start of the telephone interviews participants were asked whether they had any questions, whether they were happy to participate, and reminded them that the interview would be recorded to allow for transcription later<sup>130</sup>. Consent was gained by their verbal agreement. In the face-to-face interview, to create a sense of formality and professionalism, consent was obtained via the interviewee's signature on a

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<sup>130</sup> The online telephony software 'skype' enables users to record conversations which proved invaluable for these interviews.

'consent form'<sup>131</sup>. The ethics of informed participation and consent are discussed in subsection 4.7 below.

Conducting the interviews was at times a nerve-wracking process (Dickson-Swift *et al.* 2007). Trying to develop rapport and putting the interviewee at ease was a crucial part of this process (Bryman 2004). In all of the interviews the author tried to be non-leading in her responses to the answers provided. This proved more of a concern in the face-to-face situation as she sought to maintain neutral and encouraging body language. In telephone interviews this was not of concern, and the author instead tried vocally to remain neutral and encouraging (Bryman 2004). However, much to the author's chagrin, when listening to the recordings it was found some noises of neutral encouragement unfortunately bordered on obsequiousness, although they seemed successful in their initial purpose. On one occasion, however, it was necessary to break this neutral 'non-leading' approach, informing one respondent of the serious repercussions of their policies for both trans-employees and customers, as discussed in chapter eight. Interestingly, in several instances, after the last question on the interview schedule had been asked, the interviewee embellished significantly on the information they already provided. Indeed some of these doorknob disclosures took a more 'personal' tack, even though interviewees were aware they were still being recorded. All were very generous in their approach to participation, and several mentioned they had found it thought-provoking and enjoyable.

After all of the interviews thoughts and impressions about the interview were noted to include in a research diary. Reflections of what comprised a 'good' or 'preferable' response or respondent is discussed in the rapport and reflexivity subsection (4.8) below. The interviewees were later sent an email to thank them for their participation, and reminded them they could contact me should they wish, which none did except to request policy guidance.

In total, 106 trans participants completed the websurvey, and eight business-informants were interviewed either by telephone or face-to-face.

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<sup>131</sup> See appendix H.

## **4.6: Data Analysis**

As a combination of quantitative and qualitative data had been collected during the primary research, two different approaches to data analysis were undertaken with the use of the software packages SPSS and NVIVO.

The quantitative and qualitative data collected via the websurvey were downloaded from SurveyMonkey into Excel. The Excel document provided an excellent space in which to peruse each trans-participant's response 'thread' and cross-check qualitative and quantitative data, and to provisionally discern instances of triangulation, or where triangulation had been expected but did not manifest (Hammersley 1996; Ritchie and Lewis 2004). The interviews conducted with business-informants were transcribed into Microsoft Word within seven days of the interview to ensure the proceedings remained fresh.

Data from the closed websurvey questions was coded into variables and transferred into SPSS. Initially, the frequency distribution of participants' responses for each variable were generated (Fielding and Gilbert 2002), which proved very enlightening. Next, Pearsons' Chi Square analysis was used to test for statistical interactions between variables, particularly where the frequency distributions, or the author's research and networking experience, encouraged further investigation. Whilst causality cannot be gleaned from this analysis, the presence or absence of a statistical interaction helped guide additional analysis. In particular, it was found that the quantitative data, whilst valuable in its own right, also provided a useful framework against which to compare the qualitative findings. This process of cross-checking and triangulation was found to be symbiotic; informing and navigating the progression of the research analysis and discussion.

Thematic analysis was used to interrogate the qualitative data from the websurvey and the interviews, as this was considered the most pragmatic avenue for examining both the many facets of trans-employees self-reported experiences, and organizational approaches to trans-employment (Silverman 1997; Ritchie and Lewis

2004). This analytic approach was chosen because it remains free from associations with particular theoretical frameworks (Malik and Coulson 2007:21), and instead is provisionally set apart by its focus on what is said rather than how it is said (Riessman 2004). Braun and Clark (2006) consider the transparency of one's theoretical underpinnings to be central to good research practice, as these 'underpinnings' structure the approach taken. As previously discussed, this research was approached from a constructionist/relativist position in order to better understand the 'multi-faceticity' of trans-employees' experiences and organizational approaches informed by legislative requirements and wider social awareness, and the factors which influence and navigate both of these.

Although the qualitative data from the different cohorts was dealt with separately, the same processes were undertaken. This approach was particularly informed by the suggestions of Braun and Clark 2006; Attride-Stirling 2001; Boyatzis 1998, Fereday and Muir-Cochrane 2006; and Crabtree and Miller 1999, and is illustrated in figure 2.

Figure 2: Steps of the Thematic Analysis Undertaken

**Step 1** → *Familiarize oneself with the dataset*

**Step 2** → *Devise a preliminary coding template based on empirical knowledge and the research questions*

**Step 3** → *Input data into NVIVO and immerse oneself in the data*

**Step 4** → *Inductively generate further codes and interlink with, or update existing preliminary coding template*

**Step 5** → *Create themes and thematic networks to visually represent these codes*

**Step 6** → *Reflexively explore these themes in relation to the original data and context in which they are rooted*

**Step 7** → *Interpret findings based on these thematic networks; the original context in which they are rooted; and empirical knowledge regarding trans-employment experience and business practices*

A 'hybrid' approach was taken to the thematic analysis (Fereday and Muir-Cochrane 2006:4), and used a combination of inductive and deductive tactics. For each set of

data a coding template was developed, as suggested by Crabtree and Miller (1999, and in Fereday and Muir-Cochrane 2006:4). For the trans participant base, the following components became apparent: inclusion, discrimination, and protection. It is posited that these are the categories into which the majority of information on trans-employment (and wider) experience may be placed. Within the business data the most apparent coding points were: legislation; social awareness; and the business case for equality. These two coding templates were later incorporated into thematic networks to textually interrogate the data (Attride-Stirling 2001:386).

For the trans sample, whilst experiences of inclusion, discrimination, and protection, which had formed the original coding template, had remained fundamental, they interlinked with three overarching themes<sup>132</sup>. These were:

- Visibility of gender-diversity, in conjunction with acceptance of preferred gender.
- Policing and navigation of gender-expression (by the employee themselves, by colleagues, clients, and expectations of dominant aspects of the trans community).
- Organizational approaches to trans-employees and to gender-diversity.

The categories which comprised the business template were also incorporated into the relevant thematic network<sup>133</sup>. These were:

- Awareness of gender-diversity, in conjunction with areas of potential difficulty.
- Policy.
- Practice and implementation.

The above themes were used to inform the structural basis of the following discussion chapters. The data was then further explored, where possible comparing the qualitative data with the findings from the quantitative data to check for instances of triangulation and complementarity (Hammersley 1996; Ritchie and Lewis 2004; Bryman 2004), of which there were many, as highlighted in later discussion chapters.

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<sup>132</sup> Appendix I illustrates this thematic network, and provides examples of some of the factors encountered in everyday employment life which inform, and are informed by, these codes and themes.

<sup>133</sup> Appendix J illustrates the business thematic network.



The key (but restricted) characteristics of the business-informants are tabulated in appendix F. However, as the trans-participants' experiences and the factors which impact upon these are the primary focus of this thesis, some key characteristics of the trans sample are summarized below. These are split into two sections: participant's personal characteristics; and the characteristics of participant's current or most recent employment<sup>134</sup>.

#### **4.6.1: Personal Characteristics of Trans-Participants:**

A ratio of 1:2.3 trans men/FTMs to trans women/MTFs was recorded in this research (N=99), which differs slightly to the estimated ratio of 1:4 in the UK population (GIRES 2008[c]; AIAU 2008:6; Wilson *et al.* 1999). However, it is relatively similar to recent distributions noted in research in the UK, Europe and North America (Whittle *et al.* 2007:28; Whittle *et al.* 2008:9). Indeed, data from other western European countries suggest ratios of 1:2 and 1:3 (GIRES 2008[c]; Weitze and Osburg 1998), so a ratio of 1:2.3 is within the range of recent empirical findings. Also, seven percent (N=7) respondents chose the option 'other trans-identified or gender-diverse person' to explain their gender-identity. This option was included in the survey as, whilst respondents may fit under the medicolegal definition of transsexual, they may not be comfortable defining themselves under more frequently used labels. A large number of LGBTQA trans people were also represented in the primary research sample (67%, N=71).

The majority of respondents had already transitioned (75%, N=79), which this thesis suggests may be due to an increased feeling of confidence in the information the respondent felt able to impart post-transition, increasing the likelihood of participation. Of these, 32.9% had done so before the year 2000. Furthermore, most (38.1%, N=40) participants were between 40-49 years old, which is an older mode than has been reported in other research projects on trans people (Weitze and Osburg 1996;

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<sup>134</sup> Not all questions were applicable to all respondents, and in some cases participants did not provide an answer. 'N' numbers have been provided in several instances for clarification with the associated percentages.

van Kesteren *et al.* 1996; Whittle *et al.* 2007). However, it is close to the average age of 39 years reported for the UK population in 2007 (ONS 21/8/08).

Interestingly, there was an under representation of participants from ethnic minorities (2.7%, N=3) within the web-sample. This percentage is significantly less than the 7.9% for the UK population (ONS 8/1/04[a]). Similar under-representation has been reported in other studies conducted within the trans community (Whittle *et al.* 2007). Further research is needed to investigate the underlying causes of this.

#### **4.6.2: Characteristics of Trans-Participants' Current or Most Recent**

##### **Employment:**

Whilst the majority of respondents (86%, N=91) were employed at the time of participation, mostly on permanent contracts, 14% were unemployed, which is a considerably higher percentage than the national average of 5.4% for 2007 (ONS 2008:55) when the survey was completed. As mentioned in chapter two, a higher-than-average level of unemployment amongst the trans population has proved to be a long-term trend (Whittle 2002:103). Participant's economic inactivity was not recorded separately to unemployment, but respondents were asked if they were in receipt of benefits. 21.1% (N=19) of the sample were, compared to the 2001 census average of 13.9% UK population (ONS 2003; Whittle *et al.* 2007:29). Interestingly, in comparison, only 12.7% of Whittle *et al.*'s 2007 sample were in receipt of benefits<sup>135</sup>.

In 2002, Whittle reported a trans-employee migration from the private to the public sphere (2002:104), which he speculated was due to the latter's governmentally-driven adoption of equality policies, which the former failed to match. However, since 2002, a further migration appears to have occurred, as the majority (55%, N=56) of the respondents were employed in the private sphere. Whittle *et al.*'s 2007 research obtained a similar result. Analysis of the data highlighted a significant variation in the types of negative treatment or experiences reported and respondent's sector of

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<sup>135</sup> Whereas 106 'transsexual' participants were recruited in this PhD research, Whittle *et al.*'s (2007) online sample of 872 included all trans and gender-diverse people, so comparison is somewhat problematical.

employment. Whittle *et al.*'s (2007:25) data also found that greater numbers of public sector trans-employees reported workplace discrimination than those in the private sector. These findings are discussed later in relation to the data and empirical literature on the paucity of employment policies and practices to protect trans-employees.

Although trade union membership varies somewhat by both sex and occupation (ONS 2007:53), the national average stood at 28.4% in 2006 (ONS 2008:89). In comparison, 39% (N=41) of the sample stated they were members. A higher-than-average membership had been expected within the sample due to the prevalence of transphobia and genderism in the employment sphere, and the author was somewhat surprised that membership amongst the sample had not been even higher. However, the data highlighted a possible reason for this. A number of web-survey participants expressed misgivings about obtaining or receiving union support, and some reported negative or discriminatory experiences from union representatives. This is discussed further in chapters six and seven.

#### **4.7: Ethical Considerations** <sup>136</sup>

Ethical considerations were a potent navigating influence throughout this research, informing the approaches and procedures undertaken in accordance with the needs of each sample and the research tools used (Yassour-Borochowitz 2004; BSA 2002; UREC 2000; Binik *et al.* 1999:88; Bryman 2004; Brownlow and O'Dell 2002). The lengthy university ethics process which preceded the data collection paid particular attention to the needs of the trans sample and the ethics of online research. Whilst the needs of the trans and business cohorts, and the potential repercussions of their participation, differed slightly, four key overarching issues were apparent. These were: informed participation and consent; anonymity and confidentiality; safety of both the participants and the researcher; and data security; all of which are dealt with separately below.

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<sup>136</sup> This ethics section relates to a forthcoming book chapter on web-ethics written by the author (Rundall; forthcoming).

#### **4.7.1: Informed Participation and Consent**

Ensuring informed participation was important for both cohorts, particularly as the questions dealt with potentially upsetting issues, or for others, issues which might be considered sensitive, taboo, and/or unsettling. This process was structured by the research instruments used. In the websurvey, respondents were presented with salient information in a condensed summary of the study as soon as they entered the website, with the option to view a detailed 'Participant Information Page' before they began<sup>137</sup>. It was hoped that by presenting condensed and detailed versions, both of which made use of attention directing text formatting, the potential for participants to skim or fail to comprehend the information might be minimised (Varnhagen *et al.* 2005:44; Keller and Lee 2003; Binik *et al.* 1999; Madge 2007; Martin and Meezan 2003). Consent was then achieved through the use of a 'tick-box' at the bottom of each version, an approach advocated by numerous researchers (Birnbaum 2000; Mustanski 2001[a]:298; Keller and Lee 2003), and further inferred by the eventual submission of responses at the end of the survey. Respondents who did not wish to take part were given instructions about how to leave the site. Additionally, an email address was provided, which had been specifically created for this project, as well as the department's postal address, should prospective participants wish to contact me at any stage. The departmental contact details for the author's Director of Studies and the University Ethics Chair were also provided, in case there were any concerns regarding the conduct of the research, thus conforming to Oxford Brookes' Ethics 'good practice' (UREC 2000).

Similarly, interviewees were presented with a summary of information within the initial recruitment email, which was then followed with a detailed information sheet once contact had been made<sup>138</sup>. As above, these were also in line with UREC (2000) guidelines. In contrast to the anonymous web-participants, interviewees were advised that they had the option to withdraw any *unprocessed* information after the interview, should they wish. Additionally, informants were furnished with the relevant interview schedule in advance of the interview. Consent was achieved in one of two ways, depending on whether the interview had been conducted via telephone or face-

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<sup>137</sup> See appendices K and L.

<sup>138</sup> See appendix M.

to-face. Verbal consent was used in the former, and to create a sense of formality and professionalism, a 'consent form' was used in the latter<sup>139</sup>.

#### **4.7.2: Anonymity and Confidentiality**

In light of the significant levels of transphobia experienced by the trans population in the UK, and social taboos which surround gender-diversity and 'extra-binary' gender-expression, the web-based anonymity, and confidentiality that was achieved via de-identification, was essential to this research.

Primarily, for the trans-respondents, anonymity held particular importance, as the majority of the respondents were not 'out' about their trans- identity, status, or history, to more than a few select people at the time of participation, and it was imperative that this confidentiality was maintained and respected. Where participants were 'out', they would not necessarily wish to be publically linked to accounts of their experiences in the workplace. Indeed, should this occur the individual could potentially face negative repercussions both socially and in their employment, as highlighted in chapters one and two. The web-approach was instrumental in achieving the necessary anonymity. Indeed, without this the response rate and selection of respondents is likely to have been very different.

Secondarily, in an online setting there is a propensity for people to be less restrained and cautious in their responses than they might otherwise be (Sproull and Kiesler 1986; in Binik *et al.* 1999:82; Michaelson 1996; Kitchin 1998; Mann and Stewart 1999, in O'Connor and Madge 2001; Joinson 1998 and 1999; in Mustanski 2001[a]:296; Suler 2004). As this research focussed on immensely private and potentially distressing topics, anonymity was necessary to counteract the possible negative effects of 'disinhibition'. In particular, this could help prevent trans-participants feeling regret or overexposed at a later stage, particularly if they feared post-participation repercussions if identified.

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<sup>139</sup> See appendix H.

Despite the above benefits of web-facilitated anonymity, however, the potential for respondents to misrepresent themselves, either intentionally or inadvertently, remains ever present (Rheingold 1993). Nevertheless, the author is inclined to agree with Mustanski's (2001[a]) approach to the issue of variable personas, lying, and sabotage, as it is conceivable that these may occur in various forms, regardless of the methodological approach. Furthermore, the issues of presentation and interpretation are particularly salient to this research, and to trans people's expressions of their gender-identities. Thus, despite potential discrepancy, the data provided by trans-employees about their experiences provides an important basis of knowledge.

For business-informants, whilst not anonymous, the confidentiality of their participation within the research process was equally essential. Although the informant's identities were known to me, the process of de-identification could somewhat reduce the extent to which these participants sought to manage the impression they gave. As these interviewees were participating in a professional capacity and representing their organization, they could potentially face repercussions if their responses presented their organization in a negative, or potentially illegal, light. However, the provision of confidentiality enabled several of the participants to feel comfortable providing frank and not altogether favourable examples of their organization's approach to trans-employment equality, and the barriers they faced in trying to engender this in the workplace<sup>140</sup>.

Notwithstanding the few informants who indicated they would have been happy to participate even if identified publically in this thesis, the provision of confidentiality was instrumental in securing the participation of the majority of interviewees, particularly within the business sample.

#### **4.7.3: Safety**

Due to the very real threat of discrimination and violence that trans and gender-diverse individuals can, and frequently do, face, the participants' and the author's own

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<sup>140</sup> Discussed further in chapter eight.

safety were paramount throughout the data collection process (BSA 2002; Kenyon and Hawker 1999). However, there was an especial need to acknowledge and address the issue of safety for the trans-cohort, which exceeded that required by business-informants. By avoiding a face-to-face situation through the use of a websurvey, the risk of transphobia or malicious pranks against me, or the participants, due to the topic and participant focus, was displaced (Rundall 2005). Furthermore, the asynchronicity of the websurvey enabled respondents to maximise their potential physical and social safety, as well as their emotional safety by choosing a sufficiently convenient and private time for them to participate (O'Neil 2001; O'Connor and Madge 2001; Dillon 2000; Mann and Stewart 1999, in O'Connor and Madge 2001).

Additionally, the author was cautious about the routes chosen to advertise requests for participants. 'Taboo' subjects may attract the attention of individuals outside of the targeted population, if the research is advertised in a more 'public', i.e. less LGBTQ focussed domains (Rundall 2005), leading to online harassment of the researcher and sabotage of the primary research. Therefore, to avoid potential 'saboteurs' and transphobic or malicious 'pranksters', only trans-friendly organisations were approached to disseminate web-participant requests (Mustanski 2001[a]:296; Morris and Rothblum 1999), which proved effective.

To ensure the emotional safety of the web-respondents, in addition to achieving informed participation, the author was cautious not to ask unnecessarily sensitive or ethically reckless questions (Chen *et al.*, 2004:160, in Madge 2007:661). This approach here was informed both by the author's previous research and professional experience, in addition to guidance provided in the literature on this issue, most notably Dillman (2000) and Riggle *et al.* (2005). In line with UREC (2000) guidance, the contact details of Press for Change, and the Gender Trust, were also provided should participants require information or support in relation to employment issues such as those raised during participation.

With the interviewees, issues of safety manifested quite differently. Physical safety was less of an issue than with the trans participants due to the focus on policy and practice, the professional 'formalized locality' of the research, and, it is posited, even

the author's bio-identity. Potentially, an 'out' or visibly gender-diverse trans-identified researcher might have had quite a different data collection experience. Interviews were conducted at a time chosen by the informant, so that they could arrange their surroundings as necessary. Additionally, as recruitment was for the most part direct, respondents had the freedom to choose who, and who not, to tell about their participation, thus enabling them to retain their participation privately within their organization should they wish. To guard against feelings of regret, particularly if an informant had been candid and frank in their responses, the ability to remove *unprocessed* data, was also important, as specified in the interviewee information sheets.

The author also ensured her own safety in this process by meeting with the face-to-face interviewee in their office during working hours, and by using the specially constructed email and the departmental contact details throughout the recruitment and data collection process with all interviewees and 'gatekeepers', as mentioned in subsection 4.4.

#### **4.7.4: Data Security**

Because the data was potentially sensitive, security was an important consideration for both the websurvey and interview datasets. The business responses remained secure during the interviews, but safeguarding the websurvey data whilst the site was 'live' was more of a concern (Binik *et al.* 1999:87). Online privacy and security is increasingly under threat from third parties (Spinello 2001:140, in Madge 2007:661; Kramarae 1995, in Brownlow and O'Dell 2002:687), and so no identifiers were recorded (Brownlow and O'Dell 2002:688; Binik *et al.* 1999; Keller and Lee 2003:215). Moreover, the security provisions provided by SurveyMonkey are extensive<sup>141</sup>, which ensured online data protection. Once downloaded, the websurvey data was stored securely in both paper and electronic form, in line with University protocol (UREC 2004). The security of the business data was similarly addressed. Once the

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<sup>141</sup> See appendix N.



interviewees had been de-identified from their responses, the audio-recordings and transcripts were secured separately, again in line with University protocol.

## **4.8: Rapport and Reflexivity**

### **4.8.1: Rapport**

Due to the separate research instruments, the construction of rapport was an interesting consideration in the primary research collection. Putting both the web-respondents and interviewees at ease was necessary to facilitate both participant comfort and honest and detailed participation, but required slightly different approaches.

Some researchers (Kitchin 1998 in O'Connor and Mage 2001:10.3; O'Connor and Madge 2001:10.3) maintain that conscious efforts to engender rapport in online interactions may be unnecessary due to the displacement of visual and physical cues usually used to categorise social agents. Nevertheless, it was important to create a 'relaxed environment' (suggested by O'Connor and Madge 2001:8.4) via the layout and content of the survey and the use of well known trans community sanctioned and constructed jargon. As previously stated, the author also set herself in context by highlighting her own links with the trans community, as it was hoped this would engender a level of trust in the research proceedings. Furthermore, whilst making reference to the academic affiliation of the research, the author was wary of unhelpful constructions of power, instead seeking to ensure trans participants remained aware of their importance as the 'authors' of their own experiences.

From the 'quality' of the highly personal responses collected, and the abundance of positive feedback provided by respondents at the end of the survey, this approach appears to have been successful in creating some semblance of rapport, albeit of a more abstract nature than that typically constructed in vocal or physical interactions. Whilst it was expected that the distanced nature of the online approach would exert a 'depersonalizing' influence, participant feedback highlighted a considerable number of

instances where respondents appeared to feel a connection with the research and 'absent researcher'. The provision of contact details and further personal feedback here (which were deleted from the participant threads to preserve anonymity), and in email interactions<sup>142</sup>, where a more 'traditional' manifestation of rapport was constructed, were integral to the author's perception of this.

To facilitate the construction of rapport in the interviews a more direct and reactive approach was taken. Care was taken to maintain a neutral but encouraging vocal and physical stance (Bryman 2004; Sollund 2008), although at times this was more difficult, especially where respondents appeared defensive, or appeared less than truthful, about their policies or lack thereof. Whilst the construction of rapport manifested more 'traditionally' in the interviews than in the websurvey, it varied somewhat between face-to-face and telephone interactions, and between interviewees. The construction and retention of rapport in the face-to-face interaction proved considerably more straightforward than in many of the telephone interviews. Upon reflection, the author wondered whether the introduction process and impact of physical signifiers prior to the interview commencing influenced this, allowing a more effective 'ice-breaking' interaction than that possible via telephone (O'Connor and Madge 2001). Telephone interviewees initially seemed far more reserved than their face-to-face counterpart, although after a few minutes this air of reservation seemed to disperse. Interestingly, all interviewees were interested in receiving feedback and best practice guidance once this PhD had been completed. Indeed, two participants provided their personal email addresses as they were shortly leaving their employer.

#### **4.8.2: Reflexivity**

Aware of the impact that the author, as the researcher, could have on the data collection, analysis, and interpretation proceedings, she sought to remain reflexive throughout (Robertson 2002; Etherington 2004). A research diary was maintained to enable reflection of aims and expectations, as well as perceptions of research interactions, and other investigative points.

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<sup>142</sup> Email interactions did not continue for long, primarily because, once a response had been provided, caution was taken not to undermine what were perceived as necessary boundaries of anonymity.

Most of the research notes relating to the websurvey focussed on perceptions of the 'quality' of the data and individual participant threads (Daniels 1983; Luff 1999; Birch and Miller 2000). Prior to commencing the data collection, the author had intended to avoid thinking in terms of preferable or 'good' responses or participants, as she was concerned that this might lead to a restrictive categorization of primary data quality, and ultimately result in a loss of data. However, although the author sought very hard to be non-reductive in her views, distinctions quickly became apparent! Reflecting on the research diary, it was found that the very 'quality' categorisations she had initially sought to avoid had been used.

For closed questions, notes centred on the occurrence of response/question skipping, which was considerably less than might have been expected in research touching on similarly sensitive topics (Catania 1999, and *et al.* 1996, in Mustanski 2001[a]). Levels of non-response were also noted with the open-ended questions, which unsurprisingly exceeded their quantitative counterparts. It had been assumed that this would be the case, as participants are required to expend greater levels of mental and emotional energy constructing linear responses, and may find articulating difficult experiences potentially taxing. Furthermore, actual or perceived time constraints may promote skipping or limited articulation.

The content of the qualitative responses was reflected upon, primarily assessing responses as 'preferable' or 'good' if the participant had clearly answered the question asked, and had furnished their response with specific examples of their experiences. Secondary to this, the author found that she preferred responses which appeared to me to be genuine and intimate, something Birch and Miller (2000) persuasively address, rather than generic examples of employment experiences. Many respondents were clearly adept 'storytellers', which had been expected, based on the author's experience of networking with trans men and trans women at social events and conferences. Frequently, however, it was the less 'polished' responses which the author thought provided greatest insight into the current work environment for gender-diverse employees.

Regarding the business-focussed research component, perceptions of interviewees were noted, from recruitment to post-interview, and was interested to observe instances where the two deviated significantly. Most notably this was the case where the author had initially perceived an interviewee to be informed and 'trans-friendly' from their 'professional' responses, only for them to briefly indicate their genderist or bio-centric personal views at a later stage of the interview. The author cautiously distanced herself from their adverse views, whilst trying to avoid initiating self-policing in the participant's subsequent responses (Bryman 2004; Ritchie and Lewis 2004; Smyth and Mitchell 2008).

Again, interviewees' qualitative responses were perceived to be preferable where they were relevant, clear, detailed, and most importantly, apparently honest, which was mostly the case. Indeed, a number of the interviewees were highly prepared and experienced interviewees, which proved interesting in relation to in many ways inevitable constructions of power in the research interaction (Ritchie and Lewis 2004; Sollund 2008). Others appeared less experienced, seeking reassurance and qualifying their responses, particularly at the start of the interview. In comparison, one interviewee in particular appeared intent on 'window-dressing' her responses to make her organization look progressive, when in actuality several of the policies she initially referred to did not exist, which she admitted after a more direct line of questioning was taken to achieve clarification (Power 2004). To guard against this copies of all policies referred to in the interviews were requested, as mentioned in subsection 4.3, to allow for perusal at a later stage. The motivation to participate of interviewees who appeared to seek to misrepresent themselves, or their organisation to a greater extent than might be expected in an average research interaction, was also reflected upon.

Undeniably, the author's involvement as researcher will have influenced this research by: the choice of research instruments; the content and layout of questions; the ensuing research interactions; and in particular the author's role as interpreter of the data; and her own biography. However, throughout the primary research she sought to be cognizant of the needs of the samples recruited; to be informed by these, and surrounding literature in the field, as to how to address the research questions in line with academic 'best practice'. As demonstrated in the later empirical chapters, a

wealth of information was collected during the course of this research. And whilst it cannot all be included due to the constraints of a PhD, this thesis has tried to enable the 'voices' of the participants to 'speak' for themselves, albeit within a theoretically informed analysis of trans-employment experiences and organizational approaches to trans workplace equality.

## **Part Two**

# **The Impact of Trans (In)Visibility on Trans- Employees' Workplace Experiences**

## Introduction

Part two of this thesis explores trans-participants' self-reported experiences of: passing<sup>143</sup>; discrimination<sup>144</sup>; and protection, support, and inclusion<sup>145</sup>; in UK workplaces, and how these are linked to their visibility or invisibility as trans or gender-diverse individuals. Each of these three areas is presented as a separate chapter. This focus emerges from analysis of the websurvey data, in which the above notions of 'visibility' and 'invisibility' emerged as dominant themes in relation to the topic of (in)visibility, as highlighted in chapter four<sup>146</sup>. Utilizing a combination of quantitative and qualitative websurvey data, and theoretical conceptualizations surrounding (in)visibility, each of these areas are focussed upon in turn. Informed by the theoretical perspectives discussed in chapter three, the ways in which trans-employees are treated in relation to the (in)visibility of their gender-diversity/gender-history are examined, and whether this influences the strategies they may employ to mediate their (in)visibility where possible. The ways in which (in)visibility is shaped by regimes of gender evident in workplace structures and resulting interpersonal gendered experiences and assumptions is discussed. The extent to which the research findings and discussion overlap with, or differ from, empirical research presented in chapters one and two is considered. Finally, conclusions are drawn regarding the extent to which trans-employees' experiences in UK workplaces are influenced/shaped by their experiences of (in)visibility<sup>147</sup>.

As in Rundall and Vecchietti (2010), in part two of this thesis (in)visibility is conceived of as the extent to which gender-diversity, including history, is visible or invisible to the present or absent onlooker<sup>148</sup>. This is further explicated 'through the notion of the

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<sup>143</sup> Chapter five: Passing, gender-signification, and (in)visibility.

<sup>144</sup> Chapter six: Discrimination and (in)visibility.

<sup>145</sup> Chapter seven: Protection, support, inclusion, and (in)visibility.

<sup>146</sup> After writing Rundall and Vecchietti (2010), it was found that the term '(in)visibility' has previously been used quite differently to our/the author's usage by Zitzelsberger (2005) to discuss embodiments of women with physical disabilities and differences.

<sup>147</sup> Please note that section two of this thesis significantly extends Rundall and Vecchietti (2010), which was published prior to the completion of the following chapters. Whilst linked to this publication, in these chapters the author seeks to expand, both theoretically, and in terms of data presentation and discussion, on the topic of (in)visibility, so as to further ensure a contribution to new knowledge. Nevertheless, where appropriate, the published chapter will be referenced in the following text.

<sup>148</sup> For example, present onlookers may be colleagues or clients in the same spatial context, whereas absent onlookers can include: people in different departments; individuals who engage with the trans-employee over the telephone; or people who are aware of the trans person in a distanced capacity.

bipartite agency of (in)visibility' (Rundall and Vecchiatti 2010:128). The following extract expands on this:

*'In order that the trans-individual's trans person's preferred gender is visible, their bio-gender or gender-diversity must, to a certain extent, be invisible [or be muted]. Agency must be seen here in the context of the individual's extent of choice, and ability, to present as their preferred signifier-led gender. (In)visibility is not the same as stealth because it acknowledges that some trans-individuals may always appear gender-diverse, but the (in)visibility of all trans-individuals may be found in the signifiers they choose to use<sup>149</sup>. Interdependent to the agency of the trans-individual, is the present or absent onlooker. It is they who, perhaps despite dissonant visual cues or existing knowledge, may potentially accept the (in)visibility of the trans-individual. The agency of the onlooker therefore completes the bipartite agency of (in)visibility, and forms the basis of acceptance or non-acceptance.'* (Rundall and Vecchiatti 2010:130).

Thus, in the following chapters, the author seeks to unpick the multifaceted interactional nuances and implications of (in)visibility, and the consequences these may have for the ways in which trans people are treated by others in the workplace context. These overarching themes then enable me to theorize and illuminate in more precise ways how individual experiences of gender, and the influences of gender as institution, impinge on, and are informed by, the work sphere.

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<sup>149</sup> Stealth: where a person lives as their preferred/acquired gender, and withholds their trans-status or history from others.



# **Chapter Five: 'Passing', Gender-Signification, and (In)Visibility**

## **Introduction**

The (in)visibility of a person's gender-diversity either marks them as trans or somehow 'other' in wider societal conceptualizations of 'normativity' in the eyes of many cisgender onlookers, or means that they are read as cisgender and therefore contained within the dominant gender-framework. Thus, it is (in)visibility which shapes trans-employees' experiences at work, and the treatment they receive from others in a genderist and biocentric societal context. In order to discuss the implications that (in)visibility has for trans people's experiences of discrimination, and protection, support, and inclusion, in UK workplaces, it is first necessary to consider the ways in which the websurvey participants described their gender presentation at work. Both quantitative and qualitative data will be presented in this chapter to illuminate dimensions of selfhood and agency which inform participants' approaches to visual and aural passing, and the mediation of the intertextual semiotic corporeal self in workplace contexts.

## **5.1: Passing**

Institutional and interpersonal gender accountability dominate all situations (as discussed in chapter one, see West and Zimmerman 2009; Connell 2010; Lorber 1994), and sex/gender/body congruence is assumed unless signifiers or knowledge present information to the contrary. The basis of gender-interpretation and categorization is intertextual, interpersonal, and contextually dependent, and reliant on both iconic and arbitrary knowledge (see discussion of literature by Davies *et al.* 2006 in chapters one and two). For example, where an onlooker (trans or cis) is aware of gender-diversity, a trans person may be read as (potentially) trans, whereas in another situation their gender-presentation may remain unquestioned. Passing is thus complex and key to teasing apart and theorizing dimensions of visibility and invisibility.

Passing is both presence and absence; signification erasure/muting<sup>150</sup> and display. Crucially, to pass is to be read as one's preferred gender, potentially to the extent to which onlookers remain unaware of one's atypical gender-history. This has significant connotations regarding the ways in which one is likely to be treated by others. If successful, one is read as someone seamlessly included as an in-group member of both that gender-role, and of the dominant binary gender-framework. Visually at least, gender-past becomes divorced from gender-present. With levels of transphobia-based inequality so high in the employment sphere (as highlighted in chapter two), the ability to pass as cisgender may enable trans people to mediate negative interpersonal repercussions that could otherwise occur (as previously discussed in relation to Rocco and Gallagher's (2006) research with LGB people passing as heterosexual). Gender-expression may be experienced as less contested, and more institutionally 'valid', than for individuals who are unable to/do not pass. The primary research undertaken in this PhD found that 89% (N=91<sup>151</sup>) of participants recognised that the wider cisgender community finds it more acceptable for someone to transition to the binary gender role opposite to the one they were ascribed at birth than for someone to wilfully reject the dominant gender order. And yet, transitions between binary categories continue to be met with surprise, and in some cases suspicion, particularly where the 'seams' of transition are perceivable and may therefore potentially be read by onlookers as 'disruptive' to the gender order.

Trans people in the study reported that they felt medically (and socially) pathologized as suffering from 'gender dysphoria', and positioned as 'other' within the current institution of gender. Whilst recognizing the difficulties and personal impact that experiences of pathologization can have for trans people, it is suggested that gender-diversity engenders dysphoria for all, over the current restrictive gender matrix. Drawing on Lorber's (1994) notion of gender as an institution, it is argued that the complex semiotically-derived (in)visibility of gender-diversity creates a sense of 'mutual dysphoria' in the institution of gender. For example, when an interaction occurs between a cisgender person, and a trans person with potentially gender-

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<sup>150</sup> For example, hiding or surgically removing corporeal elements which may read by onlookers as incongruent with the individual's intended/perceived gender presentation.

<sup>151</sup> 'N' numbers are provided for each of the statistics. Please note that not all participants responded to every question applicable to them, and some questions were applicable to only a proportion of respondents.

incongruous signifiers (or history, if known by the former), the sociocultural framework is made starkly mutable. Therefore, the cisgender onlooker's sense of the immutability of their own gender (and position of dominance and correctness) is itself problematised. In order to alleviate this, an onlooker can choose either to reject, or to accept, the trans person's preferred/acquired gender in the face of incongruous/missing gender-signifiers or knowledge, and act accordingly. Subsequently, responses to this sense of 'mutual dysphoria' in the institution of gender are intimately informed by the bipartite agency of (in)visibility, as theorised in the introduction to section two of this thesis (see also Rundall and Vecchiotti 2010).

The majority of the websurvey participants had already transitioned, or begun transitioning. Ninety-eight percent (N=89) of these stated that they live full-time in their preferred/legally acquired gender-role, and yet slightly less (92%, N=88) presented as their preferred gender at work all of the time. However, as discussed in chapter one, not all trans people will eventually completely pass in their preferred or legally acquired gender all or some of the time, for a variety of reasons. These individuals are compelled to find a balance between expressing their gender-identities whilst subject to the sensibilities of other members of the workplace, so as to minimise where possible their experiences of transphobia and harassment. This is more frequently the case for trans women than their trans male counterparts, as the latter's corporeal canvasses, after a period of taking testosterone and either top-surgery or chest binding, more easily enable individuals to mute externally perceivable key signifiers associated with their birth sex-category. In other words, (some) trans men's post-transition gender-expressions may more readily be read as seamless compared to the gender-expressions of their trans female counterparts.

Moreover, during the early stages of transition, a person's gender-diversity is especially visible, making this one of the key trigger points and risky time periods at which transphobic and genderist discrimination is experienced (Whittle *et al.* 2007). Participants' experiences of transitioning at work are discussed in chapter six. Indeed, 68% (N=66) of respondents felt they were treated differently by some or all members of the workplace after announcing their intention to, or commencement of, transition. This is unsurprising in terms of the current biocentric societal context and the pressures exerted by workplace regimes of gender and interpersonal responses

to this. These experiences of different treatment signify trans people's displacement from full in-group membership within the binary birth-linked sex/gender-framework. Additionally, of the trans-employees who do 'pass' in their preferred or legally acquired gender, not all will choose to make their gender-diversity (including history) invisible all or some of the time, to all or some members of the workplace. Gendered performances, and passing, may in some cases be intentionally partial, and gender may be perceived to be experienced in an individually reflexive manner. Therefore, through choice, or lack thereof, a proportion of trans people will remain visibly (or known to be) gender-diverse.

Interestingly, 71% (N=93) of participants reported that they felt that it was important that the trans community was in some way visible in society. This finding was in no way statistically linked to the extent to which participants passed, which had initially been anticipated. A visible trans community (as opposed to 'visible' trans people per se) may provide a platform for wider societal inclusion, recognition, understanding, and equality. 'Flexing' or challenging of the boundaries of the gender institution may be facilitated through this. This finding suggests that many of the participants recognised the importance of this platform in relation to their own experiences and knowledge of trans-inequalities. And yet, (in)visibility is fraught with contradictions that may be seen to return us to notions of binary gender; as passing remains both a desire for many trans people, and a means by which transphobic discrimination may be minimized or avoided. This is unsurprising as it is a mechanism by which trans people may lay claim to their preferred gender membership. (In)visibility implicitly presents a platform from which to disrupt binary categories, and thus sits in tension with many (but not all) trans people's desires and abilities surrounding signficatory and historical textual mediation. Additionally, members of the wider cisgender community may resist the societal implications raised by a visible trans community, and may seek to undermine this 'visibility' through continued sanctions and consciously perpetuated taboo. This is something that is demonstrated via the data in the following chapter.

Unsurprisingly, the data highlighted a statistically significant interaction between the extent to which participants passed physically, and the extent to which they are open about their trans-status/history at work ( $P=0.000$ ,  $N=92$ , highly significant at the 1%

level). This analysis showed that the more a participant passes physically, and the more congruous their expression of gender is perceived to be, the less likely they are to be out to some or all members of the workplace. Gender experiences may thus be considered to necessitate an ‘actively reactive’ approach. This suggests that, where possible, participants mediate the (in)visibility of their gender-diversity in a manner that is likely to best achieve full recognition of their identity. Thus, the effort put by these individuals into passing (which can vary significantly from person to person depending on their self-perception, sense of dysphoria, and the responses of others) frequently remains invisible. These trans people achieve insider status in their preferred gender role in the eyes of onlookers, and thus may enjoy greater flexibility and less infringement of their gender articulations than trans people who are unable to pass. This is not to say that some such participants weren’t out to some people: rather that people who chose to make ‘visible’/known their invisible gender-diversity were in the minority. The following table compares the extent to which the overall cohort, and trans male and trans female respondents separately, subjectively feel they pass physically.

Table 1: Comparison of the Extent to which the Overall Participant Cohort, and Trans male and Trans female Respondents, feel they Pass Physically.

<b>Pass Physically</b>	<b>Participant cohort</b>	<b>FTM/Man with a trans-background</b>	<b>MTF/Woman with a trans-background</b>
All of the time	52%	77%	43%
Most of the time	29%	12%	37%
Some of the time	10%	8%	11%
Rarely	3%	0%	2%
I do not think I pass at this time	3%	4%	3%
I do not aim to pass at this time	3%	0%	5%
Total	100%	100%	100%

(N=89)

As expected, a greater proportion of trans male respondents reported they pass *all the time*, compared to trans female respondents. Some participants did not seek to pass at work at the time of participation, primarily because they did not feel this was a possibility for them either at their stage of transition, or because of their physical appearance. These participants’ experiences of gender on an individual level

highlight the ways in which the gender institution can impede gender-actualization through the influence that it pedagogically exerts through and within interpersonal interactions and structural constructions. However, it is interesting to note that whilst no FTM participants reported this was the case, a small number of MTF respondents did. This approach to their (in)visibility could be because these participants have not yet commenced transition, or are at an early stage in this process (and so less likely to pass). It could also be because their corporeal canvass presents too many difficult/incongruous gendered signifiers, thus preventing them from passing during or after transition. Also, some individuals may seek not to pass because they choose to disrupt binary categories, and indeed may take pride in this. This orientation towards 'normative' disruption may be rooted in political 'queering', or be driven by constraints or impossibility of 'successful' binary-anchored self-mediation.

Passing is not just something undertaken in relation to interactions with others; it is also something that may be internalized as an important aspect of self-development, and influence the individual's sense of self. Moreover, enactment of agency is significantly highlighted by trans people's steps to actualize their identities where possible. Whilst not wishing to be contentious or disrespectful, the potential remains that for some participants', the importance of passing may so crucially inform their sense of self and well-being, that their subjectivity may necessarily become skewed as a form of self-protection. The institution of gender saturates and surveills what is societally 'acceptable' to think, do, and be, and this can be both internalized and externalized. Nevertheless, whilst acknowledging this potentiality, this research respects participant's responses and their agentic subjectivity. Additionally, whilst many trans people may successfully mediate the visual signifiers that they present or mute (although not all can do so to the extent of passing all of the time), they also must contend with their vocal pitch and manner of speaking, which can also be read as gendered aural cues, as well as physical deportment and bodily reality. Thus, both visual and aural factors may either help a person 'do' their preferred gender-expression, or may hinder and 'undo' their identity articulations. Gender may be individually experienced as an ordering of components which may in themselves disorder that which is intended. Table 2 below compares the extent to which both groups of trans-employees felt they pass vocally as their preferred gender.

Table 2: Comparison of the Extent to which the Overall Participant Cohort, and Trans male and Trans female Respondents feel they Pass Vocally.

<b>Pass Vocally</b>	<b>Participant cohort</b>	<b>FTM/Man with a trans-background</b>	<b>MTF/Woman with a trans-background</b>
All of the time	37%	73%	24%
Most of the time	29%	4%	38%
Some of the time	16%	12%	19%
Rarely	7%	4%	8%
I do not think I pass at this time	10%	8%	8%
I do not aim to pass at this time	2%	0%	3%
Total	100%	100%	100%

(N=89)

Again, a greater percentage of trans female respondents stated they *do not* pass vocally all of the time, compared to their trans male counterparts. This is to be expected, as estrogens do not have the same impact of altering vocal pitch as androgens do<sup>152</sup>. Nevertheless, MTF individuals may through practice learn to pitch their voice at a higher (and more readily perceived ‘female’) level, or undergo surgery to tighten their vocal chords. Interestingly, participant’s qualitative responses highlighted that in many cases, present onlookers may choose to privilege the visual over the aural, indicating that this may be perceived as a dominant indication of gender ‘congruence’. These data-extracts highlight the contextual nature of interpretation:

*‘I rarely encounter any reaction to my voice when people see me face-to-face; it’s only on the phone where I get “challenged” - but this is becoming less “in your face” than it was even a couple of years ago’* (Woman with a trans-background, age 50-59).

*‘On looks I pass but my voice lets me down, most people think I’m a gay man’* (FTM trans person, age 30-39).

However, onlookers’ privileging of visual over aural signifiers may be undone by their knowledge of a trans person’s gender-history, further highlighting the ways in which

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<sup>152</sup> Although many trans men require voice coaching to enable them to comfortably pitch their new voice at an appropriate level, rather than unintentionally continuing to pitch it at too high a register.

social agents categorize one another in relation to their own intersectional characteristics, experiences, and knowledge:

*'it makes it harder for people to accept what I am saying when I ask them to relate to me as a man, but they hear a female voice type. People tend to forget about my trans status and treat me as a woman who likes to wear men's clothes'* (FTM trans person, age 30-39).

In comparison, however, absent onlookers (for example, in telephone conversations) are denied visual signifiatory input, and therefore rely solely on the aural. Thus, where a trans person's vocal pitch is perceived to be dissonant in relation to their gender-category, their gender-expression may be 'undone' by a listener's perception. As previously noted, Connell (2010) found that callers would often 'mishear' a participant's name, and instead amend it to something that they perceived more gender-congruous with the participant's voice. Similar 'vocal undoings' were reported by the participants, particularly MTF identified individuals:

*'my voice is still a concern as it remains within a male tone that causes difficulty on the telephone'* (MTF trans person, age 50-59).

*'I was told by some people...that I had a very male voice for a woman but I do not think they connected this to me being in a previous male role'* (MTF trans person, age 50-59).

*'Hearing my voice on the phone sounding deep causes instant depression'* (MTF trans person, age 40-49).

However, in some instances, where a person's visual presentation undoes the expression of their preferred gender, the distanced nature of a telephone conversation may temporarily enable it to be redone:

*'My voice has always been male, as proven countless times on the telephone before I'd even started hormone treatment'* (FTM trans person, age 30-39).

Nevertheless, hiding one's gender-diversity is not always possible, and indeed, being out about one's trans-status/history can allow respite from the pressures of mediating



one's (in)visibility (and enable the construction of more meaningful workplace relationships: this is discussed further in chapter seven). This is, however, tempered by the risk of transphobic discrimination. Importantly though, for binary-identified trans people, gender-expression can often involve feeling 'at risk' of being perceived to be gender-ambiguous: of sending 'mixed messages', and thus not being read as passing, or acknowledged, as a person of one's *preferred* gender-category. The edges of gender performativity may be visible and 'undoable': this is something that is core to this thesis. The following data-extract provides an example of a participant relaxing their voice in situations where their gender-history is known:

*'My voice drops slightly when around people who know my past, I am careful when I can relax my voice, as it does hurt sometimes'* (Woman with a trans-background, age 30-39).

Thus, passing is a complex series of intertextual interpretations dependent upon the agency (and knowledge) of onlookers, as well as the extent to which a trans person is able to mediate the externally perceivable gendered signifiers they present. Whilst the visual may be privileged over the aural, signifiatory displays are open to potential reinterpretation, as will be highlighted below.

## **5.2: Gender-Signification**

Gender-expression is a complex and reflexively adaptable process. 'Passing constitutes a facet of (in)visibility via its utilisation of signifiers' (Rundall and Vecchiotti 2010:133). And yet, gender-signification and interpretation are contextually and interactionally derived, and remain influenced by societal-level regimes of gender at all times. As discussed earlier in the thesis, trans people (as with all social agents) cannot always retain authorship over themselves as 'text'. Indeed, according to Czarniawska (2006), textual structures are determined by those in the role of interpreter – in this case the present or absent onlooker. Thus, gender-expressions may be undone, but they may also be redone. Like cisgender-employees, 'trans-employees express and present themselves through a societally defined pallet of

cues' (Rundall and Vecchietti 2010:135; see also Rundall 2005). However, trans-employees' gender-articulations must be undertaken in accordance with their organization's gender regime (as well as onlookers' expectations of gender). To fail to be mindful of this regime is to entertain sanctions: indeed, Schilt and Connell (2007) found that trans-employees' had little leeway for resistance if they did not wish to place their position at work in jeopardy (discussed previously in chapter two). A considerable proportion of the websurvey participants reported that they consciously make use of recognisable societally gendered signifiers to varying degrees in order to help others at work recognise their preferred gender. This is similar to Messerschmidt's (2009; see thesis chapter one) discussion of people's reflexively adaptive approach to their behaviour/presentation in order to achieve a desired perception. The following data-extracts illustrate participants' use of gendered signifiers in order to be 'read' appropriately:

*'In the early stages of transition when I looked more androgynous I would be careful to have a very traditionally male haircut and wear very masculine clothes to help me pass'* (Man with a trans-background, age 25-29).

*'I do wear make-up, and wear my hair in a particular style. My work requires me to wear protective clothing of a shapeless unisex style, so I feel the need to compensate'* (Woman with a trans-background, age 40-49).

*'I wear a shirt and tie at work. I keep my hair cropped very short and I am trying to grow facial hair'* (FTM trans person, age 40-49).

*'I wear stereotypically gay male fashionable clothes to pass more and have a fashionable male haircut. As I look like (and am!) an effeminate gay man'* (FTM trans person, age 25-29).

*'Makeup, although partly to try to hide facial hair that needs to be grown out slightly for electrolysis'* (MTF trans person, age 25-29).

*'Conformance to social stereotypes helps others deal with my transition'* (MTF trans person, age 40-49).

*'Avoiding ridicule and possible physical violence makes me consider using recognised gender-signifiers just to have an easier life'* (MTF respondent, age 40-49).

*'People feel more comfortable if they don't get mixed messages. I prefer to make others feel comfortable. When I first transitioned the message was obviously very mixed and it did cause difficulties for me'* (MTF participant, age 60–64).

Additionally, many respondents stated that the use of these recognisable visual cues was a core, and enjoyable, part of expressing themselves. The presentation of signifiers, particularly of those characteristics achieved via hormonal and surgical treatment, such as facial hair or breast growth/removal, as well as culturally iconic signifiers such as dress and hairstyle, enabled many participants to feel that they were laying claim to their preferred binary-gender-category. Gender is expressed as a process of achievement and attainment, and by implication a 'successful' reproduction of a gendered binary-category. The following data-extracts provide examples of this:

*'I have a beard. But then I always wanted to grow a beard. Also I'm bald - there's not a lot I can do about that. However, because it helped people to see me as male, I was pleased rather than otherwise to lose my hair'* (Man with a trans-background, age 50-59).

*'I wear skirts and makeup when it gives me pleasure to do so. (With makeup, this means most of the time). And I wear my hair long. I like it that way'* (MTF trans person, age 50-59).

However, a small number of participants reported that they had at times felt pressured and constrained by both external and internalized social expectations of gender-signification and 'congruent' gender articulation, as well as by the responses of cis and trans onlookers. Nevertheless, for a number of these individuals, this was temporary:

*'I have felt constricted this way (wearing makeup/long hair), but I think it is not directly due to external influences but more internalised by having been socialised/living in a polar society when it comes to views on gender-typical behaviour'* (MTF trans person, age 40-49).

*'only initially. This was mainly due to peer pressure from other ts's'* (FTM trans person, age 30-39).

Additionally, one trans male participant highlighted the impact of a very particular construction of masculinity which at times raises conflict with his construction of masculinity:

*'I sometimes struggle with the macho image of men. I am teetotal and a cycle rider. Neither of which is considered particularly macho'* (Trans man, age 40-49).

Interestingly, but not surprisingly, a considerable number of participants explained that their gender-presentation had become increasingly relaxed the longer they had been living in their preferred gender-role. Nonetheless, this continues to be informed by employees' organizational gender regimes, and what is deemed acceptable within the work environment in relation to gender regimes and interpersonal manifestations of this. In other words, rather than just seeking to be recognised as their preferred gender, over time, these participants felt more practised, and able to incorporate a more inclusive approach to their external presentation. Gender became more 'freely' experienced and expressed. For example:

*'at first I did need make-up, mainly to cover facial hair, but now I don't need it. Initially I used to wear skirts (for the first few weeks) but realised that they were impractical for my laboratory/facilities maintenance duties'* (Woman with a trans-background, age 30-39).

*'Mostly people saw me as male as soon as my voice had dropped (even with breasts). Initially I had very short hair to encourage people to see me as a man. Now I don't worry if my hair gets a bit long'* (Man with a trans-background, age 50-59).

*'I am MUCH more confident about what I wear. I hardly ever wear skirts or dresses now, mostly because I just want to be comfortable and also because trousers make my legs look longer!'* (Woman with a trans-background, age 40-49).

*'I rely on [socially recognised gender stereotypes/signifiers] less, and bring my own personality out more. However, I feel this has to be within acceptable limits'* (Trans man, age 40-49).

This progression of increased flexibility in self-expression reiterates the findings of Hines (2007), and others presented in the chapter one, which suggested that over

time, rather than simply conforming to societal and interpersonal navigations of gender-expression, reflexive ownership (and authorship) of oneself as an intersectional 'text' gains dominance through an increased sense of freedom and congruence. Nevertheless, as the author has argued previously, in interpersonal interactions, social agent's authorship of themselves as a 'text' largely becomes suspended, giving way to the onlooker's authorship over interpretation, categorization, recognition, and acceptance. Passing is not the only way to avoid transphobic discrimination, however. Indeed, as is highlighted in chapter seven, many visibly gender-diverse trans-employees enjoy the support of those they interact with in the day-to-day work environment. It is suggested (based on the websurvey data) that if a trans-employee is perceived to seek to conform to 'normative' articulations of gender, they are likely to face considerably less resistance to the acceptance of their gender-identity, and subsequent reprisals, than where a trans person is perceived to not be trying 'hard enough'. Such judgements are reliant on the agency and sensibilities of the onlooker, and may fail to take into account a trans person's efforts to mediate a complex workplace culture and social-normatively 'discrepant' corporeal canvass.

Participants who were unable to pass, or to do so all of the time, approached and experienced their visibility in a variety of ways. For some, visibility is a source of pride and identity:

*'I am VERY proud of my trans history/status and do not in general want or need to conceal it. When speaking in public, which I do quite regularly, I find people in general very supportive, as are people in shops and in the street, provided I am open and positive about who I am. Moments of depression/anxiety, on the other hand, can sometimes provoke a negative reaction'* (Male-to-Female participant, age 50-59).

It is interesting to note from the above data-extract the ways in which a trans person's sense of pride and approach to their own (in)visibility can at times navigate the responses of others. It could be that, by being open and proud, this participant effectively diffused onlookers potential discomfort, and instead helped them see her as an unthreatening person rather than dangerous or uncertain other. In other words, in some instances trans people can act as a guide to the 'flexing' of the boundaries of the 'birth-linked' gender institution in a manner which may offset transphobia to a

degree. However, it is unfair to expect trans people to live their lives in a perpetual role of 'guider' and 'educator'. For other participants, being unable to pass/pass all of the time was a source of discomfort and/or stress:

*'I find myself preparing mentally for every possible eventuality during any day to ensure I pass completely. This can be very tiring'* (MTF trans person, age 30-39).

*'It does occasionally make for uncomfortable situations; For example, occasionally one of my clients will quite bluntly ask me, or my colleagues, if I am male or female'* (Woman with a trans-background, age 40-49).

Some participants, however, were unsure to what extent their visibility as a gender-diverse person/person with a trans-history had on their work experiences:

*'As far as I'm aware, it doesn't impact on my experiences at all. I didn't fit in before others knew, and this has not changed. I've never mixed with other people in this office, so my personal history should be of no consequence to them'* (FTM trans person, age 30-39).

*'Perhaps people may gossip about me behind my back, I don't know. It's not something I consciously worry about, although I know if someone were to say anything I would be devastated'* (MTF trans person, age 30-39).

The first data-extract above provides a vivid example of the ways in which people that may be considered 'set apart' from 'insider' status may struggle, or actively reject, meaningful workplace relationships in order to construct a buffer in their interactions. This reiterates the discussion of this issue undertaken in chapter two.

Feeling that one's gender-identity is recognised and accepted by others is an important issue for most people, but even more so for trans people, regardless of the extent to which they are able/choose to pass. Importantly, acceptance of a person's gender-identity is conspicuously interlinked with semiotically constructed and recognised gender. Acceptance signifies a societal and interpersonal 'validation' of individual gendered experience. A highly significant ( $P=0.000$ ,  $N=83$ ) statistical interaction was found between passing and feeling accepted as one's preferred gender. This interaction could be seen to 'highlight the overt and covert navigation of

[trans] towards the established folds of [visual] gender-binarism, essentially constructing [gender-variance] as *sous rature* (under erasure)' (Rundall 2005:17, drawing on Derrida 1998; in Rundall and Vecchietti 2010:133). Table 3 below details the extent to which the participant cohort felt their gender-identity was accepted by other members of their work-team, and further compares the responses of trans male and trans female participants.

Table 3: Extent to which Participants Felt their Preferred/Acquired Gender is Accepted by Others in the Workplace.

Accepted as Preferred/Acquired Gender by Others	All Participants	Trans male/FTM Participants	Trans female/MTF Participants
By all	51%	59%	49%
By most	26%	14%	32%
Mixed	17%	14%	15%
By a few	5%	9%	2%
By none	2%	5%	2%
Total	100%	100%	100%

(N=85)

The data shows that whilst more trans male respondents felt their gender-identity was accepted by *all members* of the work-team compared to trans female respondents (and indeed more than the average for the cohort overall), more trans women reported they felt accepted by *most* cis onlookers, or that their experience of acceptance was *mixed*. Moreover, more trans men than trans women reported that their gender-identity was accepted by *only a few* people at work, or *none at all*. It is not possible from the data to surmise how these findings are linked to constructions of hegemonic masculinities. However, it is suggested that these findings may be indicative of the propensity for cisgender people to visualise a societally stereotypical signified (a socially mediated mental image) of a trans woman who doesn't fully pass when conceiving gender-diversity. The result that more trans men felt their gender-identity was accepted by all members of the work-team could be indicative of the extent to which they pass more successfully than their trans female counterparts (as shown above). However, where the gender-diversity of an employee is known or visible, cisgender onlookers may privilege their iconic perception of who they consider to be 'a transsexual' – i.e.: a trans woman who doesn't quite pass. This may enable them to accept trans women's gender-diversity as valid, and subsequently accept

their gender-identities. However, trans men contest many cisgender people's assumption of who a 'transsexual' is. Subsequently where trans male employees do not fully pass, cis onlookers may behave in ways which demonstrate an increased difficulty in accepting the validity of trans male gender-diversity, and thus trans men's gender-identities. Trans men's and trans women's experiences of gender in the workplace can thus vary considerably. The author's conceptualization of the dominant iconic trans-signified, and its implications, are drawn upon throughout the remaining empirical chapters.

Many participants reported that they had noticed a considerable change in the ways in which others treated them once they passed as a member of their preferred binary gender and adhered to behaviours which stem from gendered expectations. Interestingly, whereas two out of six trans male respondents had noticed changes in the way all members of the workplace responded to them, only one out of six trans female respondents felt the same. Again, this could be indicative of variations in the extent to which trans male and trans female participants passed in their preferred/acquired gender-role. Furthermore, the result that more trans male participants experienced changes in the ways in which they were treated at work once they passed could signify their access to the 'patriarchal dividend', as discussed in relation to the work of Schilt (2006), and Connell (1995) in chapter two. However, both participant groups reported similar percentages where they had noticed that only some people treated them differently (36%:40%; N=8:26). Participants further elaborated on the ways in which people's interactions with them had changed once they passed. Overwhelmingly, these qualitative responses highlighted a positive shift in their interactions with others, and greater levels of acceptance, even if achieving these had been painful and convoluted:

*'I do not get the bullying and harassment I had when I was "female" as I no longer look ambiguous and therefore threatening/confusing' (FTM trans person, age 30-39).*

*'Then I was a freak. An object of fascination and certainly of ridicule by most senior managers (all male). Everybody wanted to talk to me, I became their 'toy', something that they could talk about to their friends. Reborn after redundancy, moving into work arenas where nobody knew of me and I passed*



*muster. I was truly accepted, respected and have never looked back'* (MTF trans person, age 50-59).

*'I was seen as weird and people were clearly uncomfortable when I looked androgynous at job interviews during my early stages of transition when I was unemployed. Once I reached the point of passing consistently, people became more comfortable around me and much more accepting and friendly towards me as they saw me simply as an ordinary young man'* (Man with a trans-background, age 25-29).

Again, this reinforces the earlier point of not giving/being seen to give 'mixed messages' in one's gender-related signficatory displays. However, this does not negate past and continuing experiences of trans-related inequality, and the potential for one's (in)visibility to be undone. One's gender presentation is always at risk of reinterpretation, which thus makes living as stealth a precarious and 'risky' position to be in (see Rundall and Vecchietti 2010; this issue is discussed further in chapter six):

*'initially no-one knew about my transition and so I was treated very warmly until an advisory teacher spilt the beans, and people suddenly went quiet when I entered the staff room'* (Woman with a trans-background, age 40-49).

*'In my experience, it doesn't matter whether you pass or not. If people know that you are trans they will see a trans person (= a freak) regardless of how good you actually look'* (MTF trans person, age 40-49).

*'Those that know me from the past are sometimes uncomfortable at the way I look now, particularly male staff'* (MTF trans person, age 50-59).

Literature reviewed in chapters one and two demonstrated the complexities of gender-identity recognition and acceptance and the ways in which individual experiences of, and responses to, gender, are set within and against wider societal expectations. For example, where visual, aural, or historical dissonance exists between a person's preferred/acquired gender and other's perception or knowledge, trans people's gender-presentation may be contested. The basis of contestation is frequently based on either an onlooker's unconscious or intentional 're-anchoring' of the trans person back to their birth sex-category. In other words, in the eyes of these transphobic biocentric onlookers, the trans person cannot *really* be the man or

woman they identify as. Alternatively, as Schilt and Connell (2007) reported, trans-employees may be enlisted by cisgender colleagues into the ‘overdoing’ of ‘acceptable’ binary gender-performance. In other words, where a trans person’s gender-expression is perceived to unsettle the binary gender status quo, in some instances colleagues may seek to expedite their trans-colleagues repatriation within the gender order. The data from this study presents a similar finding: participants reported cisgender colleagues’ ‘over-the-top’ interest in their transition, and desire (and perceived right) to know every piece of personal information.

Furthermore, colleagues were eager to know when the process would be ‘finished’, euphemistically referring to genital surgery as the point of completion. And yet as noted earlier, genitals are not usually on display in most workspaces, and indeed, there is no requirement for genital surgery in order to gain legal gender recognition. Moreover, many trans people choose not to undergo lower surgery because of the poor results and complications that may occur. Nevertheless, colleagues’ frequent obsession with the genital status of their trans-colleagues highlights the ingrained biocentric and genderist expectation of sex/gender/body congruence. As previously discussed, biocentrism and genderism are deeply ingrained social sensibilities, and one could posit that both contestation and re-anchoring, and enlisted repatriation, are alternative responses designed to mitigate the impact of gender-diversity (and experiences of mutual dysphoria) on the current dominant gender order.

## **Conclusions**

Following analysis of the quantitative and qualitative data from the study, this chapter has illustrated the ways in which trans people’s approaches to the (in)visibility of their gender-diversity is largely dependent on the extent to which they are able to pass and so be ‘invisible’ in terms of their gender. This determines whether or not they can choose to pass, or be out about their trans-status/history, all or some of the time. It is this (in)visibility that either marks trans-employees as trans/‘other’ in the eyes of cisgender onlookers, or as someone interpreted as a seamlessly contained ‘in-group’ member of the dominant gender status quo. Gender accountability through interpersonal responses to societal expectations of gender dominates interpersonal

interactions in all spheres, and is interactionally interpreted. To present or be read as presenting an 'incongruent' gender performance due to incongruous or un-muted gendered signifiers, can bring about a moment of conflict: of a sense of mutual dysphoria in the institution of gender for both the individual and onlookers. Whilst cisgender onlookers can and do accept the gender-identities of visibly gender-diverse trans person's as valid, in the case of 'visible' trans men, their deviation from the societally dominant 'transsexual' signified can mean that the acceptance of their gender-identity as valid is less forthcoming and so is precarious. Thus, the 'reading' and categorization by others can influence the treatment trans-employees' receive from others in the workplace, as will be further demonstrated in the following chapters in relation to individual experiences of discrimination, and protection, support, and inclusion.

## **Chapter Six: Discrimination and (In)Visibility**

### **Introduction**

Workplace discrimination is something that has been reported internationally by members of all social subgroups. In this chapter it is suggested that trans people's experiences of workplace transphobia are notably more common, and impact not only on their sense of selfhood, well-being, and individual experiences of gender, but also their social and employment statuses, and wider lives. Over half of the participant sample (58%, N=90) reported experiencing discrimination at work in a variety of ways, which they perceived to be specifically because of their trans-status/atypical gender-history. It will be argued that, within a biocentric and genderist societal framework underpinned by binary-rooted expectations of gender, in terms of societal gender-membership, the workplace exerts pressure of gender 'normativity' over employees, which for many cisgender people appears so ingrained that it is essentially invisible, and for whom acting in a 'compliant manner'<sup>153</sup> is unconsciously achieved. It is gatekeeping mechanisms which manage and maintain these 'civilizing' pressures. The dataset illustrated the various levels of gatekeeping influence, specifically in relation to colleagues and employers/managers, in relation to how participants felt they were treated in work-spaces. This helps to show the nuanced and complex layering of workplace situations.

Trans people participate in the employment sphere against a wider societal context in which gender-diversity is othered, as discussed in chapters one and two. Subsequently, cisgender people's perceptions of, and reactions to, gender-diversity and atypical gender-expression/history; in conjunction with societal frameworks and mechanisms; overwhelmingly police and/or invalidate those gender articulations and identities which can be seen as unsettling, unacceptable, or 'abnormal', and which thus threaten the immutability of the dominant 'innate' binary-gender status quo. Even post-transition, gender accountability continues to dominate interactions (see Connell 2010:46; West and Zimmerman 2009). Thus, the 'accomplishment', and 'managing' of gender, and individual and interpersonal experiences of gender, remain

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<sup>153</sup> That is usually congruent with normative gendered expectations of masculinity and femininity.

intertwined with gatekeeping mechanisms. As discussed in chapter five, it is this which can produce a sense of mutual dysphoria in the institution of gender, and which may thus incur potentially 'violent' policing. 'Congruent' performances of gender, which are perceived not to pose a significant threat to the binary order, may reduce the influences of gatekeeping and discrimination, but these simultaneously occurring tensions and navigations are complex to negotiate. Literature reviewed in the first two chapters of this thesis indicated the extent to which gender-diversity, and 'incongruent' performances of gender, may be policed. This policing can subsequently lead to a variety of negative repercussions for the 'transgressor', including ostracism, bullying, harassment, and in some cases, violence. The visibility of gender-diversity remains an unequivocal trigger-point for transphobic workplace discrimination.

As noted in earlier chapters, research conducted by Whittle *et al.* (2007) found that whilst trans people face inequality in all spheres of life, the employment sphere is the space in which the greatest levels of discrimination and inequality are found. Furthermore, as highlighted in chapter two, remuneration provided by employment overwhelmingly determines an individual's life choices. For trans people specifically, remuneration can provide a financial buffer where family and community ostracism is experienced, as well as enabling access to medical gender confirmation treatments where NHS funding is denied or significantly/perpetually delayed. Additionally, as previously discussed, a place in employment (or education) frequently forms a prerequisite to medical gender-actualization and subsequent legal recognition of a trans person's gender-identity (within the binary framework) (Gender Recognition Act 2004:2(1)(b)). In this chapter, drawing on the analysis of quantitative and qualitative data the implications of (in)visibility are considered in relation to trans-employees' experiences of discrimination in different facets of employment participation. These are: transitioning at work; transphobia in the day-to-day workplace; the impact of gender-diversity on employment progression and security; and seeking employment as a trans person. These areas were prominent in the dataset, and facilitate an exploration of trans-participants' experiences in relation to the main research question upon which this research is framed. A discussion of the findings in relation to these areas will contribute to an awareness of gender-linked interpersonal textual interactions in work-spaces. In addition, this research will also contribute to an

understanding of the implications of the doing, undoing, and redoing, of gender, and the ways in which people's gender may be undone or redone by others (Risman 2009; West and Zimmerman 2009, 1987; Schilt and Westbrook 2009).

## **6.1: Transitioning at Work**

The workplace, as with other spaces, is rooted in expectations of binary gender conformity and categorisability. To become suspended from this framework in the gaze of cisgender onlookers may not only cause a person's membership within the gender-framework to be contested/revoked, but also place them at loggerheads with what Hancock and Tyler (2007:512) suggest are 'organizationally compelled ways of un/doing gender': in other words, the workplace's gender regime. 'Coming out as [trans] sometimes mitigates, rather than incurs, ambiguity in gender-presentation' and thus assuages others' discomfort (Connell 2010:41), particularly where an employee has been previously perceived to present in a manner incongruous with gender 'norm' expectations. However, for many trans people, transition is the moment at which the contestable nature of their workplace's gender regime is made visible. Indeed, visible gender-diversity can be interpreted as a threat to the apparent smooth functioning of organizational gender aesthetics: of categorisable and social-'norm' conforming employees (see Hancock and Tyler 2007:512). The following discussion illustrates the ways in which discrimination and (in)visibility shape employment participation and experience.

### **6.1.1: The Perceived 'Safety' of Workplace Gender-Actualization**

It is unsurprising that the fear of discrimination and negative reprisals were a major navigating and policing factor that influenced whether participants felt able to seek to express their gender-identity in the workplace<sup>154</sup>. For example, one participant stated:

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<sup>154</sup> Whittle et al.'s research also records participants' fear of discrimination and subsequent employment insecurity, with as many as 38% of trans-employees experiencing harassment during their transition (Whittle et al 2007:23).

*'It is the reason why I did not transition completely sooner. I originally transitioned when I was 18, but experienced a lot of negativity at that time, and very little professional support was available. But one of the reasons I changed back was that my vocation had been to teach and I never thought I would be able to do both. It took me 10 years to realise that it could be possible'* (Male-to-Female trans person, age 30-39).

As discussed in chapter two, Connell's (2010:47) research found that, regardless of their (in)visibility, trans people's 'workplace interactions sensitized them to gender discrimination'. Thus, an employee may be reluctant to transition not only because of their own perceptions or experiences of the stigma attached to gender-diversity and subsequent repercussions, but also because of the experiences and concerns of others. And yet, as data presented in chapter five showed, 68% of respondents felt they *were* treated differently by some or all members of the workplace after announcing their intention to, or commencement of, transition. An overwhelming number of these participants reported negative treatment. The following are participants' examples of the organizational responses they received with regard to their transition:

*'Treated as a joke, gossiped about'* (Woman with a trans-background, age 40-49).

*'People were ok to my face but some were nasty behind my back'* (Woman with a trans-background, age 30-39).

Moreover, for some participants, coming out as trans presented a very real threat to their employment security, with a number losing their jobs at this trigger-point:

*'I began transitioning . . . was forced out via redundancy'* (FTM respondent, age 40-49).

*'Public hate campaign forced out of work'* (MTF individual, age 40-49).

*'made redundant because management. . . didn't want a transsexual to be the public face of the company'* (MTF participant, age 50-59).

Thus, organizations, and the personnel within, interact to gatekeep the extent to which gender-actualization is perceived to be possible, and how possible it is experienced to be in actuality (see also earlier discussions of Karen 1990; Crombez *et al.* 2006; regarding organizational gatekeeping mechanisms).

### **6.1.2: Coming Out as 'Trans' at Work**

Despite participants' fear of discrimination, however, the majority (84%, N=93) of the participants had undergone some part of their transition whilst at work, and have therefore experienced the expression of their gender-identities in relation to workplace structures and interpersonal relationships. Connell (2010:38) recognises implicit tensions, stating: 'the decision to be "out" as trans...must be individually negotiated [in relation to] complex and' at times 'contradictory' factors such as: 'financial; psychological; political; and personal considerations'; as well as with the violence, stigma and oppression historically faced by trans people. For many trans-employees, disclosing their intention to transition to their employer in confidence is the first step taken in the process of transitioning at work, including commencing the real life test. However, the fear that their employer may breach this confidence and out them to the wider workforce may prevent trans people from feeling able to take this initial step. This may frequently delay, or even prevent, an individual's gender-actualization (see Whittle *et al.* 2007). Twenty out of thirty-five participants reported that their employer had not kept their intention to transition confidential, or that they were unsure.

These findings indicate participants' perceptions of a lack of awareness and respect on the part of some employers, as well as the strength of taboo associated with gender-diversity, and are similar to the findings of existing research (see Whittle *et al.*, 2007; Whittle 2000). For example, chapter one acknowledged Garfinkel's (1967; in Tee and Hegarty 2006:71) recognition of the highly moralized default assumptions (in the West) that surround the view of two (and *only* two) genitally derived 'categories of sex' as legitimate. This taboo and illegitimacy appears to lead employers to feel compelled to gossip: breaching a trans-employee's trust. Indeed, it could be argued that an employer's genderist view of gender-diversity can mean that the trans-



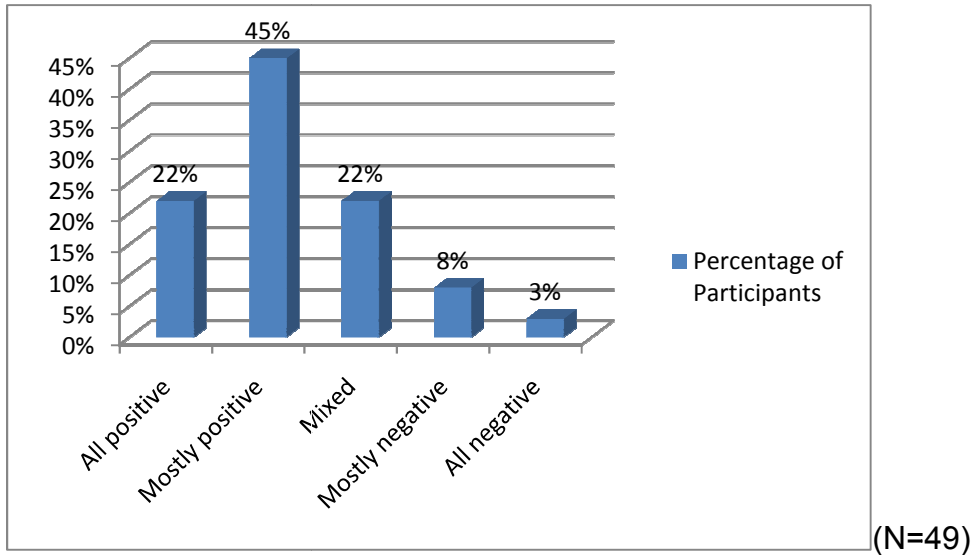
employee is no longer respected, and therefore no longer 'worthy' of confidentiality. Moreover, with the employer secure in their dominant 'insider' status and the trans person constructed as an 'outsider', an 'other', little if any sense of risk from this breach of trust would be anticipated.

Nevertheless, the support trans-employees receive from their employer intimately determines the ways in which they are likely to be treated by colleagues and supervisees (see chapter seven). For example, Schilt and Westbrook (2009:459) argue that if a trans person gains the support of people in dominant positions in the workplace, they may experience increased acceptance and better treatment from their colleagues. Indeed, it was found that thirty-eight out of seventy-seven participants were still in the same workplace in which they had transitioned, demonstrating that whilst difficulties may be experienced, gender-diversity at work can be, and is, negotiated to a potentially satisfactory state. Where top-down support is lacking, however, trans-employees may experience 'resistance' from colleagues, even where there has been a previously positive work-relationship (Schilt and Westbrook 2009:459). In essence, these 'dominant' individuals 'gatekeep' the potential for acceptance or resistance (subject to other individuals' own views on gender-diversity). Moreover, individual experiences of workplace gender are navigated by organizational regimes of power and gender 'normativity'. Nevertheless, concerns about how colleagues and supervisees may react when told of one's intention to transition, or of one's trans-identity, can act as a deterrent to gender-actualization. Others' responses can be complex, as illustrated by the following data-extract:

*'Some people were nervous around me, some rejected me completely, some were more friendly/supportive towards me'* (Male-to-Female trans person, age 30-39).

Figure 3 further demonstrates the range of responses participants faced when they came out about their trans-identity. Whilst a large proportion enjoyed positive responses from their cisgender colleagues, others received mixed or negative responses. This information, combined with the data which follows in this chapter, demonstrates the frequently difficult nature of trans people's workplace experiences.

Figure 3: Overall Reactions of People at Work Whom Participants Had Informed of Their Intention to Transition



A similar pattern was found in the data regarding whether participants felt that their intention to transition was treated with respect, or whether they were ridiculed, undermined, and the validity of their gender-identity, or propriety of seeking gender-actualization, was called in to question and contested by others. Again, whilst a significant proportion of participants reported respectful (25%, N=49), or mostly respectful (49%) responses, a quarter did not. Instead, these individuals faced sanctions on the basis of onlookers' perceptions and experiences of their own gender dominance and 'validity'. This illustrates the need for wider societal progression and awareness regarding gender-diversity. As discussed in Rundall and Vecchiotti (2010:140), the data highlighted that the 'perceived 'unsettling' of the gender-binary in the workplace by the trans people's intention to, and commencement of, transition can create an anxiety that inculcates a 'hostile' response from colleagues and employers. Individual gender-identity is not only personal, but highly publically political. This reiterates the unsettling of gender as a 'taken for granted' framework in the work environment, and to the perceived 'face' of a company. For example, an MTF participant (age 50–59) reported that she was:

*'Told not to allow other organisations or customers to see me. Made redundant'*

Based on the primary research findings, it is suggested that the enactment of policing takes place on both conscious and unconscious levels ever rooted in dominant ideas

of gender and assumptions of identity validity (see also Rundall and Vecchietti 2010). For example, in addition to those who lose their jobs at the point of transition (discussed further below), there are those who face more insidious levels of discrimination on a daily basis:

*'I was initially ostracised. Over time, bullying and harassment became more subtle' (Woman with a trans-background, age 40–49).*

Another participant faced a combination of both overt and insidious discrimination in relation to her transition in an effort by management to force her from their employ, despite the law being on her side:

*'A petition was circulated . . . to ban my access to the Ladies changing rooms/toilet . . . Local management then tried to dismiss me for not declaring I was taking hormones on my medical application . . . Management tried this year to dismiss me on medical grounds [for a separate medical condition] . . . They've tried to start disciplinary action again . . . but backed off when I confronted them. I expect them to try again' (MTF employee, age 50–59).*

The significant and under-researched gulf between legislation and practice is discussed in later chapters, but the above data-extract indicates the kind of sustained harassment and discrimination which trans-employees may face when seeking to actualise their gender at work. Additionally, a considerable proportion of participants indicated that colleagues inappropriately ignored their right to privacy, which can cause the trans-employee stress and discomfort. One participant stated:

*'People felt they had a right to know every fact about me' (MTF professional, age 50–59).*

However, for other participants, colleagues' interest in their transition can be experienced as supportive, and can ultimately lead to a smoother transition, and increased job security:

*'They became very interested in what I was doing and asked a lot of very good questions. They were all very positive I felt. I was open to them and felt that this approach paid off as when it finally came to transition they were pestering as to when I was actually going to change fully. I gradually changed my appearance so that it was not a huge change or shock and that worked well too. When I did return on the first official day of transition it was sort of a 'non-*

*event'. They had already been calling me by new name for the past few weeks, I already wore a female nurse's tunic so the actual day was a bit of a non event really. All that happened was that I was given my new name badge, my email address was dealt with and I went and got my photo swipe card changed. It all went very well I found'* (Male-to-Female employee, age 40-49).

The above data-extract reinforces the earlier argument (chapter two) that work colleagues can frequently desire closure over the transition process. This 'closure' enables cis-colleagues to feel secure in the dominance of their own experiences of gender, both as an identity, and as a societal and workplace regime. Indeed, as noted in chapter one, to resist or to unsuccessfully conform to gender expectations 'is to be perceived as a social failure' (Davies 1989, drawing on Huang 1987, Walkerdine and Lucey 1989). Nevertheless, cisgender individuals' sense of a 'procedural right' when exerting power (and potentially gatekeeping) over the gender-articulations and transition of their trans-colleagues in the employment sphere can be expressed and experienced as both positive and policing.

### **6.1.3: Time Off**

In addition to intra-workplace transitions, trans-employees potentially require time off as part of the transition process. This is in addition to other appointments/commitments. Barriers to absences are also experienced by cisgender employees, but it is suggested that negative responses may be felt more profoundly by trans-employees due to the profound implications surrounding the ways in which their selfhood is perceived, and the personal costs that may subsequently arise. As discussed in chapter two, there is a potential for some employers and colleagues to view absences associated with transition as elective and thus a postpone-able inconvenience. In other words, pathologised gender-identities and their expression are situated as 'invalid' and 'inconvenient'. Interestingly, very few participants felt they had been treated differently to their colleagues by their employer, and yet, a number of participants did report interpersonal barriers to time off from both their employer and colleagues. The following data-extracts illustrate the experiences of these respondents:

*'I feel that time off is treated with suspicion, a sign of my 'weakness'. The reasons I give for time off seem to not be believed'* (Female-to-Male trans person, age 30-39).

*'There is much rolling of eyes, tutting and sarcastic comments and I have to use my holiday entitlement so I get less holiday time away'* (Male-to-Female trans person, age 30-39).

These data-extracts indicate the difficulties which some trans-employees may face when seeking time off, which may result in trans-employees feeling obliged/required to take holiday leave in order to attend medical or other appointments, where their cisgender colleagues might not feel obliged or be required to do so<sup>155</sup>. Although only a few participants reported that they had experienced this, barriers to time off are an important issue nonetheless. Thus, a lack of support and perceived/enacted pressure can further gatekeep aspects of the transition process.

#### **6.1.4: Changing Name and Gender Details at Work**

In addition to coming out as trans, changing one's name and gender at work is a profound and crucial part of the real life test, and gender-actualization overall. Since the GRA, however, some employers have erroneously requested that trans-employees provide a gender recognition certificate *before* they will agree to change any necessary details at work (Whittle 2008; Whittle *et al.* 2007). Not only does this contradict the requirements of the GRA, but it also presents an unfulfillable barrier to the process of gender-actualization. The data collected in this research project showed that for the majority (63%, N=76), the process of changing their details formally at work was without complication. This is surprising set against other aspects of discrimination reported in the data.

However, once an employee has changed their name and gender at work, the possibility remains that they will be referred to inappropriately. A considerable proportion of the websurvey respondents had experienced this in both informal and formal work-situations (twenty-five and twelve out of sixty-nine participants

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<sup>155</sup> This would be contrary to the provisions of the Equality Act 2010.

respectively). Without the presentation of overt sex-category linked signifiers to enable gender classification, colleagues may resort to biocentric iconic knowledge, and it is only through heuristic interaction that arbitrary knowledge may replace habitual patterns of perception and categorisation (Herald 2005:168; Hoffman and Pasley 1998:189). In other words, ingrained societal prejudices and preconceptions of gender expectations and gender appearance may only potentially be addressed through interaction with gender-diverse individuals, or positive media depictions. It is therefore unsurprising that instances of miss-reference may be experienced during the transition process, where visible gender incongruity, shifting interpretations, and gender-categorization, may lead to tensions: to both intentional and inadvertent re-anchoring of a transitioning person to their birth sex-category; to the contestation of a trans person's preferred gender-membership (see chapter five, also Schilt 2006; Schilt and Connell 2007).

For many participants, the use of an incorrect name or pronoun was a genuine mistake and due to cisgender colleagues 'getting used' to their new gender, as highlighted by the following data-extract:

*'Some colleagues who had known me for years occasionally lapsed and used my former name but (normally) realized immediately and apologized. This died off after a few months'* (Woman with a trans-background, age 30-39 years).

In other words, personnel's' collective experiences of workplace genders are illustrated by this data-extract as interactively constructed. However, for others, people's use of an incorrect name or pronoun was felt to demonstrate ingrained transphobia, and the rejection of the validity of a trans-employee's gender-identity:

*'My manager took the trouble to tell all locum doctors that I worked with that I was TS, I was often referred to as he in front of patients'* (Woman with a trans-background, age 40-49 years).

*'I had to make a formal complaint about the Factory Nurse who used my former name in front of new colleagues even when I was standing in front of her in an overall with my name on! My employer was the only one who wrote to my GP to obtain verification of validity of provisional diagnosis. I have confronted those on the shop floor who have continued to use "Him/He" or former name so no one does that now'* (Male-to-Female trans person, age 50-59).

*'The references to "it" were made in my presence with the clear indication that the reference was to me'* (Male-to-Female trans person, age 40-49).

Such instances constitute transphobic harassment, and can lead to significant stress and discomfort for trans-employees and may ultimately mean that a trans-employee feels unable to continue their transition at work, potentially jeopardising both their medicolegally-linked gender-actualization, and their (and their family's) financial security (see also Whittle *et al.* 2007:31). Additionally, where HR has failed to remove previous name and gender details from their files, or has not restricted access to those documents it cannot amend, breaches of confidentiality and confusion may continue long after the initial point of transition. In other words, a person's gender-expression can be both interpersonally and institutionally 'undone'. This is an issue in which trans people need to feel, and actually be, supported by their employer, but support remains inconsistent, and at times unforthcoming (see chapter seven).

#### **6.1.5: Onlookers' Responses to Trans-Employees' Visible Changes**

Gender is a societally governed and structured 'textual practice' (Pullen and Knights 2007:507), and the body, and accompanying visual, as well as audible, cues, are both symbolic and agentic tools (see Cromwell 1999; Messerschmidt 2009; Reischer and Koo 2004). Butler (1990) asserts that bodies become comprehensible through gender. This is dependent upon a repetition of 'corporeal signs' (Butler 1990:136). For most cisgender individuals, this repetition is something that is unconsciously enacted. And yet, during transition, it is suggested in this thesis that the complexities presented by shifts in gender-signification and the potential for incongruity to be perceived by onlookers renders 'normative' constructions of gender (if only momentarily) *incomprehensible*. Thus, trans and cisgender colleagues are forced to 'negotiate gender-identity' (against entrenched gendered ideas and expectations) during the visible (or known) transition process (Schilt and Connell 2007:597).

Whilst transphobic discrimination and inequality are a considerable problem for trans-employees, this research study has also demonstrated the potential for positive workplace experiences and responses of others. The data showed that the majority of participants (72%, N=78) received positive responses to their externally visible changes, which is suggestive of cisgender onlookers' preference for gender congruity and the 'completion' of transition (or a visible progression towards both of these)<sup>156</sup>. Thus, it can be argued that there is a shared appreciation of the accomplishment of a gendered performance that is perceived to acknowledge and 'stabilize' the institution of gender. This is tempered by the finding that the visibility of gender-diversity frequently acts as a catalyst for transphobic discrimination, and thus many trans-employees run a 'gauntlet' of potential prejudice in the process of their gender-actualization and externally visible transformations. Additionally, despite the fact that many trans people choose not to undergo lower surgery, in addition to the fact that genitals (usually) remain hidden in workplace interpersonal interactions, the data showed that some colleagues may seek to determine whether such surgery has been undertaken before assuming a sense of conclusion to the transition process, influencing their categorization of their trans-colleague. Importantly though, social agents frequently draw on both unconscious and automatic (and in many ways essentialist) methods of interpersonal categorisation (Herald 2005). The following data-extract indicates the ways in which gender-congruent signification can mitigate others' discomfort or confusion, and resituate the trans-employee from a state of suspension to presence:

*'Most people didn't comment - complete non issue. A few commented positively. Before the physical changes, some people stopped calling me by name - didn't address me as anything. Some people were slow to change the pronoun' (Man with a trans-background, age 50-59).*

#### **6.1.6: 'Palatable Transness' and 'Elastic Othering'**

Based on both analysis of the research findings and the literature reviewed in chapters one and two, it is argued that cis responses to gender-diversity are

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<sup>156</sup> However, as discussed in chapter one, transition is not a finite or rigid process, and thus for some trans people, there is not necessarily a point of definite completion.



frequently intrinsically governed by perceptions of what the author terms 'palatable transness'. 'Transsexuality' is increasingly understood within the wider UK societal consciousness as a blameless and biologically innate, medically treatable, condition, as highlighted in chapter one. Whilst still designated as 'other' against the expectation of 'normative' sex/gender/corporeal congruence (and subject to inequalities and discrimination on this basis), the cisgender collective predominantly understands 'trans' as a desire to cross from one social gender-category to its opposite; to re-conform with, rather than unsettle, the binary gender status quo. Thus, trans people's gender articulations which are perceived to adhere to this template<sup>157</sup> are recognisable and interpretable, and ultimately pose less of a threat to the gender-framework, and to a cisgender person's dominant place within this (albeit against experiences of mutual dysphoria), than articulations of gender-identities less contained within, and anchored to, this framework (for example, those of genderqueer and polygender individuals). It is this assumed understanding, recognition, and ultimately, recontainability, which can facilitate the designation of one type of gender-diversity as more 'palatable' than another. (In)visibility is key here, although by no means a necessity, as the more a trans person is read as a recognisable (or seeking to be a recognisable) member of their preferred gender-category, even with known or visible aspects of their gender-diversity, the more 'palatable' their 'transness' is likely to be in the eyes of cisgender onlookers.

Interconnected with this is a process that the author terms 'elastic othering'. By this she means the extent to which a trans person is perceived to be, and is treated as, 'other' within the genderist and biocentric gender arena. This includes the manner in which the strength of this designation can shift, oscillate, or be removed, depending on spatial, interpersonal, and semiotic factors. Elastic othering is intrinsically related to (in)visibility, including the knowledge of an individual's gender-diversity or atypical gender-history. The extent to which a trans person is othered can depend on the extent to which they appear as (in)visibly gender-diverse, and can vary between formal and informal work situations. Interpersonal connections are key: otherwise supportive cisgender colleagues may feel policed by the responses of others, and thus feel less able to openly behave positively, for example due to courtesy stigmas

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<sup>157</sup> And to the binary gender institution.

(see chapter seven). Shifts can also occur when a person's gender-diversity/history is highlighted, for example: by discussion of people's past experiences; due to offhand remarks or 'incongruous' references; or where the visible expression of a trans person's gender-identity becomes momentarily undone by an onlooker's gaze. This 'elasticity' can mean that the treatment a trans-employee receives varies not only from person to person, but also within different spatial and temporal contexts in relation to the same person, (see chapter seven). Therefore, on this elastic scale, gender-transition is a point at which a trans person may be most potently situated as other. In order to consider further the interactional influence of gender-diversity, (in)visibility and discrimination, participants' experiences of transphobic discrimination and inequality in the day-to-day workplace are presented and discussed below.

## **6.2: Transphobia in the Day-to-Day Work Environment**

Many firms claim to be trans-friendly, but whilst discrimination is illegal in the UK, the pervasiveness of transphobia in the employment sphere demonstrates that firms are not as trans-friendly as they might wish to appear (Whittle *et al.* 2007:31). Unfortunately, it is within this widely transphobic climate that trans people are frequently compelled to actualize their gender-identities. In this sphere, as with other spaces, societal beliefs are both enacted by social agents individually and collectively, and become embedded in organisational structures and practices, thus creating and perpetuating multiplicitous inequality and discrimination (Schilt 2006:485; citing Martin 2003, Valian 1999, Williams 1995; GIRES 2008b:48). Crucially, trans-employees must (and indeed are compelled to) remain cognizant of their organization's gender regime and associated expectations in their gender articulations: to be perceived to deviate is likely to attract negative responses (see chapter two). It is in this manner that gatekeeping exerts its multifaceted influence. Subsequently, the employment context, and other's awareness of a person's trans-status/history, combined with the trans person's appearance, all contribute to the interactions they are likely to have with others, and the ways in which they may be treated.

### **6.2.1: Key Types of Transphobic Discrimination**

In seeking to lay claim to membership of their preferred gender, trans-employees run the gauntlet of what the author argues is intertextual gender accountability rooted in societal binary gender structures. Cisgender individuals maintain a position of relative privilege: it is they who fundamentally gatekeep, via acceptance and recognition, the accessibility of gender-membership for trans people in the workplace (see also Rocco and Gallagher 2006:32). They can choose whether or not to fight inequality and discrimination (Rocco and Gallagher 2006:32), and it is the ways in which they include or exclude trans-employees that largely determines the latter's sense of empowerment in the workplace (see Peterson *et al.* 2005:241). Cisgender individuals can to some extent also choose whether or not to accept trans-colleague's identity and gender articulations, regardless of the presence or absence of congruous or incongruous external signifiers (see Connell 2010:52). Connell (2010:32, paraphrasing West and Zimmerman 2009) asserts that 'the accountability structures that maintain gender may shift to accommodate less oppressive ways of doing gender...but [that these] are never entirely eradicated'. Therefore, trans-employees are likely to concomitantly face both inclusion and exclusion, and recognition and resistance, in different interpersonal and intra-workplace contexts, resulting in complex matrices of fluctuating gatekeeping influences.

Recent research shows that the levels of discrimination reported by trans-employees fall slightly after the initial point of transition (Whittle *et al.* 2007:23). Although this PhD data shows that not all trans-employees face discrimination at work, a significant proportion of participants (58%, N=90) felt they did. This is *significantly* higher than the levels recorded in studies without a trans-focus. For example, the 2009 Oxford Brookes University Staff Satisfaction Survey recorded a level of 7% of staff who said they had experienced harassment or bullying at work (Capita 2010:46). Table 4 details the types of discriminatory and negative responses that participants had faced, as well as comparing the findings between trans male and trans female respondents.

**Table 4: Types of Discriminatory and Negative Experiences Reported by Trans-Participants**

<b>Types of discriminatory/negative experiences reported</b>	<b>Percentage of Participants</b>	<b>Percentage of FTM Respondents</b>	<b>Percentage of MTF Respondents</b>
Being ignored/given silent treatment	22%	29%	20%
Having work related requests constantly unfulfilled	17%	24%	14%
Being the focus of comments/gossip	41%	43%	41%
Bullying/harassment	20%	19%	22%
Work criticized unfairly/unjustified complaints	26%	19%	28%
Verbal abuse	14%	10%	16%
Sexual abuse	1%	0%	2%
Threatened with physical abuse	4%	0%	6%
Physical abuse	2%	0%	3%
Other	6%	5%	5%

(N=52)

The findings for the cohort are similar to those found by Whittle *et al.* (2007:53). Whilst the data shows broadly similar experiences when split by gender-identity, it is interesting to note that sexual abuse, threats of physical abuse, and actual physical abuse, were reported only by trans female respondents. It is important to remember that individuals in non-dominant employment roles remain powerful, and contribute to the workplace climate, and through their behaviour and responses gatekeep trans people's workplace inclusion. Thus, ostracism and disrespectful behaviour perpetrated by employers and co-workers may escalate due to a pack 'othering' mentality. The following data-extracts illustrate some of the experiences which participants reported after selecting the option 'other' when asked about the types of negative experiences they had faced:

*'Car vandalised [in 2000-2001]' (Woman with a trans-background, age 40-49).*

*'A nurse's uniform (dress) was left in a prominent position with my [previous] name prominently displayed next to it [2007]' (Male-to-Female trans person, age 40-49).*

These data-extracts highlight the vicious nature of transphobia: where a date has been provided these have been included to show that these types of discrimination continue today.

Interestingly the data showed that there was some variation in the levels of different types of discrimination experienced between employment sectors (as highlighted in chapter four). Table 5 below illustrates this variation.

Table 5: Comparison of Discrimination between Employment Sectors

<b>Type of Discrimination Experienced</b>	<b>Public Sector (N=32)</b>	<b>Private Sector (N=48)</b>	<b>Voluntary Sector (N=7)</b>
Being ignored/given silent treatment	28%	17%	29%
Having work related requests constantly unfulfilled	22%	13%	14%
Being the focus of comments/gossip	47%	35%	43%
Bullying/harassment	34%	10%	14%
Work criticized unfairly/ unjustified complaints	41%	17%	14%
Verbal abuse	19%	13%	0%
Sexual abuse	3%	0%	0%
Threatened with physical abuse	9%	2%	0%
Physical abuse	6%	0%	0%

Public sector trans-employees were significantly more likely to face the above types of discrimination compared to their private sector counterparts, and in many cases compared to trans-employees in the voluntary sector. It appears that public sector co-workers are choosing not to fight discrimination, but rather engage in discriminatory practices and behaviours. Whereas a previous study conducted by Whittle (2002) had demonstrated that trans-employees experienced greater discrimination in the private sector<sup>158</sup>, Whittle *et al.*'s (2007) more recent study found the same bias towards discrimination in the public sector, as the data reported here. It is therefore unsurprising that there has been a trans-migration out of the public sector, and that the majority of the respondents were employed in the private sector at the time of participation.

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<sup>158</sup> Whittle theorised that this was due to public sector organizations adopting equality policies earlier than their private sector counterparts.

### **6.2.2: Workplace Discrimination and Onlookers' Mediation of (In)visibility**

Even post-transition, gender accountability continues to dominate interactions (see Connell 2010:46; West and Zimmerman 2009) post-transition. Furthermore, the circumstances of a person's post-transition employment and trans-visibility are pivotal factors in the treatment they may experience. Gender-expression continues to be negotiated and enacted interactionally, and is necessarily mediated both internally and externally in terms of the visibility of individual's gender-diversity/history. It is argued that to be seen to seek to conform to expectations surrounding the institutionalized gender-binary, rather than actually achieving the invisibility of gender-diversity, is key in offsetting potential ostracism (although this may be largely unavoidable)<sup>159</sup>. It is important to note here that many participants were out about their gender-diversity/atypical gender-history to varying degrees at work, as illustrated by table 6 below. It is thus against this (in)visibility that participants' workplace experiences are formed.

**Table 6: The Extent to Which Participants are Open about their gender-Diversity at Work**

<b>Open at Work/ In Work-Life about Trans-Status/History</b>	<b>All Participants</b>	<b>Trans male/FTM Participants</b>	<b>Trans female/MTF Participants</b>
Yes totally	23%	19%	25%
Yes to some people	28%	31%	28%
Yes, with employer/HR only	3%	4%	3%
No	26%	31%	23%
I do not pass, so am effectively outed at work	2%	4%	2%
Other	18%	12%	19%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

(N=94)

Onlookers' acceptance of a trans person's gender-identity is a key basis for diminishing transphobic discrimination, regardless of whether the person fully passes as their preferred gender. Nevertheless, as discussed in chapter five, acceptance of a person's preferred gender-identity is not always forthcoming. And yet, (in)visibility does appear to influence the types of experiences many trans people face at work. Additionally, (in)visibility is also subject to the interpretation and indeed potentially aggressive mediation of onlookers. This research demonstrates that the extent to

<sup>159</sup> Therefore, attempted but incongruous gender performances may be accepted at work.

which a participant passed in their preferred gender-role greatly impacted on the treatment they received from others at work, and the types of negative experiences they reported. This was not only because colleagues did not know that a person was trans or had a trans-history; in many cases trans-employees had been open about their gender-diversity, or had been outed by someone else.

Being able to pass successfully, even when known to be trans, positively impacted on many participants' experiences at work, as demonstrated by the following data-extracts:

*'I have known most of the people I work with for many years pre-transition and there has been little difference in how I am treated by my close colleagues, although they no longer expect me to move equipment around the labs. Where there has been a marked difference is in the way I am perceived by staff from outside my immediate team'* (Woman with a trans-background, age 30-39).

*'I believe they are less embarrassed to be seen talking to me, as harsh as that may sound'* (Male-to-Female trans person, age 30-39).

Whilst the former participant felt that she was treated in a manner respectful of her preferred gender, the latter participant's comment is heavy with the weight of her pre-passing experiences. As highlighted below and in chapter seven, colleagues may experience discomfort if seen to be interacting (particularly positively) with trans-workers, akin to the perceived impact of courtesy stigmas theorized by Goffman (see chapter two). It is therefore unsurprising that for a great proportion of participants who were unable to fully mediate their (in)visibility and pass all or some of the time, their experiences highlighted continuing misinterpretation, contestation and ingrained transphobia prevalent in the workplace:

*'It means that often people don't realise I'm trans when I first meet them, and assume I'm female. At meetings with people, this means I either have to out myself to everyone there, or choose to be treated as female. I'm currently discussing the best way to approach this with HR and the diversity officer'* (Female-to-Male trans person, age 30-39).

*'I was so severely bullied by the staff I was fired because of the amount of sick leave I was taking. I think if the staff were trying to run you off the road when*

*you were trying to cycle home...it's little wonder I was sick!* (Trans man, age 40-49).

Fundamentally, the finding that passing impacted on the types of negative treatment experienced by trans-employees continues to support the notion that the policing of gender, and its expression, are both multifaceted, and contextually relative. This is intimately governed by individual and collective onlookers' perceptions of trans 'palatability'.

Passing, and presenting as stealth at work is not a secure position, and individuals can feel at risk of reinterpretation or being outed (see Rundall and Vecchietti 2010; Vecchietti 2008). Onlookers may choose not only to withhold acceptance of a trans person's gender-identity, but they may also seek to undermine their self-mediation and (in)visibility. This may be enacted through, or with the collusion of external agencies under confidential circumstances governed by law. For example, the following participant became subject to other's contestation of his gender-identity twenty years after his transition, which had severe implications for his employment security and the treatment he subsequently received:

*'I had to have a CRB check done and the CRB told my personnel manager who told my boss. I was called a 'pervert' and made to feel uncomfortable in my job. The union rep was unsupportive and equally verbally insulting. I felt that I had no option but to accept a package that was presented for me to leave with a payment of two months' salary and the promise of a good reference. I had not done anything wrong, except not tell my boss [about my transition] (after 20 years post-op)'* (Man with a trans-background, age 40-49).

The act of threatening or actually outing a trans person is a transphobic act, and as such is deeply upsetting and potentially damaging. Not only may it cause severe personal distress, but it may also lead to wider negative repercussions. Whilst very few participants had experienced this, it is important to bear in mind the egregious and devastating nature of being threatened or actually outed, as highlighted by the following data-extracts:

*'Manager from another company operating in our building...went to the press in 2000 but they didn't name me. It was in a row over me being told it was ok to use the ladies toilet'* (Woman with a trans-background, age 40-49).



*'In 2005 a senior assistant manager who works with me on daily basis said that she could tell who she liked when she liked and there was nothing anyone could do to stop her, even to the extent of telling her child to spread my trans status around school'* (Female-to-Male trans person, age 50-59)

According to respondents, being threatened or outed had affected their work life in a variety of ways:

*'I've pretty much had to give up [the work] part of my life. Having my trans status easily discoverable online would make my more lucrative normal [literary] work hard to obtain. Also the person who outed me wasn't content with outing me - he identified my family as well. My daughter is still at school'* (Male-to-Female trans person, age 40-49).

*'Was embarrassing and awkward. Luckily, I had established myself sufficiently in the workplace and had good friends among my colleagues so the gossiping quickly died down and everyone quickly accepted that I was still the same bloke they already knew even with the new bit of info regarding my trans background'* (Man with a trans-background, age 25-29).

*'Basically if I get outed in any given work or social group I have to move on. The level of transphobia in society is very high and it is more important that I earn a living than that I make a martyr of myself'* (Male-to-Female trans person, age 40-49).

Retrospective privacy of an individual's trans-status/history is unachievable, and thus a person is likely to continue to be openly judged on their gender-expression after being outed, even if they receive support from their colleagues and employer. Additionally, being outed is something which holds the potential to cause negative repercussions well in to the future, not only at work, but in trans-employees' social lives, as illustrated in the above data-extracts. The majority of cisgender employees do not face potential daily contestation of one of the very roots of their identity and selfhood. The data-extract provided by this FTM participant (age 30–39) implies a significant discrepancy between cis and trans experiences:

*'not everyone has to go through all this crap and carve a career at the same time'.*

Thus, protections are crucial, as discussed in chapter seven.

### **6.2.3: Use of Facilities at Work**

Earlier in this thesis the ways in which gender is not only a 'doing', but also a 'done to' was discussed. Moreover, gendered spaces such as lavatories or changing rooms are sites in which gender may be ascribed, but also where individual gender-validity may be problematised: this was found in this PhD data (see Browne 2004). Trans women in particular face challenges to their use of these facilities on the basis that these are women only spaces (see Gottschalk 2009:167). Whittle *et al.* (2007:15) found that, despite the increase in trans-focussed equality legislation, one in four trans-employees 'have been made to use an inappropriate toilet in the workplace, or none at all, in the early stages of transition'. This finding indicates the strength of structural gender maintenance enacted by individual and interpersonal expectations of binary gender. The PhD data showed that fewer of the participants had experienced others' intervention over their use of facilities than Whittle *et al.*'s sample, and yet remained proportionally high within the cohort (17%, N=85). Furthermore, this data found that a slightly greater percentage of trans male than trans female participants had faced intervention (17%, N=23 compared to 14%, N=58). This is a reversal of the findings of literature reviewed earlier in this thesis, and indicates the strength with which 'male' sites and spaces may be structurally and interpersonally policed.

Research by Whittle *et al.* (2007) and Browne (2004) has shown that employers and colleagues may feel discomfort and even anger regarding a trans-employee using the facilities of their preferred gender, or in some cases, any facilities at all whilst at work. This is particularly so early in the transition process, especially when cisgender employers and colleagues have not accepted (or are still in the process of accepting) the validity of a trans person's gender-identity, and may thus perceive their use of these facilities as threatening and improper. However, in some cases, cisgender people's genderist sensibilities may continue after the immediate point of transition. Employers have a responsibility to enable trans-employees to use the facilities appropriate to their preferred gender, but are currently only required to fulfil this when they consider it reasonable (Whittle *et al.* 2007; Sex Discrimination (Gender Reassignment) Regulations 1999, see also Croft v Consignia 2002). This can lead to considerable confusion and subsequent discriminatory practices. The following data-

extracts illustrate the types of experiences some participants faced when trying to use the facilities of their preferred gender. These again highlight ingrained suspicion and genderist discomfort regarding gender-diversity, and the ways in which employers may seek to place a buffer between the ‘unsettling trans other’ and cisgender employees. Cisgender individuals’ sensibilities (and their experiences of gender) are frequently given precedence:

*‘On my first day back the Head Teacher said that one of the female staff was worried about me using the toilets, so he offered me a key to a separate facility. I told him to give it to the person who was uncomfortable’ (Male-to-Female trans person, age 30-39).*

*‘I was fired from a previous larger employer in 2005. Some of the men there would never use the toilets when I was in there, and the amount of comments and jibes about LGB&T people was appalling!’ (Trans man, age 40-49).*

For these participants, their gender-diverse presence in highly societally-gendered spaces brought about a point of contestation due to cisgender (and employer’s) colleagues’ discomfort regarding the ‘intrusion’ of ‘inappropriate’ genitals or genital history, and their perceived ‘unpalatability’ in this highly policed space. Prevention from using the facilities designated for their preferred gender is likely to starkly signify a trans person’s ‘othered’ status, and may subsequently encourage or validate discriminatory practices and behaviours in other areas of the work-environment.

### **6.3: The Impact of Gender-Diversity on Employment Progression and Security**

Appearing or being known to be gender-diverse, or as someone with an atypical gender-history, frequently sets trans-employees apart from their cisgender colleagues, as demonstrated by the above findings. Moreover, if one is perceived to disrupt socially sanctioned and institutionalized expressions and representations of gender, one is likely to face sanctions from other individuals in and around the workplace. This can mean that an individual feels unable to continue to participate in this space, or that they feel forced out of that post/organization. (In)visibility is important here as it can influence cisgender onlookers’ perception of the ‘palatability’

of a trans person's gender-diversity and gender-expression, which subsequently informs the extent to which that employee is situated and treated as other.

This is not to suggest that a trans-employee should seek to hide their gender-diversity: as discussed in chapter seven, should a person gain the support of others at work when open about their trans-status/history, then greater security and inclusion may be experienced in the long-term. However, visibility of gender-diversity remains an unequivocal trigger-point for transphobic workplace discrimination. It is therefore important to bear in mind that despite the presence of trans-focussed equality legislation in the UK, many trans people 'are not fulfilling their potential because of the current climate' in the employment sphere (Whittle *et al.* 2007:32). Moreover, employment discrimination leeches out into other social spheres, diminishing trans people's capability to play an autonomous role in society, and creates a burden on both trans people, and the state (Whittle *et al.* 2007:39).

### **6.3.1: Promotional Progression**

Despite the finding that trans-employees are over-represented in 'senior' occupation classes compared to the UK national average (Whittle *et al.* 2007:15), the prevalence of transphobic and genderist tensions in the employment sphere result in a significant threat of demotion and employment termination (Levi 2003). In addition to a proportion of respondents receiving unequal treatment day-to-day at work, a considerable proportion – thirty out of seventy-nine participants - felt that their trans-status/history had impacted upon their promotional opportunities and employment progression. A highly statistically significant interaction ( $P=0.008$ , highly significant at the 1% level,  $N=79$ ) was found between whether a trans-employee passed physically, and whether they thought being trans/having a trans history had impacted upon their promotional progression. This is indicative of the potential interaction between (in)visibility and palatable transness, and subsequent elastic othering. This interaction is a key theoretical point of consideration in this thesis.

Additionally, whilst just short of significance (at the 5% level,  $P=0.076$ ,  $N=81$ ) the data suggested a trend towards significance between whether a participant passed

physically, and whether they felt that their external gender-expression had impacted upon their promotional opportunities. Informed by their own gender-identity and hopes; onlookers' expectations; and their organisational gender-regime; trans-employees navigate the workplace in order to achieve a 'liveable' life. Gender-articulations are subject to both covert pedagogical influences, and overt policing, particularly in relation to the 'aesthetic economy' which informs organisational gender-policing (Hancock and Tyler 2007:512). Therefore, as discussed by Schilt and Connell (2007:598), trans people must approach with caution the extent to which they unsettle the institutionalized gender status quo, so as to avoid sanctions and further ostracism. In other words, in order to avoid/minimise the effects of elastic othering, trans-employees' can feel compelled to seek to reflexively make their gender-diversity palatable to the varying sensibilities of cisgender onlookers.

No statistical significance was found between whether an employee was a trans man or trans woman and the perceived impact on promotion, and indeed Whittle *et al.*'s (2007) research also reported negligible differences between these groups. However, it is important to bear in mind the findings of other projects. For example, as highlighted in chapter two, in some instances, whilst trans women may be ejected from high powered positions, some of their trans male counterparts gain status post-transition (cf. Griggs 1998; Schilt and Connell 2007; Schilt 2006). Several trans female participants reported that they had faced demotion, for example, one respondent stated:

*'Removed from Director's inner forum, the 'gang of three'. Told not to allow other organisations (customers) to see me, made redundant'* (Male-to-Female trans person, age 50-59).

However, no trans male participants indicated that they had enjoyed a significant increase in status post-transition; except that once they passed they were able to secure employment, and be treated positively, as discussed in the following subsection (c.f. Wingfield 2009). Thus, evidence of a post-transition 'elevator effect' or accessing the patriarchal dividend in terms of workplace privilege was not demonstrated in this research's data in relation to trans male respondents. Interestingly though, a trans female participant felt that her male history gave her an 'edge' in her current workplace:

*'Having had a male past has given me a degree of an edge in traditionally male markets like the City so I'm treated with more respect than some female colleagues but the City are a fickle bunch! In summary, the 'difference' is a positive one in that I have \*both\* views'* (MTF employee, age 50-59).

Earlier in the thesis it was suggested that a trans woman who presented as stealth in their new workplace might continue to enjoy an echo of the foundational privilege accrued (depending on their intersectional characteristics) in their prior role as a bio-male employee, especially in terms of salary, and past employment experience. It is not possible to explore the implications of the potential for continuing patriarchal privilege in terms of promotion to be experienced by trans female employees from just one participant (as no other significant instances were found in the dataset). Nevertheless, this would be an interesting issue to consider in future research. It would also be interesting to consider the extent to which a possible lack of 'gender capital' might impact upon the statuses of stealth trans men, and this dataset did not indicate the impact that this might have. However, in terms of literature reviewed (particularly works by Schilt etc), it is feasible that a lack of gender capital will impact upon stealth trans male employees, in conjunction with their intersectional characteristics (see Schilt 2006).

### **6.3.2: Withdrawing From, or Changing Employment**

Fighting (through choice or otherwise) on the front line of what may be perceived as an interpersonal signifying gender battle may result in considerable stress. Therefore, treatment by others, and the impact this has on everyday experiences in the workplace, may result in a trans-employee choosing or feeling forced to seek alternative employment, or withdraw entirely<sup>160</sup>. This has clear implications for financial security, and the future accessibility of privately funded surgical revisions if required. Fourteen percent of the trans-participant sample was unemployed at the time of participation (including respondents who had previously been self-employed).

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<sup>160</sup> Although as discussed below in the following subsection, obtaining employment as a trans person can frequently be a difficult undertaking, and may mean that trans people remain out of employment for some time. Furthermore, for some trans people, the levels of stress experienced due to workplace bullying, discrimination, and harassment, may mean they do not feel safe to return to work for some time, if at all (see Whittle 2002).

This is a considerably higher percentage than the national average of 5% for 2007 (ONS 2008:55) when the survey was completed and has proved to be a long-term trend (see Whittle 2002:103). Since starting to transition or transitioning, sixty-seven out of ninety-two participants had changed departments, organizations, or left employment, which is a considerable turnover.

The data showed that 85% (N=26) of trans male participants (who responded to this question) had changed departments, organizations, or left employment, compared to 71% (N=62) of trans female respondents. These findings are strikingly different to Whittle *et al.*'s (2007:38) finding that more trans women than trans men (23% compared to 15%) feel compelled to change their job. The potential that the different finding from this PhD research may be due to the participating trans male participants seeking to move to a new space once they pass (although discrimination was also a factor) is discussed below. The following chart (figure 4) details the point(s) at which participants had, or intended, to change their job or leave employment entirely. The greatest staff exodus was shown to be during and after transition.

**Figure 4: Stage(s) of Transition When Participants Changed or Left Employment, or Plan to Do So**

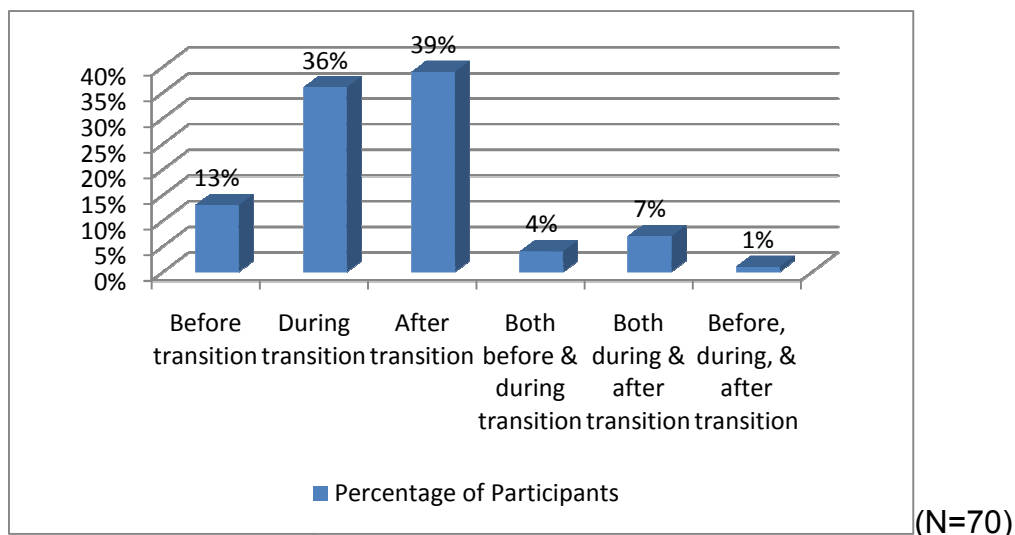
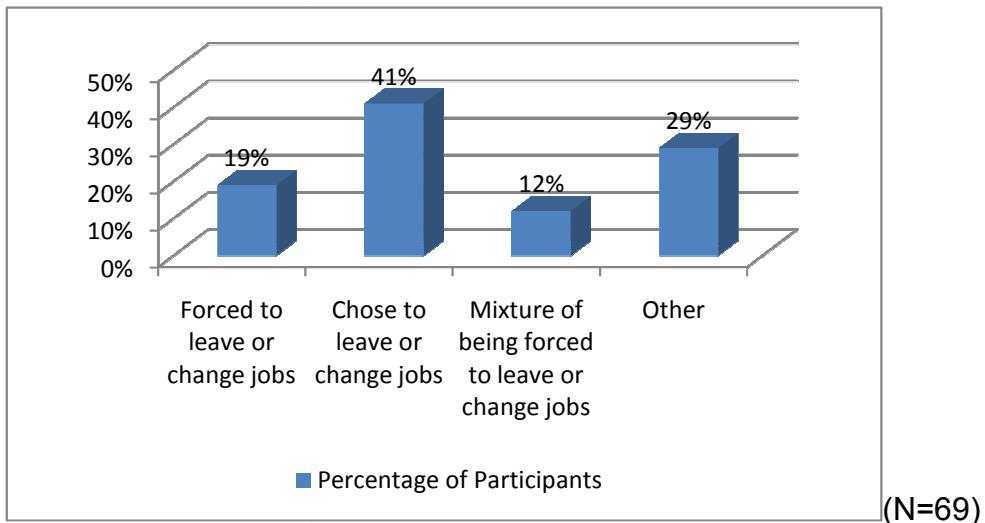


Figure 5 compares the reasons why participants changed jobs or left employment. Although many chose to leave their job, a considerable proportion felt forced to leave due to the treatment they faced. Participants who selected the option 'other' to this

question reported leaving work due to a range of reasons, including: sickness; retirement; and redundancy, or to seek alternative employment opportunities.

**Figure 5: Reason Participants Changed Jobs, or Left Employment, or Intend to Do So**



Interestingly, a trend towards significance ( $P=0.063$ ,  $N=68$ ) was found between the extent that participants passed physically, and why they changed jobs or left their place of employment. The data showed that trans-employees who pass as their preferred gender all of the time were considerably likely to choose to leave. This is potentially why more trans male participants changed or left employment than their trans female counterparts, as shown above. The data did not indicate significance for participants who did not pass all or some of the time. This suggests that whilst trans-visibility can trigger transphobia, it is those individuals who are able to successfully mediate their (in)visibility who choose to move on, potentially in order to achieve a greater sense of recognition of their preferred gender-role membership (also see table 4 below). This move could also be due to (in)visible participants feeling able to seek employment progression elsewhere without feeling penalized due to their gender-diversity/history. Nevertheless, the difficulties that trans people may face when seeking new employment, including if they pass but are outed by their employment history and documentation, are an important backdrop to trans-staff turnover. This is discussed in the following section.

Table 7 presents some of the factors which contributed to participants changing jobs or leaving employment. Many did so in order to make a 'fresh start' after



transitioning<sup>161</sup>: nevertheless, despite the small participant percentages recorded, the remaining findings again highlight discrimination that trans-employees can experience at work.

Table 7: The Factors Which Contributed to Participants Leaving or Changing Jobs, or Considering Doing So

<b>Factors Which Contributed to Participants Leaving or Changing Jobs, or Considering Doing So</b>	<b>Percentage of Participants</b>
In order to make a fresh start after transitioning	23%
Depression	5%
Stress	9%
Fear of other's reactions at work	5%
Covertly made to leave	2%
Overtly made to leave	6%
Being ignored or given silent treatment	2%
Having work related requests constantly unfulfilled	5%
Being the focus of comments or gossip	6%
Bullied or harassed at work	6%
Work criticized unfairly	6%
Unjustified 'off the record' complaints about them or their work	5%
Verbally abused by someone connected with work	3%

(N=65)

The following data-extracts enlarge on participants' experiences of the factors which contributed to them leaving or changing jobs, or considering doing so:

*'Felt that public opinion would affect my institution i.e. school'* (Male-to-Female trans person, age 50-59).

*'Public letter writing hate campaign in 2001'* (Male-to-Female trans person, age 40-49).

These extracts reiterate ingrained transphobia in the employment sphere, despite the existence of legislation, and the pervasiveness of the taboo which surrounds gender-diversity. Whilst many participants would not have sought union support, particularly if they chose to change jobs in order to make a fresh start, the dataset did highlight

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<sup>161</sup> In order to achieve greater acceptance of their preferred/acquired gender than they feel is possible in their current job, or to move into a new space where people don't know of their trans-status or 'atypical' gender-history.

that six out of ten participants who sought support had found their union unhelpful. The following illustrate some of the difficult experiences reported:

*'I have...been a member of [union x], and they were really awful. My part time officer was so bad that he effectively got me the sack. I complained right up to Presidential level and they could not have given a monkeys or were downright incompetent'* (Trans man, age 40-49).

*'I did seek support but was advised not to fight back'* (Man with a trans-background, age 40-49).

Perceptions of union apathy to trans-discrimination, in conjunction with experiences of union-based transphobia, is likely to influence the extent to which members of the trans community feel able to seek external support in relation to workplace inequalities. Thus, not only has trans-focussed equality legislation failed to prevent transphobia in the employment sphere, but standard external avenues of recourse may also be barred from trans-use because of the prejudices of the personnel who are duty bound to try and provide assistance. Further research is needed to investigate the potential impotence of equality legislation to ensure accessible avenues of recourse to workplace inequalities.

Whilst only small proportions of respondents reported inequalities in relation to some of the above areas, it is important to remember the implications of these findings if participant numbers were scaled up to both the estimated size of the UK trans community, and the size of the UK employee population. In this light, the above findings continue to illustrate the complex and at times difficult impact that gender-diversity and its (in)visibility can have on employment progression and security. Recalling Pfäfflin and Junge's (1998) finding that gender reassignment greatly improves quality of life for trans people; this research reiterates suggestions made by Whittle *et al.* (2007:32) that it is the genderist and biocentric climate of current workplaces that prevent trans-employees from fulfilling their potential. This subsection has highlighted some of the many factors which influence trans-staff turnover and in/equalities, in addition to the ways in which employers and unions are currently failing to adequately support and protect many trans-employees. Potential

reasons for this are considered in relation to the data collected via interviews with business equality officers in chapter eight<sup>162</sup>.

#### **6.4: Seeking Employment as a Trans Person**

Job seeking and recruitment are an important point of focus in here, as the high trans-staff turnover and considerable levels of trans-unemployment mean that tensions surrounding trans-recruitment can be particularly problematic. During and post-transition, the need to change jobs, and seek new employment can be problematic (Whittle *et al.* 2007; Rundall and Vecchietti 2010), regardless of whether or not one is (in)visibly gender-diverse. For example, whilst the introduction of the Gender Recognition Act enables trans people to acquire their preferred gender under law and obtain a new birth certificate, corporeally visible gender-diversity, and birth-gendered documentation/employment history, frequently means that incongruence between gender-past and gender-present is perceivable to potential employers. Where a trans person passes, and has legally acquired their gender and has amended documentation regarding their employment history, as noted in chapter one, gender-past and gender-present can become divorced. However, this is only possible for a small number of trans-employees, and remains subject to the potential for gender-past to become unintentionally discovered: stealth is ultimately not a secure position (see Rundall and Vecchietti 2010).

Where gender-diversity or an atypical gender-history becomes known by recruiters, the employment-seeking process commonly becomes subject to wider biocentric and genderist tensions, and indeed to the influence of mutual dysphoria. Subsequently, it is important here to note that a significant proportion of the trans-participants in this PhD study (forty-three out of fifty-six) felt that passing as their preferred gender made it easier to find employment. As previously suggested, to pass, or be perceived to seek to pass and conform with the established binary gender status quo, rather than unsettle it, may increase the palatability of a trans-applicant's 'transness', resulting in

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<sup>162</sup> Also, the author hopes in the future to conduct further focussed in-depth research to investigate the reasons for this inadequacy, and the ways in which it might be remedied.

a lesser degree of 'othering'. This also ties in with the above discussion of passing and the types of discrimination faced by trans-employees (see section 6.2).

#### **6.4.1: Complexities of Seeking Employment as a Trans Person**

A considerable number of the participants (64%, N=56) had sought new employment since transitioning, or beginning to transition. Interestingly, of these participants, 61% had done so after 2005 when the Gender Recognition Act 2004 was implemented. It is suggested that the levels of GRC possession recorded here may be somewhat higher than the average across the UK trans-population. Moreover, twenty-two out of fifty of these participants were in receipt of a GRC at the time of participation. This post-GRA movement could be for two key reasons. The first is that, with the introduction of the GRA, trans-identified individuals may feel that it is more possible to actualize their gender-identities than before. This may be due to the increasing prevalence of gender-diversity in societal and popular discourse, as well as interlinked legislative protections (however effective in actuality). Secondly, the ability to legally acquire one's preferred gender under law for all purposes may afford trans people an increased sense of societal-validation regarding their gender-identities. Therefore, it may be that trans-migration within the employment sphere is due to increasing numbers of gender-diverse employees, and an increase in individuals who feel able to seek employment during and post-transition, rather than simply because levels of workplace transphobia have increased dramatically.

Western society is fundamentally rooted in institutionalized 'male/female, man/woman' constructs (Connell 2002:3), and therefore tensions between cis perceptions of birth linked gender-binary dominance and subsequent gender-policing can manifest to varying degrees. This is intimately intertwined with experiences of mutual dysphoria, palatable transness, and subsequent elastic othering. Many participants were aware of the potential for difficulty when seeking employment, and the ways in which gender-diversity is perceived by many cisgender individuals as 'other'. For example, this MTF (age 40-49) respondent states:

*'I have to be conscious now of how any new environment will take the knowledge of my trans history. I must consider whether the organisation is modern and forward thinking. I don't presume likely acceptance because of stated equal opps policies. This meant very little with my most recent employer - a local council. ... There is nowadays often a presumption that you can easily go over details of this change with employers, fellow employees like you are sharing your holiday experiences during a tea time chat. I find it irritating that one cannot completely put into the past that part of your life, especially when you are a victim of gossip and comment. The law has set up a process to enable one to change one's legal status and for this to remain confidential but it is very difficult to actually live the life free from intense interest in this aspect of your private life.'*

Additionally, the process of applying for positions within an overtly biocentric societal framework can mean that trans-applicants can face a dilemma about how 'honest' they should be on application and medical forms without feeling they are damaging their chance of interview. The majority of participants expressed discomfort over this aspect of the application process, but nevertheless sought to be as honest as possible. The following data-extract provides an example of this dilemma:

*'sometimes being creative in completing job application forms that ask inappropriate questions and/or filling out their wretched medical questionnaires, honestly, and hoping they treat the information in strict confidence'* (MTF respondent, age 50-59).

The data showed that an overwhelming percentage of participants (72%, N=56) who had sought employment during/post-transition felt that being trans or having a trans-history had impacted, or sometimes impacted, upon their ability to find employment suited to their qualifications or level of experience. This finding ties in with the gatekeeping impact that cisgender recruiters may exert knowingly or unknowingly over trans-recruitment. The following data-extract reiterates the strength of 'trans-ottering' that can occur during the application process:

*'My CV is littered with references to my Transwork. As soon as you mention the word Trans there is an assumption that you must be, "One of them" and therefore perverted. I have had to change my CV to "play down" the Trans work, referring to organisations and positions rather than the actual nature of it. I'm proud of my work in this field and feel more than a little aggrieved that I*

*have to do this to even get an interview'* (Male-to-Female trans person, age 40-49).<sup>163</sup>

As discussed in chapter one, the term 'trans' is complex. Whilst it can be utilized for both negative and positive purposes, it is overwhelmingly rooted in a biocentric and heterosexist logocentric paradigm, as do all terms relating to gender-diversity. The experience of the above participant, and the author, underscore the prejudice that is frequently directed at all things trans by prospective employers.

As with changing jobs, the ability to pass as one's preferred gender influenced the extent to which a participant was likely to be out about their trans-status/history when seeking employment. Many participants who are able to pass as their preferred gender chose not to divulge their trans-status or history when applying for positions. But this decision is reliant on both semiotic and documentary/historical mediation, and may be swiftly undone by the gaze, knowledge, or expectations of onlookers. In the following case, this FTM participant (age 30–39) was only able to regain employment once the 'unsettling' presence of his gender-diversity was no longer visible (see Rundall and Vecchietti 2010:141):

*'I was sacked and then stayed unemployed until I had transitioned enough to re-enter teaching'.*

His experience highlights the extent to which Butler's (1990) repetition of *socially recognizable* corporeal signs (and non-corporeal signifiers) is an everyday interpersonally navigated and surveilled experience. The participant's experience of having to 'transition enough' in order to recommence employment shows that expectations of gender conformity are powerful to the point of job loss and exclusion, and that elastic othering is implicitly intertwined with trans 'palatability'.

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<sup>163</sup> It is pertinent to add here that the author has also experienced difficulty in obtaining temporary employment (undertaken in conjunction with her PhD research) when details of her trans-focussed academic work have been included in her CV. This is despite possessing the necessary qualifications and extensive experience. Where details of the nature of the research have been omitted from her CV, no problems have been found.

#### **6.4.2: (In)Visible Mediation of Gender Past**

Employment history is an intertextual construction closely associated with employees' personal intersecting characteristics. The mediation of a trans person's employment history may require omissions, which may subsequently reduce their apparent level of experience. This can place a trans-applicant at a disadvantage in relation to the grade of post they may be recruited into. Indeed, recent research highlighted post-transition salary disadvantages, with many of Whittle *et al.*'s (2007) trans-participants reporting that they are now engaged in lower paid work, and are in positions requiring skills below their qualifications and expertise. Whilst it was found that the earnings of both the trans male and trans female participants were in line with the UK national average, the data also demonstrated that twenty-three out of fifty-six participants had felt obliged to seek positions below their qualification, skill or experience level. This was because they had found it so difficult to find *suitable* employment as a trans-employee, or as someone with a trans-history. In terms of the need/pressure to mediate one's employment history, one MTF respondent (age 25-29) recounts:

*'it has ruined my work life – I cannot tell potential employers about past work without outing myself. Understanding of trans issues is so limited, they do not understand why I worked in an extremely predominantly male environment'*.

However, some participants chose to make visible their atypical gender-history despite the fact that they passed, as illustrated by the following data-extract:

*'If trans job seeker has a GRC and new birth certificate, and "passes", it might be possible to avoid an employer knowing of their trans past, if that is the trans person's wish. Personally, I prefer to be open about my trans status and I think that helped me to get my present job'* (MTF participant, age 50-59).

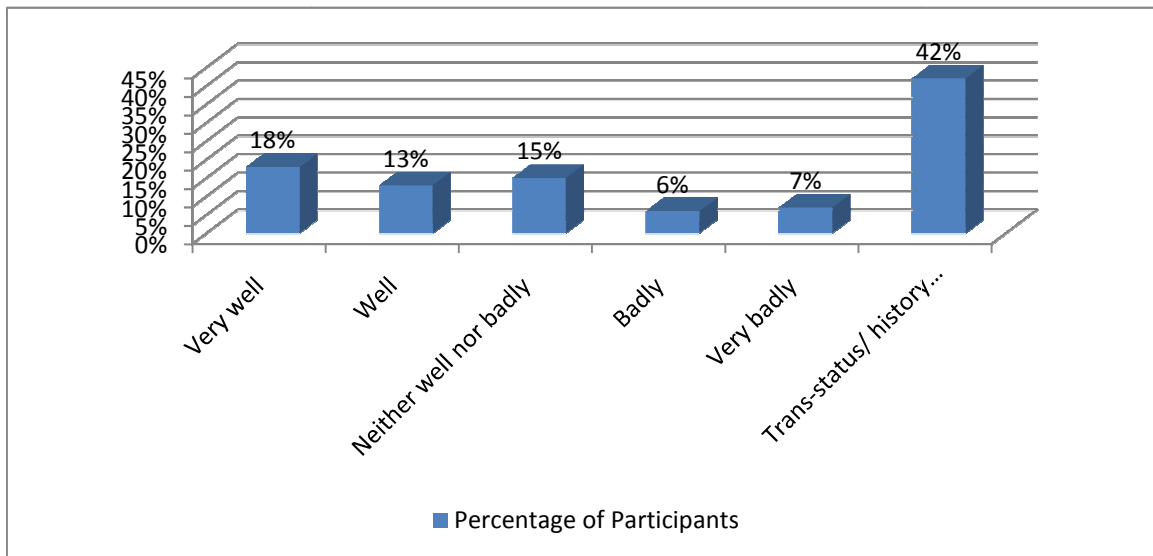
In seeking to obtain employment, trans people draw on: their perceptions of societal genderism and transphobia; their own experiences; and anecdotal accounts within the trans community. Whilst chapter five illustrated some of the ways in which trans people address their (in)visibility, particularly in relation to the use of gendered societal conventions and signifiatory norms, constructing one's transness as 'palatable' may not always be possible. (In)visibility may not be something one can fully mediate, and indeed, the agency of the onlooker is crucial, in that it is ultimately

they who decide whether or not to discriminate against a trans person. The manner in which they perceive, and construct, a trans person as other is reliant on both unconscious and conscious factors, which the author suggests is also in many ways subject to (in)visibility.

Retaining authorship over one's self as 'text' is fraught with pitfalls. This is also true of the information contained in employment references. Whilst previous employers should not disclose a trans-employee's trans-status/history when providing references, this is a potentiality, and may thus exert gatekeeping power over future employment (see Whittle 2000). Human resources departments also have a duty to ensure information concerning a person's trans-status/history remains confidential, particularly if the trans-applicant possesses a GRC. And yet, whilst obtaining a GRC and a new birth certificate can help to prevent administrative disclosure of one's gender-history, and provide legal recourse should this occur (Whittle *et al.* 2007); trans-applicant's confidentiality fundamentally remains dependent on previous employers', and potential organizations' thoughtfulness and legality. This exerts gatekeeping mechanisms over trans-employment, as previously discussed. Figure 6 illustrates participants' perception of how well information about their trans-status or history was handled by employment agencies and human resources departments where this was divulged.



Figure 6: Participants' Perception of How Well Human Resources Departments or Employment Agencies Handled and Responded To Information about Their Trans-Status or History



(N=55)

Whilst many participants had positive to mixed responses, several had been far less fortunate. The following data-extracts illustrate some of the respondents' experiences of the recruitment process:

*'In my initial stages of transition, I appeared as an androgynous-bodied obviously trans person. After about a year on testosterone, I looked like an ordinary young man. I couldn't ever get past interview stage until then. Therefore, I was unemployed from 2000 to 2003. I got my first job as soon as I started to look 'ordinary'' (Male-to-Female trans person, age 40-49).*

*'I had to disclose my trans status in some interviews at the beginning of my transition, due to problems with references. I usually did it at the end of the interview, and I got the feeling it harmed my chances in some interviews. For the job I actually got, I did not disclose in the interview' (Male-to-Female trans person, age 40-49).*

These data-extracts continue to demonstrate the frequent necessity for trans people to mediate the (in)visibility of their gender-diversity, which includes a conscious management of self that obscures past experience in order to achieve a self that is intelligible and validated within these mechanisms of constraint in the present (see Green 2004).

This subsection has illustrated the ways in which seeking employment during or post-transition can be difficult: particularly where a person's gender-diversity is visible or known. A significant proportion of respondents were conscious of societal perceptions surrounding gender-diversity, and the extent to which this could negatively impact upon their recruitment success. (In)visibility in seeking employment involves not only visual and aural signification, but also the mediation of documentation, and in some cases, employment history. And yet, for many trans people, (in)visibility is dictated by their ability (or lack thereof) to effectively mediate these. Agency can at times outweigh material power to negotiate (in)visibility. It is unsurprising that trans-unemployment continues to exceed the national average for the wider population, despite over a decade of trans-focused employment-equality legislation. The education of recruiters and organisations designed to facilitate increased awareness of gender-diversity could significantly improve this situation, providing that employers and recruitment teams were willing to undertake this education seriously and in good faith.

## **Conclusions**

Using quantitative and qualitative data from the primary research, some of the key areas and ways in which trans-employees face interpersonal and institutional discrimination in the employment sphere have been demonstrated. Whilst not all participants reported discrimination, over half the sample did, and thus gender-diversity does appear to significantly impact on the treatment a person may receive, and the extent to which their employment participation, progression, and security, are affected. The employment sphere is rooted in an institutionalized foundation of gender normativity and binary compliance. Its structures, and the predominant sensibilities of the cisgender people within, are embedded, as with all social spaces, in genderism and biocentrism: of expected sex/gender/body congruence in line with the dominant binary status quo. Thus, trans people's employment experiences are very much governed by cisgender onlookers' perceptions of trans 'palatability' and subsequent 'elastic othering'. This is contextually, spatially, temporarily, and interpersonally dependent.

Transition is a complex process of many stages and hurdles, and trans-identified individuals may feel reticent about actualizing their gender for fear of negative repercussions. The data showed that in many cases these fears are well founded, as inequality and discrimination remain present, despite legislative protections. Transphobic discrimination continues well after the point of transition for many individuals, with (in)visibility significantly impacting on the types of discrimination experienced. Interestingly, the data highlighted variations between the impact of (in)visibility for trans male and trans female participants, which the author argues is due to the influences of societal conceptualizations of the dominant trans-signified, as discussed in chapter five. The research data also showed that employment progression and security is felt to be at times damaged, and many trans people choose to change workplaces after transition in order to make a fresh start, particularly (but not only) if they are able to successfully mediate their (in)visibility. Union support was shown by the data to be lacking, and even at times actively discriminatory, resulting in trans-employees lacking a key avenue of recourse open to their cisgender counterparts *purely as a consequence* of their gender-diversity/atypical gender-history.

For those employees' for whom it is possible, stealth is a 'risky' position, as 'documentary outing' and onlookers' mediation of a trans person's (in)visibility remains a constant potentiality. This is particularly the case where an onlooker views gender-diversity as so 'unpalatable' as to inculcate a potentially 'violent' discriminatory response and potent designation as 'other'. Moreover, 'othering' may escalate into 'pack' enacted discriminatory practices and behaviours, causing the workplace to become untenable, or resulting in the trans-employee being forced out of work. This was highlighted through use of both the quantitative and qualitative data in a number of instances in the empirical chapters. The implications of this are far reaching, as trans-unemployment is a long-term trend that remains significantly higher than the national average, and many participants reported difficulty finding suitable employment during or post-transition. Furthermore, the implications of employment discrimination are not restricted to the work environment, as it can spill over in to social and familial life: indeed, the families of trans people may also be subject to 'courtesy' discrimination and inequality.

However, whilst transphobic employment discrimination is significant, this is not to suggest that trans-employees do not receive some protections, support, and inclusion at work. The following chapter now turns to participants' experiences of these.

## **Chapter Seven: Protection, Support, Inclusion, and (In)Visibility**

### **Introduction**

The workplace is a space in which a significant proportion of an average adult employee's life is spent. Workplace discrimination is to some extent experienced by individuals from all groups, and indeed, not all employees expect protection, support, or inclusion, from their employer or colleagues. However, as shown across the previous empirical chapters, because 'trans' is frequently othered under the societal expectation of sex/gender/body congruence, the levels of ostracism experienced by trans-employees as a group is arguably more profound than that experienced by many cisgender groups.

Gender-diversity and gender-repatriation are frequently perceived to unsettle the very basis of *the* chief cultural typology that forms the bedrock for all interpersonal classification and social frameworks. 'Meaningful' participation in the work environment as one's 'full' self, along with interpersonal interaction, is intimately shaped by other people in the workplace (Peterson *et al.* 2005:233). Thus, protection and support relate to earlier discussions of the gatekeeping powers enacted by onlooking social agents at work, in combination with workplace mechanisms and policies. These fundamentally shape the perceived feasibility of gender-actualization at work and continued participation post-transition. Moreover, protection, support, and inclusion are also likely to impact upon a trans-employees' productivity and performance, which thus presents a clear business case for trans-employment-equality on top of the overarching moral case. This is also likely to impact upon trans people's life choices and their financial participation in social and family life.

Trans-focussed legislation has failed to eradicate workplace transphobia. It is all too often the case that protective legislation does not and cannot change attitudes. Nevertheless, legal sanctions can provide avenues of recourse when discriminatory behaviours are experienced. The existence of legislative provisions may mean that trans-employees may be (tentatively) hopeful of receiving protections and support

which their employer is legally obliged to provide, regardless of whether these protections are actually received in practice.

As a backdrop to this chapter, an overview of the findings is presented in relation to: the levels of protection, support, and inclusion reported; the perceived impact of the GRA; the perceived impact of workplace policies and training; provisions extended during transition; the impact of gender-identity acceptance; and the impact of passing<sup>164</sup>. The latter three are then discussed in further detail, as they were shown by the data to have the most extensive impact on trans-participants' experiences of protection, support, and inclusion. It is necessary to look at experiences of (or lack thereof) protection, support, and inclusion, in order to provide a more complete picture of trans-employment experiences. Based on the data, it is argued that discrimination, protection, support, and inclusion, are textual practices which can lead to 'pack' behaviours (either negative or positive), and shifts in organizational regimes of gendered practice and policing. Employment participation is multifaceted, and thus discrimination and support may be experienced simultaneously. This chapter continues the focus on the impact of passing/(in)visibility explored across chapters five and six, and highlight whether, and how, participants' feel their gender-identity is accepted by others, and how this shapes trans-employees perceptions of their workplace interactions. Whilst at risk of repetition, these tools are necessary in order to interrogate and theorize the findings.

## **7.1: An Overview of Findings Relating to Trans-Participants' Experiences of Protection, Support, and Inclusion**

### **7.1.1: Levels of Protection, Support, and Inclusion**

Both the quantitative and qualitative data suggested that protection is more readily perceived by trans-employees in relation to discrimination perpetrated by other members of the workplace, where the formalized and defined nature of the 'work-space' delimits organizationally acceptable practices. For example, the data showed

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<sup>164</sup> Extensive data was collected about trans-participants' multifaceted experiences of protection, support, and inclusion, and this will form the basis of future publications.

that there was some variation in participants' perceptions of the extent to which they felt protected by their employer from discrimination perpetrated by different groups associated with the workplace. Despite the finding that over half of the trans-participants (58%, N=90) reported workplace transphobia, it is interesting that over half also felt protected by their employer from transphobic colleagues (59%, N=75). Additionally, whilst only a small sample, over half of the participants employed in a supervisory position (60%, N=35) felt protected from transphobic supervisees. Notably though, slightly less than half of the overall sample felt protected by their employer from transphobic customers/clients (48%, N=69).

Levels of support reported also varied, with slightly greater numbers of participants feeling generally supported by their colleagues than their employer (77%, N=73 compared to 72%, N=75). And indeed, far fewer participants felt that they overtly lacked colleagues' support (6%, N=73 compared to 17%, N=75). However, the levels of perceived support reported in the dataset was unexpectedly high in relation to both employers and colleagues if one recalls the levels of discrimination reported by the respondents. Nearly three quarters of respondents who responded to relevant questions had felt generally supported by their employer (72%, N=75). Nevertheless, almost a quarter felt actively unsupported (17%).

Experiences of inclusion/exclusion were shown to be overwhelmingly important in relation to participants' perceptions of the 'quality' of their employment participation. Inclusion arguably forms the basis of in-group membership and 'presence'. It not only cements feelings of acceptance and belonging, but may also enable employees to develop meaningful professional relationships and subsequently increase their productivity (Rocco and Gallagher 2006). The dataset provided myriad examples of both inclusion and exclusion. Importantly though, inclusion was illustrated to be unexpectedly extended or withheld by different groups of colleagues. For example, a number of participants stated that whilst they had experienced inclusion, some previously inclusive people became less so after the participant commenced/completed transition. In comparison, several participants also stated that whilst they had been met with initial exclusion and resistance, interpersonal interaction had allowed them to 'humanise' colleagues' perceptions of the 'trans-

other', enabling the situation to be resolved. Unfortunately, resolution was by no means enjoyed by all participants who reported exclusion.

In this chapter the experiences of trans men and trans women are compared. And yet, it is important here to highlight the finding that whilst significantly more trans women enjoyed greater feelings of inclusion at work than their trans male counterparts<sup>165</sup>, they also reported experiencing increased levels of *moderate* exclusion<sup>166</sup>. Nevertheless, a far greater proportion of trans men reported experiences of *active* exclusion<sup>167</sup>. Trans women's proportionately greater experiences of inclusion at work may be due not only to the 'validating' backdrop of the dominant societal trans-signified, but also because of the additional taboo which, it is argued, surrounds trans male gender-diversity. This backdrop can enable cisgender onlookers to 'categorize' their trans female colleague more readily than a trans male colleague, and thus potentially decrease feelings of mutual dysphoria. This 'closure' is essentially rooted in the reification of the cisgender onlooker's sense of 'dominance' within the gender-framework. Additionally, yet unsurprisingly, it was participants employed in the public sphere who reported the lowest levels of *active inclusion* at work<sup>168</sup>: a finding which reiterates the difficult nature of the public sphere. The variation in the experiences reported by participants employed in different sectors is discussed throughout the main body of this chapter. Although the data highlighted numerous tensions and contradictions, only key examples are included in this thesis due to space constraints.

### **7.1.2: The Impact of the Gender Recognition Act 2004**

Interestingly, just under half of the cohort (41%, N=86) felt that the introduction of the GRA had in some way impacted upon their work experiences, regardless of whether or not they possessed a GRC. For most participants, the GRA's influence lay predominantly in their perception of increased organizational and cisgender awareness of socio-political trans 'validity' and 'presence' (despite continued

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<sup>165</sup> 74%, N=57 compared to 62%, N=21.

<sup>166</sup> 12%, N=57 compared to 5%, N=21.

<sup>167</sup> 10%, N=21 compared to 4%, N=57.

<sup>168</sup> Public: 33%, N=30. Private: 52%, N=42. Voluntary: 50%, N=8.



pathologization), even if the complexities of gender-identity were not understood, or the provisions of the legislation were not understood or enacted fully. Whilst a valid perspective, the question remains as to what actual impact the GRA has had on the wider cisgender population's awareness, outside of groups involved with employment equality, legislation, and the trans-movement. It would be interesting to conduct a survey of a sample of the wider population to determine this.

In terms of (in)visibility, the GRA is distinct in that it enables trans people, on receipt of a GRC, to obtain a birth certificate in their new gender. Thus, it can *facilitate* (in)visibility, albeit under constraints of corporeal and signifiatory mediation. Importantly though, the data showed that for many trans-employees, legal gender-recognition is sought and enacted irrespective of (but also, where possible, interrelated with) semiotic (in)visibility. Over half of the trans-employees surveyed had obtained, or were in the process of applying for, a GRC. Strikingly, the data showed that those who held a GRC felt significantly more protected by their employer from transphobic/prejudiced colleagues than others whose application was pending or who had not, or did not intend, to apply<sup>169</sup>. No statistical relationship was found in relation to other workplace-affiliated groups. The author therefore argues that the GRA can enable the facilitation of an employer/employee relationship bordered by legislative validation of trans-equality (even though for some trans-employees this fails to be the case in everyday practices). It is theorized that legislative validation is a pedagogical device which, given time and increased societal awareness of gender-diversity, may potentially lead to a shift in in/equalities experienced in formal workplace hierarchical structures.

### **7.1.3: The Perceived Impact of Trans-Inclusive Policies and Training**

Just under half of the trans-employees surveyed (47%, N=92) reported that either 'gender-identity', 'gender reassignment', or 'transsexualism', were included in their organization's equal opportunities and diversity (EOD) statement. Importantly, trans-participants employed by organizations with a trans-inclusive EOD statement were

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<sup>169</sup> P=0.028, N=42.

*considerably* more likely to report feeling protected and supported by their employer (Protected: P=0.000, N=75. Supported: P=0.002, N=81). And yet, inclusion of gender-diversity in an EOD statement does not necessarily mean that an organization will possess trans-inclusive/protective policies; nor engage in protective practices. Moreover, an overwhelming proportion of participants who reported experiencing discrimination were those employed by organizations with trans-inclusive policies (82%, N=49). This reiterates previous discussions of the ways in which policies (and legislation) frequently fail to prevent discrimination and inequality. Rather, as has previously been argued in this thesis, policies and legislation may lead to the ‘veiling’ of transphobia.

Participants’ responses also indicated that only a small proportion of organizations recognizably seek to implement their equality-driven approach to trans-equality through diversity-training. Less than a third of the cohort stated that their organization provided trans-inclusive/focussed training (29%, N=90). Interestingly, the *voluntary* sector provided the greatest proportion of such training (57%, N=7), but possessed the least trans-focussed/inclusive equality policies<sup>170</sup>. Surprisingly though, far fewer respondents employed in the *private* sphere reported the provision of trans-inclusive/focussed diversity-training compared to the *public* sphere<sup>171</sup>. This reiterates the contradictions present between experiences of transphobia and policies/training.

#### **7.1.4: Provisions Extended to Trans-Employees during Transition**

The impact of provisions during transition in relation to perceptions of protection, support, and inclusion, are discussed in detail in section 7.2 below. The following provides an overview of key themes incorporated later.

The extension of provisions during transition is a key way in which employers can support and protect trans-employees. Both the quantitative and qualitative data implied that participants perceived that many employers are aware of the need to appear equality-minded, but may not necessarily feel motivated, or know how, to

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<sup>170</sup> Voluntary sector: 75%, N=8 compared to public sector: 64%, N=33 and private sector: 72%, N=47.

<sup>171</sup> Private sector: 23%, N=48 compared to public sector: 34%, N=32.

incorporate this into day-to-day practices. Subsequently, less than a quarter of the trans-employees' surveyed stated that their employer had sought reliable advice about how to support trans-employees during transition (23%, N=82). A number of participants reported that their employer had asked how they could make their transition easier at work (47%, N=57). Surprisingly, only participants employed in the *voluntary* sector reported that their employer had not taken this proactive approach. Interestingly, many of the types of provisions reviewed were reported by considerably greater proportions of trans women than trans men. If based in unequal extension of provision, this could again be indicative of the validating influence of the dominant trans-signified, and thus the additional taboo which the author argues surrounds trans male gender-diversity. Further research is needed to determine this variation.

Unexpectedly, no *public* sector participants reported that all types of provision had been withheld, which was the case with a number of *private* and *voluntary* sector participants<sup>172</sup>. However, the percentages of respondents who had received certain types of provisions were considerably less for the *public* sector than those recorded for the other two sectors (see section 7.2). Interestingly, the *public* sphere was the sector in which the greatest percentage of participants received support with educating others in the workplace about trans-issues<sup>173</sup>. This finding presents a stark contradiction if considered in relation to the levels of transphobia experienced in this sphere. It therefore appears that *public*-sector approaches to trans-inclusive diversity awareness overall are ineffectual.

Overall, the data suggests that in a large proportion of cases, employers (particularly, and surprisingly, those in the *public* sector) may initially be proactive and willing to make a positive impact on the transition process and employees' subsequent experiences. Nevertheless, provisions and support are not always forthcoming or reliable in practice.

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<sup>172</sup> Public: 0%, N=25; Private: 15%, N=27; Voluntary: 20%, N=5.

<sup>173</sup> Public: 40%, N=25; Private: 22%, N=27; Voluntary: 20%, N=5.

### **7.1.5: The Impact and Importance of Gender-Identity Acceptance**

The implications of workplace (in)visibility are interwoven through not only acceptance, but also perceptions of support, and insider/outsider status. Passing has been shown to increase the likelihood of trans people's preferred gender-identity being accepted by others at work, although not always the case. Analysis of the data showed that other's acceptance of participants' preferred gender-identity greatly increased the extent to which they felt supported by their employer ( $P=0.011$ ,  $N=77$ ), and even more so, by their colleagues ( $P=0.000$ ,  $N=76$ ).

As with support, the acceptance of trans-employees' preferred gender-identity by others greatly increased the extent to which they felt included ( $P=0.000$ ,  $N=77$ ). Indeed, a clear correlation between these was demonstrated in the dataset: the overwhelming majority of participants who felt '*actively included*' were those whose gender-identities were accepted by all members of the workplace (65%). Concomitantly, a large percentage of participants who felt '*actively excluded*' at work (66%) were those whose gender-identities were accepted by very few people. Such acceptance was not always reliant on 'invisible' gender-diversity. Notably, the data showed that many participants who were out about their gender-diversity/history were those who most felt included, irrespective of their (in)visibility, provided that they were perceived to seek to position themselves within the binary-gender status-quo. However, tensions between (in)visibility do remain.

Whilst some cisgender colleagues accept and include their trans-colleague with a full awareness of their gender-diversity or atypical gender-history, for other participants, levels of exclusion increased in formal workplace situations where colleagues were aware of their trans-status or history. Participants' self-reported experiences of exclusion placed the onus of workplace ostracism on cisgender colleagues' senses of discomfort regarding their gender-diversity. In some cases, the levels of exclusion and ostracism were extreme, and highlight the ways in which the trans-employee's gender-diversity was deemed to be potentially 'unpalatable'. Moreover, the qualitative data illustrated the ways in which negative responses may become embedded in the fabric of the workplace and practices of the work-team, and may lead to 'pack-

enacted' exclusion. Thus, acceptance of trans-employees' gender-identities is crucial in order to facilitate positive workplace experiences.

Variation between trans men's and trans women's experiences was reiterated in this data in relation to gender-identity acceptance and perceptions of support from different workplace groups. For example, the acceptance of trans men's preferred gender-identity by others had a greater impact (79%) on the extent to which they felt supported by their employer than was found for trans women (60%)<sup>174</sup>. However, the opposite was found in relation to perceived support from colleagues, where gender-identity acceptance produced a greater impact on trans women's experiences of support from this group than for trans men (although still important for the latter)<sup>175</sup>. Nevertheless, all trans men and trans women whose gender-identities were accepted by few people reported feeling equally '*actively excluded*'. Importantly overall, this research found that whilst trans women may enjoy greater levels of inclusion and acceptance than their trans male counterparts, they may also experience greater levels of exclusion. This illustrates the tensions presented between the categorizability of the dominant trans-signified, and taboos surrounding visible or knowable gender-diversity.

The data suggests that 'acceptance-based' support is covertly related to (in)visibility in the *public* sphere, and that acceptance of a person's gender-identity may be more easily gained in the *public* sphere in the face of dissonant or unmediatable aspects of textual gender-signification. This is because passing was found to have the greatest impact in the *private* sector (see 7.1.6). Sector-based variation was also found in relation to the impact of gender-identity acceptance and perceptions of support from different groups in the workplace. Gender-identity acceptance was found to have the greatest impact over participants' perceptions of employer-derived support in the *public* sector<sup>176</sup>. However, whilst such acceptance was also found to be important in this sector in relation to perceived colleague-derived support<sup>177</sup>, statistical analysis of

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<sup>174</sup> Trans men: P=0.017, N=20. Trans women: P=0.020, N=53.

<sup>175</sup> Trans men: P=0.021, N=20. Trans women: P=0.000, N=52.

<sup>176</sup> No statistical significance recorded for any sector: Public: P=0.068, N=29. Private: P=0.113, N=38. Voluntary: P=0.213, N=7.

<sup>177</sup> Public: P=0.011, N=28.

the quantitative data showed that acceptance exerted greater influence in this area for *private* sector trans-employees<sup>178</sup>.

In terms of perceived inclusion/exclusion, the acceptance of participants' gender-identities had a variable impact in terms of formal and informal work-spaces in different sectors. Where gender-identity is accepted all/some of the time, participants in the *private* sphere felt more included than their *public* sector counterparts in the workplace generally. Moreover, all sectors afforded participants a greater sense of inclusion in informal/social situations where their gender-identity was accepted by others, and indeed greater experiences of exclusion where this was not the case. However, whilst *voluntary* sector employees reported the greatest levels of '*active inclusion*' in informal/social situations, they were also the greatest proportion who reported feeling '*mostly excluded*'. Nonetheless, the *public* sector was the only sphere in which '*active exclusion*' was reported.

#### **7.1.6: The Impact of Passing on Perceptions of Support and Inclusion**

(In)visibility has already been shown to influence levels and types of discrimination experienced. In relation to support, however, the impact of (in)visibility is more complex. Passing per se does not in many cases appear to ultimately govern participants' perceptions of employer-derived support (with the striking exception of the findings in relation to the *private* sphere detailed below). However, as highlighted previously, passing was found to significantly increase the extent to which participants felt supported by their colleagues. Additionally, passing was also shown to impact upon participants' feelings of inclusion in informal/social work-situations. It is important to bear in mind the extent that (in)visibility influences perceptions of acceptance, support, and inclusion both directly and indirectly. This finding is the bedrock of this research data. Participants who felt '*most included*' were overwhelmingly those who passed all of the time. Concomitantly, participants who reported '*active exclusion*' were those who stated that they rarely passed. Overall, the dataset indicated that gender-diversity, and inclusion/exclusion, can be at once

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<sup>178</sup> Private: P=0.000, N=38. No statistical significance recorded for the voluntary sector.

both present and absent, and that the interpersonal reading of individual's 'texts' may strikingly differ from trans-employees' actual experiences/history.

When split by gender-identity, this research found that passing significantly impacted on the extent to which trans women felt supported by colleagues ( $P=0.000$ ,  $N=52$ ). This was not found to be the case for trans men ( $P=0.208$ ,  $N=21$ ). This finding is interesting when considered in relation to the ways in which acceptance of trans men's gender-identities is more dependent on passing than for trans women due to the influence of the iconic societal transsexual (trans female) signified (see chapter five). Importantly, greater percentages of trans women felt *supported* when they passed less of the time compared to trans men (60%:28%). Moreover, a far greater percentage of trans men felt *unsupported* when they passed all of the time, compared to their trans female counterparts (50%:0%). There is a possibility that these trans men present as stealth at work, and thus may be unsure whether or not they would receive support from cis-colleagues if their gender-diversity/history were known. More research data would be needed to determine this. Data analysis again illustrated the propensity for trans women to receive greater levels of inclusion where the 'seams' of their gender-expression are perceivable, compared to the levels of inclusion experienced by trans men whose (in)visibility was less readily perceivable. And yet, overall, trans women frequently faced greater levels of exclusion than trans men: only where trans men passed only some of the time did they experience significantly greater levels of exclusion than trans women. It is tentatively suggested that whilst trans women enjoy increased 'validation' of their gender-identity based on the iconic trans-signified, where they do not pass at all, they may be perceived to not be conforming to onlookers' expectations of the signficatory-displays 'required' in order for onlookers to 'categorize' their trans-colleague in relation to this societal signified.

Passing was found to have the greatest impact over the experiences of *private* sector employed participants, particularly in relation to perceptions of inclusion. Indeed, statistical significance of the interaction between passing and feeling supported and included was found only in relation to this sector. In this space, the participants who passed all of the time were those who felt '*actively included*'. Interestingly though, the participants who did not pass only reported feeling '*mostly*' (rather than '*actively*')

excluded. Thus, inclusion/exclusion are complex, and remain variably informed (particularly in the *private* sphere) by (in)visibility.

Following the above backdrop to trans-employees' experiences of protection, support, and inclusion, the discussion now focuses on the three areas which were shown by the data to have the most extensive impact. These are: provisions extended during transition; the impact of gender-identity acceptance; and the impact of passing. The ways in which protection, support, and inclusion relate/interact with (in)visibility and perceptions of gender compliance or binary repatriation are considered in detail.

## **7.2: Provisions and Support Extended by Employers during Transition**

As noted throughout this thesis, the process of transitioning at work can be a difficult one, and trans-employees may potentially face significant levels of inequality and discrimination. The provisions and support extended to trans-employees by their employer can greatly reduce the levels of stress and inequality that may be experienced during this period. Websurvey participants provided numerous examples of the support and provisions that their employer had extended during their transition, some of which are illustrated by the following data-extracts:

*'I started with current employer in acquired gender and went through surgery 12 months later. Both local employer and national HQ have been supportive - I was asked to represent [X] at International Women's Day' (Woman with a trans-background, age 50-59).*

*'HR has assured me I have their support and, initially, we had regular meetings to monitor progress and identify any problems. Generally, there haven't been any, so we no longer have the meetings, but they let me know that they are there if any issues arise. My immediate boss has also been very supportive' (Male-to-Female participant, age 50-59).*

*'Appointments for treatment generally were so few that it wasn't an issue. When it came to surgery a meeting was called with HR and the occupational health nurse to work out what time off was needed and how I would be supported when I returned to work. Overall a very positive experience' (Male-to-Female participant, age 30-39).*



Nevertheless, the qualitative data showed that otherwise positive provisions or supportive intentions can be undone by poor implementation, as highlighted by this participant's experience:

*'Work was extremely supportive. They gave me Wednesdays for Counsellors appointments (a forces appointed CPN) I was allowed time away for Laser Hair removal. I was given 2 weeks off prior to RLT for the troops to be briefed on my forthcoming return in female role. The only issue I had was whilst having SRS I received a call asking where I was, as the unit and the medical branch were not talking to each other, and this caused me a great deal of stress and distress given I was already going through a lot having had SRS'* (Woman with a trans-background, age 30-39).

However, it appears that many employers are unaware of how best to support trans-employees, as less than a quarter of participants (23%, N=82) stated that their employer had sought reliable advice about how to support trans-employees. Interestingly, a far greater percentage of respondents (46%, N=57) had been asked by their employer about how they could help make their transition at work easier. Nevertheless, this statistically varied by sector of employment ( $P=0.024$ , N=57). Slightly over half of participants employed in the *public* sector had been asked (52%), compared to slightly less than half of *private* sector participants (48%). No participants employed in the *voluntary* sector reported that their employer had taken this proactive approach. This finding demonstrates that in a large proportion of cases, employers (particularly those in the *public* sector) may initially be proactive and willing to make a positive impact on this process, and employees' subsequent experiences. This sectional variation is interesting, particularly in relation to the *public* sphere specifically, if one recalls the significant levels of discrimination experienced in this sphere. However, as previously iterated, the data showed that initial offers of provision and support are not always carried out or maintained in the long-term. This is illustrated by the following data-extract:

*'Continued support after the dust of my transition settled. There are still some issues I would seek to redress but the HR department largely consider me now a "tick in a box" i.e. their responsibilities are over'* (Male-to-Female participant, age 50-59).

Whilst legislation has not prevented discrimination and harassment, it is argued that it has led to the veiling of organizational transphobia. The data highlighted that a number of participants had enjoyed initial support from their employer, only to be made redundant, or forced to leave (for reasons other than gender-diversity), approximately six months later, once the 'dust had settled' and the employer no longer felt they would be perceived as being transphobic by rejecting the trans-employee (see Rundall and Vecchietti 2010). The following data-extract presents one participant's experience of this:

*'They complied with documentary name change information etc, and promised help and acceptance. But the help was cavalier, haphazard and inadequate. I was left to announce my transition to work colleagues and to support staff, and outside agencies. There was no way I could have transitioned in stealth because the book trade is small and incestuous, but the company itself took very few steps to make it any easier for me. In hindsight they expected me to struggle, fail, and give up and resign. But I was successful, and this forced their hand and they commenced tactics of bullying and intimidation so I would resign. After c 6 months this is what I did'* (Woman with a trans-background, no age supplied).

Moreover, the lack of support and provisions extended to some respondents by their employer during transition was further exacerbated by the employer's wilful contrariness. The following participant's experience is illustrative of the extent to which a trans-employee's gender-identity may be invalidated by cisgender onlookers, resulting in the trans person being designated as 'potently' and 'unpalatably' other.

*'management team could have supported me and found out more information about legal issues surrounds trans status instead of relying on me to give them the information and then disagreeing with what I told them I was put into situations of disclosing my trans status on their time scales and not when I felt ready: this was done I feel to make life in my workplace harder. Basically my employers did nothing to help'* (Female-to-Male participant, age 50-59).

Importantly though, support during transition is not restricted to employers. Colleagues can positively impact upon the process of transition via the support they extend, as illustrated by the following data-extracts. In some cases, colleagues' support can enable trans-employees to feel secure to remain in their post after transition, where they may otherwise have felt uncertain of doing so.

*'I had decided prior to transition to leave as a fresh start and partly because I was unsure of the reaction of colleagues. However these fears were unfounded as I have had great support from them'* (Woman with a trans-background, age 30-39).

*'In 2005 at the start of my transition two of my female colleagues acted as my "champions" against the female bigots'* (Male-to-Female participant, age50-59).

*'Everyone has made every effort to make me feel comfortable in my transition. They have been very nice and supportive, interested but not intrusive. They have been understanding (in terms of needing to go to appointments), quick to change my details and inform others of change'* (Female-to-Male participant, age 25-29).

Overall, the findings showed that many participants feel that employers may be aware of the need to appear equality-minded, but may not necessarily feel motivated, or know how, to incorporate this into day-to-day practices. The following table outlines the types of provisions that some employers extended to participants during their transition. The percentages of participants who received these provisions are alarmingly low. These were the provisions which the data showed to have the most significant influence over the 'quality' of workplace participation during transition. And yet, these areas are the ones in which tensions and discrimination may most frequently arise.

**Table 8: Types of Provisions Made By Employer during Participants' Transition**

<b>Types of Provisions Made By Employer During Participants' Transition</b>	<b>Percentage of Participants (N=60)</b>
Allowed time off for appointments	53%
Allowed to work flexi-time when necessary	21%
Freedom to choose/adapt work attire /uniform	34%
Freedom to use the lavatories/facilities which the participants felt comfortable with	53%
Swift change of name, gender, and pronouns on badges and records	65%
Support with educating others in the workplace about trans-issues	28%
Moved to a less frontline position after <i>specifically requesting</i> the move	2%
No provisions made	10%

Interestingly, there was some variation in the types and levels of provision extended to trans male and trans female participants, as shown by the following table.

**Table 9: Types of Provisions Made By Employer during Participants' Transition (Split by Gender-Identity)**

<b>Types of Provisions Made By Employer During Participants' Transition</b>	<b>Percentage of Trans male Participants (N=14)</b>	<b>Percentage of Trans female Participants (N=43)</b>
Allowed time off for appointments	50%	56%
Allowed to work flexi-time when necessary	15%	22%
Freedom to choose/adapt work attire /uniform	21%	38%
Freedom to use the lavatories/facilities which the participants felt comfortable with	36%	63%
Swift change of name, gender, and pronouns on badges and records	64%	67%
Support with educating others in the workplace about trans-issues	21%	30%
Moved to a less frontline position after <i>specifically requesting</i> the move	100%	2%
No provisions made	14%	7%

In all but one case, the above provisions were reported by more trans women than trans men. If based in unequal extension of provisions, this could again be indicative of the validating influence of the dominant trans-signified, and thus the additional taboo which the author suggests surrounds trans male gender-diversity. It could also be due to trans male employees feeling less able to seek and accept certain types of provision. Sufficient data was not recorded in this research in order to determine the impact of this, but this is something the author hopes to consider in future research.

As well as a gender-identity linked variation, the dataset presented significant variation in the types and levels of provision extended to trans-employees in different sectors of employment, as illustrated by the following table.

Table 10: Types of Provisions Made By Employer during Participants' Transition (Split by Sector of Employment)

<b>Types of Provisions Made By Employer During Participants' Transition</b>	<b>Percentage of Public Sector Participants (N=25)</b>	<b>Percentage of Private Sector Participants (N=27)</b>	<b>Percentage of Voluntary Sector Participants (N=5)</b>
Allowed time off for appointments	52%	56%	60%
Allowed to work flexi-time when necessary	13%	28%	40%
Freedom to choose/adapt work attire /uniform	36%	35%	40%
Freedom to use the lavatories/facilities which the participants felt comfortable with	48%	59%	60%
Swift change of name, gender, and pronouns on badges and records	60%	74%	60%
Support with educating others in the workplace about trans-issues	40%	22%	20%
Moved to a less frontline position after <i>specifically requesting</i> the move	100%	4%	100%
No provisions made	0%	15%	20%

Surprisingly, no *public* sector participants reported that all types of provision had been withheld, which was the case with a number of *private* and *voluntary* sector participants. However, for a number of the provisions listed in the above table, the percentages recorded for *public* sector employees was far less than those recorded for the other two sectors. Despite this, it is interesting that the *public* sphere was the sector in which the greatest percentage of participants received support with educating others in the workplace about trans-issues. And yet, it would appear, based on the levels of inequalities experienced in this space, that *public*-sector approaches to trans-inclusive diversity awareness overall are woefully ineffectual.

This subsection has demonstrated that, despite embedded transphobic practices and responses in the employment sphere, some organizations, and their personnel, are perceived to positively contribute to the quality of trans-employees' transition experiences. Unfortunately, support at this time can be unforthcoming, or inconsistent, and there remains significant room for improvement in this area. Consistency in this area both across the employment sphere, and within organizations, could greatly improve trans people's sense of, and actual, job security and satisfaction when: considering whether to undergo; on commencing; or on completing; transition.

### **7.3: The Impact of Gender-Identity Acceptance on Participants' Perceptions of Support and Inclusion**

The impact of gender-identity acceptance on participants' perceptions and experiences of discrimination has already been discussed. The impact that acceptance has on perceptions and experiences of support and inclusion are now considered. This is important because, even where discrimination is perceived to be absent, ironically, this does not mean that support and inclusion are necessarily present. Gender is both ascribed and achieved (West and Zimmerman 1987), and in the process of self and external gender attribution (Kessler and McKenna 1978, in Ekins and King 1996:1), forms a key component of social categorisation and in/out-group power dynamics (Donelson 1999:40; Fiske *et al.*1999; in Lauzen *et al.* 2008:201). It is both an individual and collective 'doing', and indeed an intertextual undoing and redoing, which is pedagogically and internally navigated and surveilled. Moreover, many trans people concurrently experience tensions between those who wish to repatriate them, and those who challenge their gender-identity and seek to anchor them to their birth sex-category (Schilt and Connell 2007:597). Subsequently, a trans person's workplace-insider status might become suspended when their gender-diversity becomes known, although ultimately 'insider status is open to negotiation' (Crow *et al.* 2001:29). Feeling that one's gender-identity is accepted by others at work is crucial, and is often significantly interrelated with the extent to which one passes: it is intimately intertwined with (in)visibility. The data already presented has highlighted the many ways in which the acceptance of a trans-employee's preferred gender-identity is important, and impacts upon their workplace experiences. The impact of gender-identity acceptance is considered here in relation to participants' perceptions of support and inclusion.

#### **7.3.1: Gender-Identity Acceptance and Perceptions of Support**

The implications of workplace (in)visibility are interwoven not only with acceptance, but also with perceptions of support, and insider/outsider status. And yet, whilst 'congruous gender performances' do influence cis-onlookers' acceptance of trans-

employees' preferred gender-identities, acceptance is by no means restricted to 'successfully mediated' and 'seamless' gender-expression. Nevertheless, the data demonstrated a significant statistical interaction between feeling that one's preferred/acquired gender is accepted by others at work, and feeling one is supported by one's *employer* ( $P=0.011$ ,  $N=77$ ). Additionally, statistical analysis of the quantitative data showed that gender-identity acceptance holds even greater importance in relation to perceptions of *colleague*-derived support ( $P=0.000$ ,  $N=76$ ). In relation to both avenues of support, participants whose gender-identities were accepted by all of their work-team were overwhelmingly the ones most likely to feel supported by their employer (62%) and colleagues (60%). Moreover, participants whose identity was accepted by very few people were the group to report the highest proportion of feeling unsupported (17% by employers, 50% by colleagues). Where acceptance was mixed or accepted by most team-members, the extent to which participants felt unsure of support, or felt actually unsupported, were high, and broadly similar in relation to employer-derived support. However, in relation to colleague-derived support, the data was skewed towards participants feeling uncertain of the levels of support they had or might receive. This is unsurprising, as being recognised as oneself, rather than other's assumptions, is crucial in order to facilitate a sense of presence and 'validity'.

Unfortunately, in some cases, participants felt that their employer had policed, and thus minimized the supportiveness of colleagues. As 'grand-gatekeepers', employers can surveill the responses of other personnel: to some extent exerting a navigating influence over the expressions and behaviours of both cis and trans-employees. The data showed that this may inhibit the enactment of positive and supportive behaviours from others (see Schilt and Westbrook 2009:459). In essence, these 'dominant' individuals 'gatekeep' the potential for acceptance or resistance (subject to other individuals' own views on gender-diversity):

*'Fantastic support in general, then made redundant from senior position 18 months later because company 'didn't want a transsexual to be the public face of the company'. Still enjoyed mainstream support and respect from colleagues, peers and customers, right up until the end of my time there, except that they were hesitant to show that support once it was known that I was being made redundant. They were shocked that the company had taken that step' (Male-to-Female participant, age 50-59).*

Furthermore, cisgender-employees' own perceptions of associative stigma, in conjunction with the responses of other onlookers, can further inhibit positive interactions, as illustrated by the following data-extract:

*'The one person who knows about my intention to transition is supportive in principle but concerned about the impact on the business and the potential implications for her employment'* (Male-to-Female participant, age 40-49).

And yet, participants' responses suggest that colleague-derived support is one of the greatest indications of the acceptance of their workplace 'insider membership'. Additionally, whereas discrimination from colleagues may make participation in a workplace unpleasant or untenable, discrimination from an employer was perceived to be a greater threat to employment security and thus a person's non-work quality of life. The following data-extracts enlarge on the support that some participants enjoyed from colleagues:

*'Many people over time went to the trouble to seek me out to wish me well and to offer any help and/or support I felt I needed'* (Male-to-Female participant, age 50-59).

*'apart from the management team all other work mates where supportive and interested in my transition'* (Female-to-Male participant, age 50-59).

*'some members of staff where really supportive and interested in my trans status when I first informed them in 2002 but now I am just Scott to those members of staff. Male members of staff where only too happy to explain to me how things are in the real man world and thought it cool thing for me to be doing and brave and said they admired me and if there was anything I needed I only had to ask'* (Female-to-Male participant, age 50-59).

The latter data-extract strongly reiterates Schilt and Connell's (2007:615) finding that, when faced with (in this case) a trans male colleague who increasingly appears male, cismale colleagues in particular may validate their colleague's male identity and incorporate them into 'male' interactions. Unfortunately however, interest in someone's transition and gender-diversity, even when couched in terms of support, can lead to colleagues presuming they have a 'procedural right' (see Crombez *et al.* 2006:323) to intrude into a trans-colleague's privacy. This is demonstrated by the



following data-extract. One could suggest that the societal taboo surrounding gender-diversity, and the ensuing interest, can facilitate the construction of trans people as 'objects' of fascination under cisgender 'subjects' gaze.

*'the female staff were very supportive and nosy'* (Male-to-Female participant, age 50-59).

Additionally, the data showed that despite the importance of colleagues' support in aiding the 'quality' of trans people's employment participation, such support may not sufficiently offset the difficulties and negative implications of employer-led discrimination. This is illustrated by the following participant's experience:

*'While most colleagues were supportive several members of management were not and their reaction mixed with the previously mentioned colleague difficulties resulted in me leaving (and having a nervous breakdown)'* (Male-to-Female participant, age 30-39).

Moreover, participants' experiences demonstrated that colleagues' responses can differ significantly, and thus trans people face a variety of interpersonally-dependent responses, treatment, and levels of support in relation to different individuals or colleague-subgroups (as with all employees). This is demonstrated by the following data-extracts:

*'the males were very anti but the females were very supportive'* (Male-to-Female participant, age 50-59).

*'Most of my colleagues were and are supportive; there are a few who are unable or unwilling to accept what they have been told about'* (Woman with a trans-background, age 40-49).

*'Some people were nervous around me, some rejected me completely, some were more friendly/supportive towards me'* (Male-to-Female participant, age 30-39).

However, whilst participants provided numerous examples of the support they had received at work, these accounts overall were dwarfed by the volume of responses recounting a lack of support and discrimination. Many of these participants attributed their, in some cases, appalling negative experiences to the fact that their gender-diversity/history was visible or known by others at work.

### **7.3.2: Gender-Identity Acceptance and Perceptions of Inclusion/Exclusion**

The dataset repeatedly stressed the reliance of most participants' perceptions of inclusion on cis-colleagues' acceptance of their preferred gender-identity. It is therefore unsurprising that a highly statistically significant interaction was found between whether participants felt their gender-identity was accepted by others, and whether they felt included both in *formal* work-spaces, and *informal/social* work-related situations ( $P=0.000$ , significant at the 1% level,  $N=77$ , for both sets of analysis). A strong correlation was found overall between having one's gender-identity accepted, and feeling included, or feeling excluded when acceptance was denied. As a backdrop to this finding, several participants highlighted the frequently enduring influence of expected/assumed sex/gender/body congruence. These individuals felt that there had been a marked change in the ways in which cis-colleagues perceived them after their sex reassignment surgery. After this point, colleagues appeared to be more disposed to acknowledge the 'validity' of their trans-colleague's gender-identity and gender-membership. The following data-extract provides a clear example of this:

*'Attitudes have changed now that I am post op, I think the male mentality is less of 'that's a guy with breasts, or a chick with a penis'. I have noticed a marked change in attitude since my SRS and Breast Augmentation' (Woman with a trans-background, age 30-39).*

Moreover, experiences of inclusion/exclusion vary in different interpersonal, spatial, and temporal, contexts. It is interesting that the data collected in this research repeatedly highlighted that in many cases, cisgender-female colleagues' responses are more likely to be positive than cisgender-males':

*'Quite a number of men who were very 'stand offish' when I first began to transition now treat me just like any other female and we get along well' (Male-to-Female participant, age 60-64).*

*'At the time it was a predominantly female office and most of the men initially seemed uncomfortable with the idea until they got used to it' (Male-to-Female participant, age 25-29).*

However, cisgender-males' responses do appear to gradually shift to correspond with those of cisgender-females'. It is theorized that this may be due to acceptance and inclusion being gendered within 'normative' expectations of macro gender regimes. By this the author refers to societal assumptions that femininity (and thus femaleness) equates to supportive and caring behaviours. Nevertheless, it is not for a moment suggested that cis-men are incapable of acceptance or inclusion, nor that cis-females do not harass and exclude their trans-colleagues. Indeed, the primary research has demonstrated that this can be the case.

Perceptions and experiences of inclusion are complex, and frequently fraught with tension. For many participants, a sense of inclusion, brought about via others' acceptance of their gender-identity, symbolized the 'validation' of their preferred gender-membership. The following extracts are examples of perceived inclusion in formal work-spaces:

*'They treat me as a female. Asians especially who only want a female to assist with personal tasks seems to have no problem with me. Additionally I now have to chaperone male doctors when dealing with female patients'* (Male-to-Female participant, age 40-49).

*'Whenever I have joined an existing team, or another person(s) has joined my team, I have always told my team colleagues about my trans status. I have always had positive reactions, in those circumstances and, in a few cases, this has led to lasting friendships being formed'* (Male-to-Female participant, age 50-59).

The latter data-extract in particular reiterates the author's previous suggestion (see also Rundall and Vecchietti 2010) that where trans people are successfully able to have their gender-identity accepted by others at work whilst being out about their gender-diversity/history, they may ultimately experience greater inclusion in the long-term. This is further demonstrated by these participants' experiences in informal/social work interactions, as well as the 'cementing' of 'gender-membership' through acceptance and inclusion:

*'I had left work prior to transition to go into full-time education. However I still have close friendships with ex work colleagues and have attended social events like Xmas parties, work night outs etc. And my ex boss still tries to*

*persuade me to go back and work for him!’ (Woman with a trans-background, age 30-39).*

*‘Doors are now opened for me (even by gay men)! I am fully included in some very female conversations that take place in the ladies changing rooms. I get teased and flirted with in appropriate way’ (Male-to-Female participant, age 50-59).*

*‘I have transitioned only recently but my Boss organized a coming out party for me’ (Male-to-Female participant, age 30-39).*

*‘Apart from now being chatted up by the departmental Romeo (that was when I knew I’d made it within the dept as female :-), a few people did not know how to react around me, but for the most part that was short lived’ (Male-to-Female participant, age 30-39).*

And yet, tensions implicitly remain, as visibly or knowlably gender-diverse employees are considerably more likely to face discrimination and exclusion than their ‘invisible’ counterparts. The dataset contained an overwhelming body of information on trans-employees’ experiences of exclusion in both formal and informal/social situations. In many cases, participants’ experiences of formal exclusion stemmed from others’ refusal to accept their gender-identity, as illustrated by the following:

*‘as said before, some of them kinda ignore it, so will include me when saying "ladies" to the rest of the team...I am only man in my team...they are then uncomfortable and try to correct themselves’ (Female-to-Male participant, age 30-39).*

*‘I have little respect from some members of staff. On finding out that I was FtM, this seemed to confirm their view that I was not ‘one of them’. Some people stopped talking to me for anywhere up to a year, even though they were on my team’ (Female-to-Male participant, age 30-39).*

Moreover, a number of exclusionary responses appeared to be based on onlookers’ sense of the ‘unpalatability’ of gender-diversity, leading to disrespectful and unprofessional behaviour:

*‘Other work colleagues were a bit disrespectful to me personally’ (Female-to-Male participant, age 40-49).*

*‘some managers where less than professional in their dealing with me after they were told and deliberately tried to make my job harder to perform and*

*would have liked to had found a reason to dismiss me but couldn't* (Female-to-Male participant, age 50-59).

Participants also recounted numerous experiences where others' discomfort surrounding their gender-diversity/ history led to exclusion in informal/social situations, as illustrated by the following extracts. Such exclusion prevents trans-employees from engaging in interpersonal networking and social practices of group cohesion.

*'I was less included in social activities and sociable chatting'* (Male-to-Female participant, age 50-59).

*'Some people were clearly keeping their distance from me at work if they could. I found that sometimes I was <forgotten> when social events took place. The body language of some signaled how uncomfortable they were with me'* (Woman with a trans-background, no age supplied).

Moreover, a number of participants also stated that where they had attended external social events where non-work people would be present they were not only excluded, but also were outed and overtly othered by their colleagues, as illustrated by the following:

*'Work colleagues in other departments have disclosed my trans-history to their friends if they meet me outside of work e.g.: pub/bar'* (Male-to-Female participant, age 50–59).

This participant's experience reiterates the possibility for trans people to be treated as 'curios' by genderist and transphobic cisgender onlookers, and for these onlookers, bolstered by their sense of dominance and 'procedural right', to choose not to curb this behaviour.

The data indicated that exclusionary behaviours may become embedded in the fabric of the workplace and practices of the work-team, and may lead to 'pack-enacted' exclusion. Thus, whilst work-spaces appear (and are) complex, the findings presented here have unquestionably demonstrated the importance of the acceptance

of trans people's gender-identities in relation to feelings of inclusion/exclusion. Whilst (in)visibility can, and does, have an impact, this is not to suggest that the visibility of a person's gender-diversity/history precludes their inclusion, especially for trans female employees. However, trans-employees' whose gender-diversity/history *is* visible do remain at an increased risk of exclusion, and indeed, discrimination.

### **7.3.3: The Variation between the Impact of Gender-Identity Acceptance on Trans men's and Trans women's Experiences of Support and Inclusion**

The literature review chapters discussed suggestions that trans women are more at risk from prejudice due to their proportionally greater inability to mediate their corporeal texts sufficiently to pass fully compared with trans men (Whittle 2006). The findings of this research have shown that whilst trans women as a group do face greater levels of discrimination and exclusion than their trans male counterparts, they also enjoy greater levels of acceptance, support, and inclusion. (In)visibility has been shown to, in many cases, hold greater complexity for the acceptance of trans men's gender-identities where they are unable to pass fully. Moreover, as the author has previously theorized, acceptance and inclusion may be gendered in terms of cis-colleagues' behaviours and propensity for initial positive responses.

Interestingly however, there was some variation between the impact of gender-identity acceptance and trans men's and trans women's perception of support from employers and colleagues. Analysis of the quantitative data highlighted a slightly more statistically significant result for trans men than trans women for the interaction between acceptance and *employer*-support ( $P=0.017$  compared to  $P=0.020$ ,  $N=20$  and  $53$  respectively). Importantly then, in relation to perceptions of *employer*-derived support, the data showed that the above finding is reversed, which was not the case with perceptions of colleague-derived support. Trans men felt more supported than trans women where their gender-identity was accepted by all (a variation of 19% was recorded between the two groups). Moreover, trans men felt significantly less supported than trans women where participants' gender-identities were accepted by very few people (a variation of 21% was recorded). Furthermore, a variation of 34% was found between trans male and trans female samples who felt unsupported by

their *employers*, and where their identity was accepted by most (but not all) colleagues. Thus, it again appears that (in)visibility holds somewhat greater implications for trans men's employment experiences than it does trans women's (albeit in relation to shared experiences of discrimination and inequality). As the author has previously theorized, this may be due to perceptions of 'validity' stemming from notions of a dominant iconic trans-signified which privileges trans-femininity.

Counter to the above finding, for the interaction between gender-identity acceptance and perceived *colleague*-derived support, whilst statistical significance was found for trans men, considerably more significance was found for trans women ( $P=0.021$ ,  $N=20$  compared with  $P=0.000$ ,  $N=52$ ). There was a marked difference between participants' feeling *unsupported* and whether their gender-identity was accepted at work: interestingly, half the trans male participants who felt unsupported by their colleagues were those whose gender-identity was accepted by most people. In comparison, the same percentage of trans women felt unsupported where acceptance was mixed (50%). Furthermore, whilst no trans men were unsure of support where their gender-identity was accepted by all members of the workplace, 11% of trans women were. Acceptance is key for engendering a sense of in-group membership and 'validated' participation. (In)visibility is frequently intimately related to an interaction between passing and the extent to which an individual's gender-identity is accepted by others at work. Thus, (in)visibility permeates all interactions and experiences that trans-employees have, as it is this, and the knowledge of their atypical gender-history, which marks them as trans against the dominant cis socio-cultural mise en scene, mediating both acceptance and experiences of support.

Analysis of participants' responses regarding their sense of inclusion/exclusion also highlighted the propensity for trans women to enjoy greater levels of inclusion and acceptance than their trans male counterparts, regardless of the extent to which 'acceptance' was forthcoming. Nevertheless, trans women again reported proportionately higher levels of exclusion. And yet, nuances remain within this finding. The statistical interaction for both trans men and trans women was found to be significant in the interaction between gender-identity acceptance and perceptions of inclusion in work-spaces ( $P=0.028$ ,  $N=20$ , and  $P=0.000$ ,  $N=53$ ). Nevertheless, the data demonstrated that all trans men and trans women whose gender-identities were

accepted by few people felt '*actively excluded*'. Interestingly, trans women were the only participants to report feeling '*mostly excluded*', regardless of the extent to which their gender-identity was accepted. Moreover, where participants' gender-identities were accepted '*most of the time*', it was only trans male participants who had felt '*actively excluded*'.

#### **7.3.4: Sector Variation between the Impact of Gender-Identity Acceptance on Participants' Experiences of Support and Inclusion**

The dataset highlighted considerable variation in the impact of gender-identity acceptance over participants' perceptions of support and inclusion when employed in different sectors. The overrepresentation of experiences of discrimination in the *public* sphere has already been discussed, and therefore one could assume that gender-identity acceptance would have the greatest impact on participants' perceptions of support and inclusion in this sphere. And yet, surprising tensions were recorded. Interestingly, the data indicated that it is frequently easier for *visibly* gender-diverse trans-employees to gain greater acceptance of their gender-identities in the *public* sphere than in either the *private* or *voluntary* sectors. Moreover, whilst gender-identity acceptance had the greatest impact on *public* sector respondents' perceptions of *employer*-derived support<sup>179</sup>, perceptions of *colleague*-derived support were far more reliant on acceptance for *private* sector participants<sup>180</sup>. However, the importance of identity acceptance also remained significant for *public* sector respondents' perceptions of support from *colleagues*<sup>181</sup>. These findings are implicitly informed by the nuances presented by (in)visibility, as acceptance is intrinsically intertwined with onlookers' readings and responses to trans people's 'texts'. Bearing in mind Butler's (1990) assertion that gender is a repetition of corporeal signs, it is argued that the above data reiterates the sociocultural importance of repeated binary gender enactment and signification. The implications of (in)visibility and participant's perceptions of support and inclusion are discussed and theorized in greater detail in section 7.4.

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<sup>179</sup> *Public* sector: P=0.068, N=29, just short of statistical significance at the 5% level. Statistical significance not recorded for other sectors.

<sup>180</sup> P=0.000, N=38.

<sup>181</sup> P=0.011, N=28; no significance recorded for the *voluntary* sphere.



Variation was also recorded between sectors in relation to the impact of gender-identity acceptance of perceptions of inclusion in formal work-spaces. Interestingly, statistical significance between these two facts was only recorded for the *public* (P=0.001, N=29) and *private* (P=0.000, N=38) spheres. Where participants' gender-identities were accepted 'all'/'some of the time', participants in the *private* sphere felt significantly more included than their *public* sector counterparts. Only where the acceptance of participants' gender-identities were mixed did the *public* sector show greater experiences of inclusion, although this is tempered by the fact that exclusion was also experienced, which was not the case in the *private* sphere. Importantly however, where participants' gender-identities were accepted by only a few people, both *public* and *private* sector employees felt equally excluded.

Additionally, statistical significance was recorded for all sectors of employment in relation to the impact of the acceptance of gender-identity on feelings of inclusion in informal/social situations<sup>182</sup>. All sectors afforded participants a greater sense of inclusion in informal/social situations where their gender-identity was accepted by others, and indeed greater experiences of exclusion where this was not the case. Interestingly, it was participants employed in the *voluntary* sector who reported the greatest levels of both inclusion<sup>183</sup> and exclusion<sup>184</sup> in informal/social situations. Up until this point, the *voluntary* sector has produced little information of particular note. Importantly though, only participants employed in the *public* sector had felt 'actively excluded' from informal/social situations (3%).

This subsection has shown that onlookers' acceptance of trans-employees' preferred gender-identities greatly increases the extent to which participants feel supported and included at work. Moreover, it has demonstrated that where acceptance is withheld, participants are significantly likely to feel unsupported and excluded. Overall, trans women reported experiencing greater levels of support and inclusion, but also lack of support and exclusion, than their trans male counterparts. Variation between the

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<sup>182</sup> *Public* sector: P=0.000, N=29; *private* sector: P=0.001, N=38; *voluntary* sector: P=0.008, N=7.

<sup>183</sup> Voluntary 75%, compared to public 50%, private 57%.

<sup>184</sup> Voluntary 25%, compared to public 3%, private 10%.

importance of gender-identity acceptance and perceptions of support and inclusion were also demonstrated in relation to different sectors of employment, and theorized in terms of the influences of gender regimes and organizationally policed gender aesthetics. It was here that a number of tensions and contrasts were presented, highlighting the nuances which shape trans people's employment experiences and overarching 'quality' of workplace participation.

#### **7.4: The Impact of Passing on Participants' Perceptions of Support and Inclusion**

Passing has already been shown to influence the levels and types of discrimination experienced by participants. And yet, whilst the data highlights the enduring influence that (in)visibility has over trans-employees' perceptions of support and inclusion, passing is not the only way to avoid discrimination, and to gain support and inclusion. Nevertheless, it frequently increases the likelihood of positive responses and experiences, as demonstrated in this section. And indeed, participants who were unable to pass were the ones most likely to feel unsupported and excluded.

However, many visibly gender-diverse participants did enjoy the support of those they interact with in the day-to-day work environment. It is suggested that if a trans-employee is perceived to seek to conform to 'normative' articulations of gender, they are likely to face considerably less resistance to the acceptance of their gender-identity, and subsequent reprisals, than where a trans person is perceived to not be trying 'hard enough'. This relates not only to perceptions of reduced 'gender-binary unsettling' and thus greater 'palatability', but also to regimes of classification rooted in conceptualizations of the dominant 'trans-signified'. Such judgements are reliant on the agency and sensibilities of the onlooker, and may fail to take into account a trans person's efforts to mediate a complex and social-normatively 'discrepant' corporeal canvass. Importantly, hiding one's gender-diversity is not always possible, and moreover, the constant fear of discovery can result in stress, and greatly restrict an employee's productivity (Rocco and Gallagher 2006:32) which can ultimately lead to

sanctions on this basis<sup>185</sup>. Being out about one's trans-status/history can allow respite from the pressures of mediating one's (in)visibility, and enable the construction of more meaningful workplace relationships. Ultimately though, this is tempered by the pervasiveness of transphobia in the employment sphere.

#### **7.4.1: Passing and Perceptions of Support**

Passing and (in)visibility are shown repeatedly throughout this thesis to have a multifaceted impact on trans-employees' experiences and the treatment they receive from others in the work environment. Throughout, the impact of passing on the extent to which participants felt cis-colleagues accepted their gender-identity has highlighted that it is *acceptance*, symbiotically intertwined with, but not wholly reliant on, (in)visibility, that is the greatest determinant of trans peoples 'quality' of employment participation. The author has theorized this in terms of presence and acknowledgement, of membership both of participants' preferred gender and also of work teams and spaces.

The dataset highlighted that passing per se does not in many cases appear to ultimately govern participants' perceptions of employer-derived support for the cohort overall<sup>186</sup>. However, as noted below, the responses of participants employed in the *private* sector proved an exception to this finding. It is suggested that whilst employers are social agents in their own right, with their own accompanying prejudices and assumptions, in some cases the framework of their formalized position of dominance and responsibility can navigate their responses accordingly. In comparison, the extent to which participants passed was found to greatly impact on the degree that the overall cohort felt supported by colleagues<sup>187</sup>. Participants who stated that they pass all of the time were the ones who most significantly reported feeling supported (46%). Moreover, even greater numbers of these participants stated that they felt unsure of their colleagues' support (58%). One could surmise

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<sup>185</sup> Wadsworth et al (2007:18) discusses the prevalence of stress experienced by 'minority ethnic workers' due to discrimination; and this discussion is comparable to the experiences of the trans-employee minority.

<sup>186</sup> No statistical interaction was found: P=0.248, N=80.

<sup>187</sup> P=0.013, N=79, significant at the 1% level.

that where individuals present as stealth at work, they may be unsure of how their colleagues might react if they disclosed their trans-status/history. Interestingly, equal percentages of participants (25%) felt unsupported by colleagues for each level of passing. This suggests that signficatory adherence to socio-cultural gender 'norms' may not sufficiently offset genderism, biocentrism and the effects of elastic othering where one is known to be gender-diverse. Concern surrounding colleagues' responses was shown previously to be an inhibiting factor in whether participants felt able to transition at work, or remain in the same post thereafter. This is certainly not to suggest that a trans-employee should seek to hide their gender-diversity, or that to fail to do so will always result in a total lack of support. The complexities of interpersonal interactions disrupt such restricted linearity.

Nevertheless, it is important to remember that 'incongruous' gender performances (in the eyes of cis colleagues) can result in genderist tensions and the fear of associative stigmatization. Additionally, the tension experienced by colleagues for whom gender-diversity is something new/unknown, may ultimately result in nervous (but well-meaning) expressions of excessive support:

*'When I wasn't passing some colleagues would be noticeably nervous or (conversely) overly-supportive of me'* (Male-to-Female participant, age 30-39).

Whilst trans people may feel positioned as 'other' by expressions of 'excessive' support, such responses are likely to be significantly preferable to an active lack of support. Nevertheless, should displays of 'excessive' support continue well after transition (or entry into that workplace), this is likely to be symbolic of the trans-employee's 'othered' and outsider-status in the eyes of the overly-supportive cis-colleague. Ultimately, trans-employees' must navigate colleagues' responses, their own approach to the expression of their gender-identity, and their ensuing signficatory displays, in relation to organizational gender-regimes and internal cultures.

#### **7.4.2: Passing and Perceptions of Inclusion/Exclusion**

Surprisingly, no statistical significance was found in the interaction between passing and whether participants felt included in *formal* work situations. In comparison with perceptions of inclusion in formal work-spaces, the impact of passing on the extent that participants felt included in *informal/social* situations was highly significant ( $P=0.003$ ,  $N=80$ ). Overwhelmingly, participants who passed all of the time were those who felt most included in informal/social situations (73%), and concomitantly, participants who felt most excluded were those who rarely passed (33%). This may be because these individuals are perceived as overtly ‘threatening’ to the binary gender-order, and are policed/ostracized by cisgender colleagues accordingly (see also Schilt and Connell 2007:596). And yet, participants’ qualitative responses continually highlighted the impact that (in)visibility has over cisgender onlookers’ responses in both *formal* and *informal/social* situations. The data showed that colleagues, in perceiving a trans-colleague as ‘other’, may behave in ways that signal a lack of respect. Participants may thus not only experience varying levels of exclusion, but may also be treated in ways that would be perceived to be unthinkable in relation to other cisgender colleagues. The following data-extract provides an example that reiterates the author’s previous suggestion that trans people may become ‘objectified’ by cisgender onlookers, who treat their trans-colleague as a ‘curio’ to be inspected.

*‘Work colleagues, although largely respectful definitely excluded me from the boy’s club that exists in hospital medicine. Other hospital staff felt it OK to address me more causally i.e. “Sally” rather than “Dr” (no problems to me, rather nice really). Close female staff definitely became more bitchy, and felt that because I had to be self-disclosing prior to transition, they had the right to know every fact about me post-transition’ (Male-to-Female participant, age 50-59).*

Moreover, participants repeatedly articulated what Collins (1990; also cited in Schilt 2006) terms the ‘outsiderwithin’ perspective. Exclusion, or outsider status, may afford ‘othered’ individuals’ a clearer lens through which to perceive the ‘true’ mechanisms of societal interactions. The following extracts illustrate participants’ perceptions of both the impact of (in)visibility on the treatment they received, and the inequalities and variations present within the cisgender-binary.

*'I have noticed differences between how men and women interact at work. Not just how they interacted with me before I transitioned, but generally. It is a lot easier for women to get what they want (socially), and as a female-to-male transsexual this is something I have lost since transitioning. I haven't experienced career related sex differences though as I became self employed shortly after transitioning'* (Female-to-Male participant, age 30-39).

*'people definitely treat you differently when you pass. I was lucky because I began to pass almost immediately when I transitioned...but for the first few months when I still looked a bit ambiguous, people certainly treated me differently'* (Woman with a trans-background, age 30-39).

*'Since transitioning at work and being made redundant, all work experiences have been thoroughly positive because I pass, and because I don't stitch myself up by blabbing to anyone. ... I am female, a woman! Think it, be it! And smile, especially when you remember the bastards who so mis-treated you'* (Male-to-Female participant, age 50-59).

Interestingly, one stealth trans man highlighted the ways in which others' reading of a 'seamless' trans 'text' can result in peripheral prejudice stemming from a resentful cisgender-female colleague's assumption of a trans man's experiences of patriarchal privilege (in addition to other intersectional characteristics) (see Schilt 2006:465-6; Connell 1995:79):

*'I now have a supervisor who thinks as a Bio guy I have received all the privileges that she has been denied. University education (Oxbridge), born with a silver spoon (class), that I am an arrogant male who thinks doing women's work is below me. This is far from the truth and presumptions that she has ascribed without finding out if they are true. Who am I to dissuade her from her own delusions but it's extremely funny from my perspective'* (Female-to-Male participant, age 40-49).

This experience demonstrates the ways in which gender-diversity, and inclusion/exclusion, can be at once both present and absent, and that the interpersonal reading of individuals' 'texts' may strikingly differ from their actual experiences/history. Nevertheless, stealth is ultimately an insecure position which constantly has the potential to be undone. This may lead to exclusion and ostracism, as illustrated here:

*'When I worked part-time at another school in the second year of my transition, initially no-one knew about my transition and so I was treated very warmly until an advisory teacher spilt the beans, and people suddenly went quiet when I entered the staff room'* (Woman with a trans-background, age 40–49).

Therefore, whilst some cisgender colleagues accept and include their trans-colleague with a full awareness of their gender-diversity or atypical gender-history, for other participants, levels of exclusion increased in formal workplace situations where colleagues were aware, or became aware, of their trans-status or history. It is again worth reiterating that not all trans people are able to fully pass as their preferred gender, particularly in the early stages of transition. Furthermore, some choose not to hide, but rather take pride in, their gender-diversity as a component of their history and experiences. This research has shown that experiences of inclusion, via feelings of acceptance, are intrinsically influenced by the extent to which one passes in one's preferred gender-role, and are therefore frequently conditional on a number of factors. This reiterates the increased potential for discrimination if one is visibly, or known to be, gender-diverse.

#### **7.4.3: The Variation between the Impact of Passing on Trans men's and Trans women's Experiences of Support and Inclusion**

Whilst no statistical significance was recorded in relation to the interaction of passing and either trans men's and trans women's perceptions of *employer*-derived support, a distinct variation between these two groups was found in relation to *colleague*-derived support. This interaction was found to be highly significant for trans women ( $P=0.000$ ,  $N=54$ ), but not for trans men ( $P=0.208$ ,  $N=21$ ). The data showed that trans women felt far more *supported* when they passed less of the time compared to trans men. Moreover, trans men were far more likely to feel *unsupported* when they passed all of the time, compared to their trans female counterparts. Indeed, all of the trans male participants who felt unsure of their colleagues' support were those who passed all of the time. It is argued that this uncertainty may be because these participants may not be out to their colleagues, and so they continue to be unsure of how their colleagues might respond should their gender-diversity become known. It is theorized that support and acceptance may only fully be perceived to be present when behaviours

or pledges of support have been made when a cis-colleague is aware of a person's trans-status/history. In other words, for stealth trans-employees, potential support is in essence unquantifiable.

Significant variation was also found in relation the impact of passing on to trans men's and trans women's perceptions of inclusion in *formal* work-spaces. This interaction was found to be highly statistically significant for trans women, but not for trans men ( $P=0.000$ ,  $N=55$  compared with  $P=0.148$ ,  $N=21$ ). The data has repeatedly illustrated variation between the experiences of, and responses to, these two groups. Trans women were again shown to receive greater levels of inclusion where the 'seams' of their gender-expression are perceivable, compared to the levels of inclusion experienced by trans men whose (in)visibility was less readily perceivable. And yet, when participants did not pass at all, it is interesting that whilst all of these trans men felt '*actively included*', all of these trans women felt '*mostly excluded*'. It is tentatively argued that where trans male-identified employees do not pass at all, the widespread ingrained societal subordination of the ontological constructs 'woman'/'female' may mean that these employees are perceived as less of a threat to the patriarchal dividend than if their presentation of 'male' were significantly more congruent. Moreover, whilst trans women enjoy increased 'validation' of their gender-identity based on the iconic trans-signified, where they do not pass at all, they may be perceived to not be conforming to onlookers' expectations of the signficatory-displays 'required' in order for onlookers to 'categorize' their trans-colleague as aligned to this iconic 'trans-signified'. Rather, cis-onlookers, due to feelings of discomfort, may instead potentially other these trans women, perceiving their gender-articulations as overtly threatening to the binary-gender order.

In comparison with perceptions of inclusion in *formal* situations, analysis found that the interaction between passing and inclusion in *informal/social* situations was statistically significant for both trans men ( $P=0.017$ ,  $N=21$ ) and trans women ( $P=0.000$ ,  $N=55$ ). Nevertheless, the data again showed that trans women frequently faced greater levels of both inclusion and exclusion than their trans male counterparts, except in relation to '*active inclusion*' when participants passed all of the time, where the percentages were equal (75%). Only where trans men passed only



some of the time did they experience significantly greater levels of exclusion than trans women<sup>188</sup>. This finding interlinks both with the dominant (trans female) trans-signified, and with the above suggested variation in which trans male gender-diversity may be perceived as more or less of a threat; and thus more/less 'palatable' and subsequently 'othered', if indicators of their gender-diversity are dominant/muted (and thus able/unable to be ignored/glossed over) in the intertextual readings by others.

#### **7.4.4: Sector Variation between the Impact of Passing on Participants' Experiences of Support and Inclusion**

Strikingly, passing was seen to have the greatest impact on *private* sector participants' perceptions of support from both employers and colleagues. Whilst the statistical interaction between passing and perceptions of *employer*-derived support was just short of statistical significance at the 5% level ( $P=0.069$ ,  $N=40$ ), the interaction was found to be *highly* statistically significant in relation to perceptions of *colleague*-derived support ( $P=0.001$ ,  $N=40$ )<sup>189</sup>. This is not to suggest that passing does not impact on *public* and *voluntary* sector participants, just that the impact is less statistically potent. The data overwhelmingly articulated the extent to which passing impacted upon *private* sector participants' recollections of support: the greater the extent to which these trans-employees passed, the more likely they were to feel supported by their employer and colleagues. Additionally, the less that this group passed, the more unsupported they felt. It is interesting that such sectional variation was found: particularly as it is the *public* sphere in which the greatest levels of discrimination were experienced. Drawing on Hancock and Tyler (2007:512), I argue that these findings may be due to the strength of the 'aesthetic economy's' baring on the *private* sector. The above could be seen to indicate the importance of conforming to these organizations' 'compelled ways' of doing 'acceptable' gender, as it is one of the intertextual ways in which these organizations present themselves as a 'professionally sanitized' (and thus non-unsettling) face within the global market.

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<sup>188</sup> 100% of trans men felt actively excluded, compared to 0%, of tranwomen. Instead, trans women felt mostly excluded (14%).

<sup>189</sup> Statistical significance was not found for either the *public* or *voluntary* sectors in relation to perceptions of either *employer*- or *colleague*-derived support.

In terms of inclusion in both *formal* and *informal/social* work-spaces and situations, passing was again found to have a statistically significant impact on only *private* sector participants' experiences of inclusion (and exclusion)<sup>190</sup>. Unsurprisingly, participants who passed all of the time were those who felt '*actively included*'. Interestingly though, participants who did not pass only reported feeling '*mostly*' (rather than '*actively*') excluded. Rather, *public* sector participants were more likely to report '*active exclusion*'. Thus, whilst (in)visibility exerts a navigating influence over the experiences of all trans-employees to varying degrees, it is interesting that passing had such an impact in the *private* sphere, whereas the findings in relation to the impact of gender-identity acceptance showed great importance for the *public* and *private* sectors specifically. Nevertheless, trans-employees' experiences of, and the treatment they receive in, UK workplaces is holistically derived from: others' acceptance of their gender-identities; onlookers' perceptions of, and responses to, their (in)visibility; and the ways in which these interact to produce or deny support and exclusion.

This section has demonstrated the impact that passing/(in)visibility has on trans-employees' perceptions and experiences of support and protection at work. Passing was shown to significantly increase the likelihood of participants feeling supported and included, and indeed, where respondents were unable to pass, to feel unsupported and excluded. 'Trans' is overwhelmingly constructed as other against the dominant 'cis' societal backdrop, and thus the above finding is unsurprising. Trans men's and trans women's differing experiences of support and inclusion appeared from the data to be shaped by onlookers' responses to their gender-diversity, and the ways in which their 'transness' was perceived to be 'threatening' or 'unthreatening'. Whilst perceptions of support from different groups differed between these two cohorts, overall, the data showed that again, trans women face proportionately greater levels of both support and inclusion, and lack of support and exclusion, than their trans male counterparts. This has been a marked trend throughout the discussion and theorization of the research findings. The result that passing has the greatest impact in the *private* sphere is striking, particularly as the

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<sup>190</sup> *Formal* spaces: P=0.007, N=40; *informal/social situations*: P=0.003, N=40.

greatest levels of transphobia were recorded in the *public* sphere. Further research is needed to investigate the causes of these findings.

## **Conclusions**

In this chapter the ways in which the acceptance of trans-employees' gender-identities, and their (in)visibility, influences the levels of protection, support, and inclusion/exclusion they may experience have been discussed. The introduction of the GRA has had some impact on participants' experiences: mostly respondents felt that this was because it signals that binary-gender repatriation is both possible and legally 'valid'. Indeed, participants who were in receipt of a GRC felt significantly more protected by their employer from transphobic colleagues (but not for any other group). Most participants felt protected by their employer from transphobic colleagues and supervisees, although less so from customers/clients. It thus appears that legislative provisions exert the greatest influence over potential 'in-house' discrimination. Nevertheless, the presence of a trans-inclusive EOD statement, policies, or diversity training was not found to reduce the extent to which trans-employees experienced discrimination. However, trans-inclusive EOD statements were shown to have the greatest bearing on whether trans-employees felt protected and supported by their employer. Nevertheless, a worryingly high percentage of participants felt actively unsupported by their employer. Without the provision of top-down support, these participants' experiences are likely to be of significantly 'poorer quality' than those who do receive top-down support. The benefits of top-down support are something that is also shared by cis-personnel.

Many participants felt that employers were uninformed as to how best to support transitioning employees. *Public* sector employers/supervisors were the most likely to ask how they could make provisions, although bearing in mind the significant levels of discrimination experienced in this sphere, it appears that such support may be experienced as ineffectual. The data suggested a reason for this: provisions offered/extended by organizations of all sectors may frequently be either unforthcoming, or not maintained, in practice. Indeed, the percentages of participants (across all sectors) who received provisions during their transition were alarmingly

low. Interestingly, provisions appeared to be extended to a greater degree to trans women than trans men, although future research is needed to investigate the reasons for this. Of all the sectors, however, it was *voluntary* sector organizations who afforded their transitioning employees with the greatest levels of supportive provision.

Acceptance of a person's gender-identity was found to be crucial in order to form a sense of in-group membership, and this is intimately informed by (in)visibility: particularly for trans men, but slightly less so for trans women. Such acceptance can lead to more 'meaningful' participation in the work-space, and allow greater supportive networks to be constructed. Nevertheless, this varies significantly by interpersonal, spatial, and temporal contexts. The acceptance of participants' gender-identities was shown to significantly impact on whether they felt supported by both employers and colleagues: particularly for trans men, and participants employed in the *public* sphere. However, cisgender onlookers, and particularly employers, may police and mediate the levels of support that other cisgender individuals feel able to extend to their trans-colleague. Indeed, supportive individuals are at risk of courtesy stigmas and associative discrimination, particularly in relation to inclusion/exclusion in both formal, and more greatly, informal/social situations. This may be perceived to be an additional facet of binary gender policing and surveillance, and the effect of mutual dysphoria and palatability of gender-diversity.

(In)visibility and passing comprise the key basis by which trans people are incorporated in, or acknowledged/positioned as other against, the dominant binary cisgender order. Interestingly, the impact of passing varied in relation different facets of interpersonal support. Whilst passing did not significantly impact on the levels of support that trans-employees received from their employer for the cohort overall, a significant interaction was found in relation to participants employed in the *private* sector. Indeed, passing was found to be most important in relation to all areas of support and inclusion in the *private* sphere. In comparison, passing (and thus (in)visibility) exerted influence over the support experienced by all participants from colleagues, but most notably for those employed in the *public* and *private* spheres. Interestingly, the data showed that trans men were more likely to feel unsupported than trans women when both groups passed all of the time. This is likely to be due to the propensity for trans women's gender-identities to be more readily accepted than

trans men's when the seams of a trans-employees gender-presentation are perceivable. Indeed, the data highlighted many variations in the experiences of trans men and trans women, with the latter enjoying greater levels of support and inclusion, but also exclusion and a lack of support, than their trans male counterparts. It is argued that this increased support and inclusion may be due to the influence of the iconic societal trans-signified. Nevertheless, increased levels of exclusion remain rooted in biocentric and genderist responses to gender-diversity, of which trans women's is more frequently perceivable. Notably, a number of participants who were open (both without and through choice) about their gender-diversity/history received positive levels of support and inclusion. Unfortunately however, many others were not so fortunate, and faced significant levels of both discrimination and ostracism. Thus, (in)visibility appears to remain at the very core of trans-employees' experiences, be they positive or negative.

Inclusion in formal and informal/social situations is, unsurprisingly, intimately related to the extent that others at work accept a trans-employee's gender-identity. Many participants said they enjoyed inclusion in formal spaces, and to a lesser degree in informal/social situations. Interestingly, as with the gender-based variation found in relation to experiences of support, the data showed that, irrespective of (in)visibility per se, trans women are more likely overall to experience inclusion, but also exclusion, in both formal and informal/social situations compared to their trans male counterparts. The author has theorized this in terms of the interactive influences of perceptions of a dominant trans-signified, against responses to potential interpretations of gender-diversity as 'unsettling' and 'threatening' to both the macro gender regime, and individual cis experiences of gender. Importantly though, (in)visibility was shown to have the greatest impact in relation to experiences of inclusion/exclusion in informal/social spaces, especially where interactions are viewable by non-workplace cisgender onlookers.

Interestingly, the greatest trend throughout the data was the finding that trans women experienced greater levels of support and inclusion, but also greater lack of support and exclusion, than their trans male counterparts. Nevertheless, it is concluded that (in)visibility influences all aspects of trans-employees' experiences of protection, support, and inclusion/exclusion, to greater or lesser degrees, as it is this which forms

the very basis of whether they are/are not, read or known to be gender-diverse/have an atypical gender-history. Moreover, it is this which fundamentally informs experiences of mutual dysphoria, and elastic othering rooted in cisgender onlookers' perceptions of the 'un/palatability' of gender-diversity: all of which are permeated by the influences of the iconic societal trans-signified.

## **Part Three**

## **Chapter Eight: Business Approaches to Trans-Equality**

### **Introduction**

This final empirical chapter continues several dominant themes from earlier chapters which were identified by trans-employees, but from the perspective of the participating business-interviewees. (In)visibility remains pertinent to this chapter, and underpins the following discussions. Thus, this chapter provides an important context to the websurvey data. Thematic analysis has been used to interrogate the interviews conducted with five public sector and three private sector businesses<sup>191</sup>. These eight organizations were among the few who had signalled their trans-inclusive approach on their websites (see chapter four)<sup>192</sup>. Each organization has been de-identified, and is labelled by a pseudonym denoting their sector or type<sup>193</sup> (see appendix F for information about each organization). All of these interviewees were self-selecting: they agreed to participate (see chapter four). And yet, not all of the organizations had experience of supporting trans-employees, resulting in a number of hypothetical rather than experience-based responses.

Analysis of the data showed that, whilst legislation can signal sociocultural acknowledgement of an issue and the need for equality protections; and provide mechanisms to tackle discrimination (in theory at least); legislation in and of itself has limited impact on workplace cultures and behaviours. Legislation is reliant on people choosing to take up, and use it in an informed and rigorous manner. Trans-focussed equality legislation *has* had some impact on some organizations' policies. Nevertheless, a gulf remains between organizational policies and practices. Trans-participants had felt that legislation such as the GRA had increased societal awareness of gender-diversity. However, the interviews revealed that legislation has only increased awareness of gender-diversity in a limited and highly localized manner, with the majority of personnel (including some members of human resources or equality teams) remaining misinformed, or ignorant. Moreover, this research found

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<sup>191</sup> One interview was conducted face-to-face, the remaining seven via telephone (see chapter four).

<sup>192</sup> Therefore, these organizations cannot be considered representative of other organizations who do not do so, but their participation provides much needed examples of organizational mentality and procedure.

<sup>193</sup> For example: private 1; public 1.



that policies do not prevent discrimination from occurring, and poor implementation, combined with transphobic/genderist organizational cultures, may make protective policies impotent.

Current legislative provisions are bipartite, and focus solely on protecting and recognising 'binary-repatriatable' gender-diversity. These provisions arguably reinforce binaries and subsume 'transsexual' individuals back within the gender-order, maintaining and policing the boundaries of 'undecidability' through documentary (in)visibility. This is not to suggest that recent equality legislation has not been positive: indeed many members of the trans community have fought for, and benefitted from, it. And yet, legislation, organizational policies, and practices, continue to illuminate tensions over (in)visibility. Organizations' attempts to implement legislation have been a positive development, and yet approaches can remain partial and policing. The employment sphere is entrenched in, and reproduces, the 'normative' gender-binary, and the data highlighted the difficulties that employers have when trying to think 'beyond binaries'. All of the interviewees stated that their organization would seek to go beyond legislation, and yet in practice do not/cannot, and indeed several fail to meet some basic requirements. Importantly, analysis of the data showed that trans-equality is viewed as subordinate to more 'dominant', 'visible', and societally 'valid' equality-strands. Most of the eight participating organizations felt that as the UK trans-population is small, and dispersed, it was not worth the time or finance necessary to redesign existing, or construct new, training, to include a trans-focus in the current economic climate. Whilst diversity training was not shown to significantly impact upon trans-employees' experiences<sup>194</sup>, and indeed has limited impact upon workplace cultures and behaviours, provided long-term it could engender a gradual shift towards increased general awareness of gender-diversity. Currently though, employers' approaches to trans-equality continue to police and gatekeep trans (in)visibility and validity, and subsequently wider societal trans-subordination.

Many trans people wish, and actively seek to pass and construct their gender-diversity/history as (in)visible, but many will be unable to mediate their corporeal,

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<sup>194</sup> See chapter seven.

significatory and documentary displays sufficiently to do so. Others who are able to pass may choose not to construct their gender-diversity as (in)visible all or some of the time. Moreover, the literature reviewed in earlier chapters highlights wider cisgender-society's preference for gender-conformity and binary-categorizability. Whilst the binary-gender-framework, and societal expectations of sex/gender/corporal congruence, remain so overwhelmingly dominant, this area appears in some ways problematic and irreconcilable. Nevertheless, any steps taken towards facilitating trans-equality at work provide an important basis for future progression. In this chapter, the following are specifically examined: the impact of legislation, organizational knowledge, and practice; organizational approaches to transition; and mechanisms for detecting and addressing transphobic discrimination. Conclusions are drawn regarding these businesses' approaches to trans-equality, and the wider implications which these present to trans-employment, and (in)visibility.

## **8.1: Legislation, Organizational Knowledge, and Practice**

Employers have a legal and moral duty to protect trans-employees from inequality, discrimination, and harassment on the basis of their gender-actualization. Despite this requirement, many organizations have not formalized their approach to trans-equality in their policies or procedures. This may mean that trans-employees and managers are unclear regarding the types of support and protections offered by their own organizations. In this section the interview-data collected from businesses is considered to determine the impact that legislation has had on organizational knowledge and practices surrounding trans-equality.

### **8.1.1: Legislation and Practice**

Legislation can signal sociocultural acknowledgement of an issue, and can provide a framework for redress. However, literature reviewed in chapters one and two, and the websurvey data, have highlighted that legislation does not prevent discrimination. This then raises the question: what can/does legislation do, and what impact does it

have? The data showed that tensions are implicitly ingrained between legislation, organizational knowledge, and practice. Analysis of the interview-data showed that all of the interviewees felt that recent trans-focussed/inclusive legislation such as the GRA and GED had had some impact on their organizations' approaches to trans-employment equality: particularly regarding policies. And yet, this perceived impact varied considerably between organizations, and a significant gulf was shown to remain between organizational policies, practices, and workplace cultures. This 'gulf' subsequently illuminates the tensions embedded in societal and workplace trans (in)visibility, presence/absence, and 'in/validity'.

Analysis of the interviews found that legislation has influenced the extent to which trans-equality is included in workplace policies. But, as with legislation, this research has shown that policies do not prevent discrimination from occurring, nor change organizational cultures. Where they do exist, poor implementation, and transphobic/genderist workplace cultures, may essentially make 'protective' policies impotent. Nevertheless, if policies are implemented, they may signal which behaviours are acceptable/unacceptable, and provide frameworks through which to address unacceptable behaviour. Their presence/absence may also be taken as an indication of an aspect of organizations' cultural frameworks, even though this may not transfer into behavioural change in the wider workforce. Moreover, they can signal recognition of the existence of legislation and equality-strands, and particularly with less visible minority populations such as 'trans', acknowledge (nominal) 'presence' and 'validity'. The data demonstrated that trans-focussed/inclusive policy provision, and accompanying implementation even more so, varied between organizations, and that some were more proactive than others. The following table presents the participating businesses' approach to trans-employment equality through policy and implementation, and highlights their desire to (at least nominally) take (or be perceived to take) an informed and proactive stance:

**Table 11: Comparison of Participating Businesses' Policy and Implementation Approaches to Trans-Employment Equality**

<b>Organization</b>	<b>Trans-Inclusive Anti-Harassment/ Discrimination Policy</b>	<b>Procedures to Implement these Policies</b>	<b>Any Policies With a Specific Trans-Focus?</b>	<b>Consulted Externally when Constructing Policies and Practices</b>
Private 1	Yes - implemented 2001	'Your Responsibilities' annual staff information booklet and biannual supervisory review	No	Yes - external diversity consultants, trade union collaboration, and support from the Gender Trust
Private 2	Yes - implemented 2006	1:1 supervision scheme	No	Yes - consulted Stonewall
Private 3	No - generic anti-bullying and harassment policy, not trans-inclusive	Diversity strategy includes: co-coaching; mentoring; networking.	No	Interviewee unsure
Public 1	Yes - trans-inclusive equalities policy implemented 2003; trans-inclusive grievance procedure implemented 2006	No specific procedures	Under construction	Interviewee unsure
Public 2	Yes - trans-inclusion in generic equality and diversity statement. Updated 2003	Dignity at Work framework lets employees know what is expected of them	An out of date 'transgender management guidance' paper	Yes - support from Press for Change and Gires
Public 3	No - generic anti-bullying and harassment policy, not trans-inclusive	Dignity at Work policy supported by directorate liaison officers	No	Yes - support from independent trans-equality consultant
Public 4	Not at time of participation, but an updated equality and diversity policy (that will include trans-employees) is currently under construction. However, trans-staff covered by the 2007 Gender Equality Scheme, and by the Trans-employment Policy (2006)	Force-wide circulation of paper detailing policy changes, and a confidential reporting line	Yes - a Trans-Employment policy	Yes - consulted local trans community, gained information from the Press for Change and Gender Trust websites, and received guidance from the Association of Chief Police Officers
Public 5	Yes - trans-inclusive equal opportunities policy which is in the process of being reviewed and updated	N/A, still under construction	Yes - 'guidance and practical management relating to transsexual members of staff'	Yes - consulted the National Police federation and in-force LGBT network

There was no significant difference between organizations in the public and private sectors in relation to a trans-inclusive anti-discrimination policy, and all but one of the interviewees were able to report the procedures that their organization had in place to implement this policy. There was however, significant variation between sectors in relation to the possession of trans-specific employment policies. Interestingly, none of the private sector organizations possessed any, whereas most of the public sector businesses had, or were in the process of constructing, relevant documents. This finding is particularly interesting if one considers Whittle's (2002) previous assertion that public sector organizations *had* a propensity to implement equality and diversity practices earlier than their private sector counterparts. He suggested the overrepresentation of trans-employees in the public sphere was due to this earlier adoption. Since then however, his most recent research (Whittle *et al.* 2007) highlighted a trans-staff migration to the private sphere. The data here confirms Whittle *et al.*'s (2007) recent finding. Nevertheless, the finding that none of the private sector organizations possessed trans-specific policies raises the question as to the basis of this migration: this research has shown that policies do not have any significant impact on trans-employees' experiences of discrimination. Thus, it may be that the considerably higher levels of trans-discrimination in the public sector (see chapter six) relate specifically to workplace cultures.

Organizations decide the extent to which trans-equality is present/absent in the workplace, the provisions that are available, and thus gatekeep trans-employment to some extent. However, it is suggested that it is the perception of subordinate importance that contributes to, and perpetuates, the construction of the hidden or (in)visible trans other against the dominant heteronormative biocentric societal framework. The textual facets of this finding, of the notion of hierarchies in equality-strands, returns us back to trans-un/palatability, and the construction and maintenance of societal trans-absence and (in)visibility. Rooted in conceptualizations of the subordinate 'hidden'<sup>195</sup> trans-other' against the dominant cis-backdrop, gender-diversity may be conceived as less visible, less important/valid, and less governed by

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<sup>195</sup> The threat and enactment of policing and transphobic discrimination encourage trans (in)visibility. However, passing is also linked to many trans people's sense of gender-achievement and actualization, although not all will be able to pass all or some of the time.

societally-pressured recourse, as equality-strands such as disability, ethnicity, and to some extent, religion. Trans is arguably othered beyond the othering enacted on all other members of equality-strands: the ‘bottom’ of the ‘equality-pile’. The interviews highlighted that organizations may be reticent to expend resources to construct specific trans-policies, and particularly mechanisms of policy implementation, where not specifically required by law<sup>196</sup>, particularly in the current economic climate. In other words, the business case for trans-equality is not ‘compelling’ *enough*. Trans-inclusive/focussed diversity training is a notable example:

**Table 12: Comparison of Participating Businesses’ Approaches to Trans-Inclusive Diversity Training**

<b>Organization</b>	<b>Are Equality and Diversity Officers Given Trans-Inclusive Diversity Training?</b>	<b>Are Managers/ Supervisors Given Trans-Inclusive Diversity Training?</b>	<b>Are Employees Given Trans-Inclusive Diversity Training?</b>
Private 1	Yes	Yes	Only staff who interact with customers
Private 2	No	No	No
Private 3	No	No	No
Public 1	No	No - currently looking at this area	No
Public 2	Yes, some training has been provided	No	No
Public 3	Yes	Yes, but only managers who expressed an interest	No, but planning to implement this in the future
Public 4	Yes	Yes - development training	No
Public 5	Yes	Yes	Yes, a newly launched programme

The variation illustrated in the above table concurs with data discussed in chapter seven which showed that, despite reporting an increased risk of discrimination, and lower level of supportive provisions, public sector-employed trans-participants were the group that reported the greatest provision of support with educating their work-team about gender-diversity. The interviews showed that, regardless of sector, where trans-inclusive diversity training is provided to non-supervisory employees, it is only extended to employees who would be in contact with customers/members of the public. It therefore appears that organizations’ approaches to trans-inclusive diversity training amongst its wider workforce is governed by an externally-interactive business

<sup>196</sup> As ever, where required by law, these may still not be constructed or implemented.

case rooted in the need to ensure equal and diverse customer care, rather than benevolence and corporate social responsibility-derived desire to be trans-inclusive per se.

Whilst diversity training was not shown to significantly impact upon trans-employees' experiences<sup>197</sup>, and indeed has limited impact upon workplace cultures and behaviours, provided long-term it could engender a gradual shift towards increased general awareness of gender-diversity. Moreover, equality and human resources officers are responsible for constructing and implementing equality-directives, and managers are in a position to provide/withhold top-down support, and greatly influence trans-employees' employment experiences. Therefore, ensuring that these individuals are informed about the issues and difficulties faced by gender-diverse employees, in conjunction with the organizations' legal obligations, and provisions in place, may positively impact on trans people's employment 'quality'.

### **8.1.2: Legislation and Organizational Awareness**

At a basic level, interviewees felt that legislation had increased employers' awareness of trans-employment, but only in a limited and frequently highly localized manner, with the majority of personnel (including some members of human resources or equality teams), remaining misinformed, or ignorant of the nuances of gender-diversity and trans-employment. Knowledge of trans-employment/gender-diversity varies both between, and within, organizations. One interviewee stated that legislation has helped to:

*'increase, certainly understanding around pockets of the organisation, for those who were involved in developing the policies and the equality scheme...[and] raise awareness around trans people, and the impact of employment in some situations [in some limited areas of the wider workplace]' (Public 4).*

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<sup>197</sup> See chapter seven.

All of the public sector organizations had been compelled to produce a single equality scheme under the GED<sup>198</sup>. These interviewees felt that whilst this had facilitated (localized) discussion around trans-employment, organizational approaches to this requirement had overwhelmingly been reactive rather than proactive. Moreover, the data suggested that reactive responses to legislation implicitly remained highly partial and policing of gender-diversity, and contributes to the ‘gatekeeping’ of trans-employment. Additionally, further work was still required to try and embed the spirit of the equality scheme in the workplace culture in order to try and engender change. Organizational cultures are shaped by current personnel, and staff turnover, and changing any work-climate is fundamentally a slow and partial undertaking. One of the private sector interviewees recognised the barriers at play between the intention of legislation, and its impact in actuality:

*‘I’m not sure what legislation has done in organisations in terms of cultural change,..Legislation is about compliance, about enforcement, and truthfully we need it’ (Private 3).*

Instead, this interviewee perceived legislation to be more of a basis for litigation (and for this to be avoided) than internal reform per se. Nevertheless, the data demonstrated that legislation had galvanized some organizations to consider their existing practices. In some cases, organizations chose to actively take up the issue of trans-equality and seek to take steps not only to adapt company practice, but also to work towards facilitating a change of workplace culture:

*‘Yes, it has impacted upon our workplace. We are doing more work around setting up a specific transgender support group; also educating our employees and monitoring and taking action against any harassment of our transgender employees’ (Public 1).*

Interviewees were unsurprisingly keen to stress their organizations’ desire to be proactive in achieving workplace equality, and to represent their organization in a positive light. Nevertheless, nearly all were frank about gaps in their provisions, policies, and practices relating to gender-diverse employees, and felt that there was room for improvement:

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<sup>198</sup> Which should include protections for ‘transsexual’ employees. This does not apply to private sector organizations unless providing services under public contract.



*'[legislation has] kind of rubber stamped [our policies and practices] rather than impacted on them. A lot of our policies and practices are best practice, and are naturally all encompassing. ... It seems there's a bit of a gap here...though'* (Private 2).

Trans-employees' experiences indicated that employers for the most part do not exceed what is required of them by law, and some struggle to fulfil even basic requirements. All of the participating businesses were purported to be 'equality-minded' (see chapter four). And yet, whilst a number of the business-interviewees stated that their organization would seek to '*go beyond the legislation*'<sup>199</sup>, nearly all recognised that in actuality trans-provision did not exceed current requirements. Indeed, the data revealed that in some cases even basic requirements were unfulfilled, due to a lack of awareness, confusion, or perceived lack of need. Moreover, although several interviewees appeared passionate about achieving trans-equality, the data showed that they were unsure *how* to do this: and remained entrenched and constrained by the existing biocentric sex/gender congruent binary framework and organizational mechanisms. Businesses thus lacked the tools and knowledge necessary to move away from, and to cease, constructing 'trans' as an existential outsider and other.

The participating businesses took a number of approaches in order to try and ensure their policies and practices conformed to legal requirements. The majority undertook policy review every few years, whether new legislation had been introduced or not. Nevertheless, the data revealed that compliance review did not always result in policy revision or construction. Indeed, the data showed that in several instances, although well-meaning, interviewees were somewhat ignorant of what legislation such as the GRA or GED actually meant for trans-equality, and moreover, for their organization. Whilst legislation can make the need for trans-equality (nominally) visible, organizational 'balancing' of costs and the business case for trans-equality remains implicitly rooted in a bedrock of wider trans societal subordination and (in)visibility. The data indicated that where trans-equality is perceived to be a low priority, organizations may pay lip service to this equality-strand without taking accompanying action. This inaction subsequently contributes to the maintenance of trans as a

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<sup>199</sup> Public 3.

widely unacknowledged and invisible 'other', subordinated under the biocentric gender-binary, placing trans yet again *sous rature* (under erasure).

And yet, some organizations do draw on the proportionally high level of expertise that the trans-population as a 'body' possesses regarding trans-relevant legislation and best practice. Both the websurvey and the interviews highlighted that some organizations consult the trans community/reputable points of information when constructing policies around trans-equality. This approach recognises trans power and resources, and constructs the trans-population as visible in the compliance review process. This research found that six out of the eight businesses had done so. However, the data suggests that the 'fruits' of consultation were not always effectively transferred into policies and accompanying mechanisms of implementation.

Thus, it appears that legislation, whilst failing to prevent discrimination from occurring or from causing workplace cultural change, does bring the issue and subject of trans-equality into the consciousness of key equality/human resources personnel within organizations: moving 'trans' from absence to presence. It presents an important tool for both employers and employees. Chiefly, legislation can raise awareness of organizations' obligations, but this is not to suggest that these will always be comprehended, or acted upon. The manner in which this then transfers into policies and practices depends entirely on: the agentic action or inaction of these key personnel: the extent to which their knowledge of gender-diversity, best practice, and legislation; is reliable; and the responses of the rest of the human resources/equality team to the issue of trans-employment and the need for equality provisions. Importantly, as noted below, other members of these departments, and the management team, can and do police the extent to which steps towards trans-equality, and provisions in policy and practice can be taken.

This section has shown that whilst six of the eight participating organizations possessed an externally informed trans-inclusive anti-harassment/discrimination policy, the same proportion did not have any trans-focussed policies (or ones that were up-to-date). Moreover, there was significant sector-based variation in these organizations' approaches to policy implementation and associated mechanisms of

practice. The need and efficacy of trans-inclusive training provision in particular was shown to be evaluated in terms of a business case for its inclusion. Subsequently, due to financial and time constraints, trans-inclusive training was frequently reported by interviewees to be less important or applicable to their workforce than other 'more dominant' equality-strands. It is suggested that it is this perception of subordinate importance that contributes to, and perpetuates, the construction of the hidden or (in)visible trans other against the dominant heteronormative biocentric societal framework. Without increased awareness, however facilitated, the significant potential remains for trans people to experience 'poorer quality' employment participation, and increased levels of embedded, covert, and overt inequality and discrimination compared to that experienced by many cisgender employees.

Whilst there appeared to be a lot of good intention and openness on the part of these interviewees, the data revealed that there is still a long way to go to remedy the inequalities experienced by trans-employees. The data reiterated the endurance of tensions between legislation, organizational knowledge of gender-diversity, and practice: approaches continue to be partial, 'gatekeeping' trans (in)visibility within the workspace, presence/absence, and 'in/validity'. Overall, the data suggested that the participating businesses were uncertain how to engage with, and implement, best practice. Therefore, legislation at a basic level presents an important avenue of recourse where inequality and discrimination is experienced, should trans-employees have the finances, and feel able, to use this option.

## **8.2: Organizational Approaches to Transition**

Transition is an ostensibly visible and potentially 'infinite' process that varies between individuals according to their needs, intentions, and ability to access desired treatments (see chapter one). It is frequently a lengthy and stressful process impeded by bureaucracy, and medical, financial, and social hurdles. Because of the visibility of transition, trans people are more at risk of transphobia: their signifiatory markers may be perceived as potently unpalatable and threatening to the binary gender-order, leading to mutual dysphoria, gender-identity contestation, and severe

'othering'. Moreover, because of the current medicolegal framework, some or all of this process is frequently undertaken in the workplace. Legislation, and a small increase in societal awareness, has led to an increase in provision for some trans-employees, which can greatly increase trans-employment 'quality', and the extent to which workplace transition/post-transition employment seem feasible. However, the websurvey data showed that only low percentages of participants reported receiving various types of provision during their transition. Moreover, the findings highlighted a variation between the levels and types of support reported by trans women and trans men, and participants employed in different sectors. In this subsection, interviewees' responses are discussed regarding the approach their organization takes/would take where a trans-employee commences transition.

### **8.2.1: Approaches to the 'Real Life Experience'**

The initial point of transition and the real life experience (RLE) are usually the times at which trans people's gender-diversity is most perceivable, and it is therefore at this stage that the greatest levels of discrimination are experienced (see Whittle *et al.* 2007). Whilst not all of the business-interviewees/participating organizations had conscious experience of supporting trans people during transition<sup>200</sup>, all of the interviewees stated their organization would try to be as supportive and pragmatic as possible. They asserted that each instance is/would be treated on a case-by-case basis informed by the needs of the trans-employee and their supervisor, with the support of HR/the equality team. Whilst it is the managers' daily duty to 'manage' the work-team and ensure that a trans-employee is not subject to discrimination, half of the business cohort was aware of the need for colleagues to be educated about gender-diversity in order to try and make the transition process as smooth as possible<sup>201</sup>. Importantly though, analysis of the interviews highlighted the extent to which interviewees perceived transition-based gender-actualization to be uncommon, even where organizations had prior experience of a transitioning employee. Because of this 'uncommonness', the interviews showed that organizations may feel able to be *more* accommodating to the needs of individual trans-employees than they might

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<sup>200</sup> See appendix F.

<sup>201</sup> From both the public and private sectors.

otherwise if there were an increase in cases. It appeared from the data that 'infrequent' gender-diversity/actualization was deemed manageable (and containable within understandings of gender-repatriation), which, if more common, could be perceived to be unmanageable and thus subject to less flexibility. Nevertheless, all of the interviewees stated that their approach to support and provisions would be guided by current legislation, and examples of best practice where known. The following interview-extract highlights one organization's previous approach to initial workplace transition:

*'we say that the line manager needs to know somehow, particularly if you are starting your real life test. We need to tell colleagues how you will be addressed, we try to negotiate that in terms of best practice, and that has to be balanced against the individual's rights, in terms of the gender recognition legislation...And then there would be someone in HR who would support the manager through the process...We also have counselling provision here...to support people'* (Public 2).

The interviews demonstrated that organizations are to some extent aware that tensions can occur around gendered facilities, and cisgender-employees' responses to trans people's use of these, particularly during the initial stages of transition. All of the interviewees stated that use of facilities would primarily be guided by the preference of trans-employees, and that it is the manager's responsibility to 'manage' this. However, the data showed that the interviewees were at times naive about the extent to which cisgender-employees may contest a trans-colleague's use of lavatories and changing facilities. The websurvey demonstrated that this contestation can escalate to severe levels, and result in disgruntled cisgender onlookers taking action to increase the extent to which a trans person is perceived as other. For example, several trans-employees had been outed by a disgruntled colleague to the press, *specifically* due to tensions over gendered-spaces<sup>202</sup>. Thus, the interview-data suggests that organizations may be unprepared to deal with contestation, particularly where an inexperienced, and uninformed, manager is responsible. This presents a clear business case for training and internal diversity-education in order to raise awareness of minority equality issues such as gender-diversity.

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<sup>202</sup> Only one interviewee (public sector) discussed the pressures of the press seeking to out trans-employees, and the ways in which the organization would (and has previously) seek to protect and support the trans person through their press office. This has, and does occur, and can lead to significant personal and professional difficulties for trans people.

Time off as part of transition was an issue which interviewees discussed at length, as this is something which they felt particularly impacted upon the workings and output of their organizations. Whilst all of the interviewees stated that they would treat gender-confirmation treatments like any other medical issue, and would seek to be as flexible as possible in terms of time off and temporary adjustments to the employee's role, the impact on the business was the guiding 'bottom line'<sup>203</sup>. Ultimately, lengthy periods off work would mean that employees would go on to half- and then no pay after a standard period of time (as with all medical issues), at which point they would be required to take unpaid leave. Where absences were not lengthy but deemed 'unacceptably' frequent, the data revealed that some organizations would require trans people to make use of some of their holiday entitlement, or take unpaid leave. This finding fundamentally suggests that organizations perceive gender-transition to be (at least in part) elective. Thus, whilst transition may initially be treated as any other medical issue, the data suggested that there may come a point where organizations remove the 'medicalized validity' which surrounds transition. The following interviewee's response highlights his organization's *hypothetical* approach to transition-related absences:

*'Flexible working could be possible to attend appointments: businesses are there to make money, and that benefits everyone because we get pay rises, and the company thrives. It depends how much time that would take –as I don't have experience of this. I think it would have to be negotiated, because with anything people do outside, that's a personal matter, and if it was an awful lot of time we would have to negotiate, possibly some holiday time would have to be used. But I can't imagine we would want to make it difficult'* (Private 2).

Interestingly, data analysis highlighted the extent to which interviewees' and organizations' understandings of gender-diversity and gender-actualization are predominantly framed within the existing gender-binary framework and thus repatriation. Only two organizations' trans-focussed policies recognised that not all trans people will be able, or wish, to undergo medical/hormonal gender-confirmation

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<sup>203</sup> A number of interviewees stated that trans-employees may be able to gain support with medical aspects of their transition through the company's private medical scheme. However, some of the websurvey participants had felt reticent about accessing this perk.

treatments, and that transition is not a 'finite' process<sup>204</sup>. Thus, it appears from the data that gender-diversity is understood by organizations through societally dominant constructions of 'trans', and 'transsexual'/repatriation focussed legislation, as opposed to consultations with the trans community and trans-advocates. Notably, many trans-employees will continue to present gender-incongruent signifiers post-transition, and this is something that both trans people, and organizations/cisgender-personnel, are compelled to intertextually navigate. And yet, the interviews revealed that although the participating organizations are theoretically disposed to ensuring inclusivity, in practice, organizations/personnel may not always possess/have access to the tools or information necessary. Therefore, organizations may have policies in place in order to be supportive and accommodating of trans-equality, but practices may ultimately fall short, as highlighted by many trans-participants' experiences.

### **8.2.2: Approaches to the Changing of Name and Gender Details, and Confidentiality**

A particularly visible act of transition in the workplace is changing of one's name and gender details to suit (and signify) one's preferred gender-role. Early in the transition process, this is one of the key ways in which a person's gender-diversity becomes known to members of the workplace, including those previously unaware of an individual's gender-identity. Organizations' approaches and responses to this aspect of the transition process can hinder or help gender-actualization, and moreover can signify to other employees the in/validity of an employee's gender-identity. Many of the trans-participants included in this research had not experienced difficulty when seeking to carry out these changes, although a small proportion reported *significant* difficulties. Analysis of the data showed a pervasive lack of organizational awareness about this aspect of the transition process. Not all of the interviewees knew how this process could/should be undertaken, but as above, interviewees stated they would seek to make this process as straightforward as possible. Indeed, seven out of the eight participating businesses stated that only a statutory declaration and a letter from the person's GP would be required to amend an employee's name and gender

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<sup>204</sup> Both from the public sector: only one of these organizations had previously supported a trans-employee through transition.

details. This approach conforms with best practice, and is the only way to avoid impeding the gender-actualization under the framework of the Gender Recognition Panel's stipulations regarding evidence of living in role (see chapter one). However, the response of one interviewee highlighted the extent to which organizations can misinterpret the requirements of the GRA<sup>205</sup>, and require a GRC before changing name and gender details. Interestingly, this (self-stated equality-focussed) organization's response to this issue varied between employees and customers, although both faced resistance due to gatekeepers' lack of awareness and understanding of the legislation, as highlighted by the following interview-extract<sup>206</sup>:

*'They would [change their details] through our HR shared services...or they could ask their HR business partner to do it. I believe if you want to change your gender you need a GRC...Re customers...our procedure was that they had to provide a GRC, and we had someone who had had their passport changed and they were waiting for the certificate. And the member of staff said they couldn't change the details, and it was escalated to me. And I told them not to be so utterly ridiculous, if the person walked in off the street with a passport, the account would be opened in the details on the passport'* (Private 1).

The above misinterpretation of the legislation is important because a number of trans-participants had reported difficulties changing their details at work and outside, as a core part of the early stages of transition, *because* they had been asked to provide a GRC. However, a GRC cannot be obtained without accompanying evidence that the person has lived fully in their preferred gender role for a period of two years. Therefore, organizations that require a GRC in order to change name and gender details are preventing their employees and customers from actualizing their gender-identities, and gaining the very evidence required to eventually apply for a GRC. The fact that this organization sought to ground their approach to transition in legislation (as they interpreted it), highlights the power that legislation *can* have when organizations strive to conform to it. Ultimately though, misinterpretation can at once undo both the spirit of legislative provisions, and the positive intentions of an organization.

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<sup>205</sup> This organization has experience of employee, and customer, transition.

<sup>206</sup> This was the only point throughout the interviews where it felt imperative that this error was corrected, and indeed, the interviewee subsequently asked the author's advice, and said he would seek to rectify the situation. The author had tried throughout the interviews to allow interviewees to speak freely, and without influence.



Confidentiality is an issue of significant importance and bearing for trans people, to some extent regardless of, and yet intimately intertwined with, their (in)visibility. Whilst the changing of one's name and gender details is an overtly visible part of the transition process, it is a point at which organizations need to take steps to ensure trans-employees' future confidentiality regarding their prior transition. Moreover, whilst members of the immediate work-team are likely to be aware of a person's transition, it is important that trans-employees' gender-actualizations are not treated as gossip/common currency, or that the trans person is summarily outed both within and without the workplace, by the actions/inactions of individuals in positions of responsibility. Most of the interviewees were again unsure how to ensure this, and in some cases analysis of the interviews revealed legally questionable practices. Best practice states that HR documentation in a person's prior name/gender should be amended to ensure the 'invisibility' of this information, or where not possible, be retained confidentially in a separate file under the sole responsibility of the HR manager. 'New' files should be treated in line with data protection, as with other employees' files. This was the approach stated by only two out of the eight business-interviewees. The response of one interviewee in particular highlighted the extent to which organizational practice can manifest in a poor, dangerous, and highly inappropriate manner, for both trans, and cisgender employees, deviating from the intentions of workplace policies<sup>207</sup>:

*'It's not great, and it's something which I have complained about, because ...there are about 4 or 5 different points [where people have to change their details], and you...may find you are still getting communicated in a number of different names. The other thing is, on the IT system, when it brings up your details it also gives your previous details in brackets, which is outrageous. Now I've challenged this on a number of grounds, and one of the other grounds is domestic violence, because if people change their name so they can't be found by a partner or ex-partner (and this constantly happens), and other people aren't aware, and they may be giving other names to people on the phone....It's quite scary. We are all over the place. On a policy basis we've got some really good policies, in reality, I'm not sure how great that*

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<sup>207</sup> This organization is dominant in the legal field, and thus could be expected to possess greater knowledge, and appropriate practices. This finding highlights the extent to which confidentiality, and security, are insecure.

*practice is, and there are things which are slightly outside of our control, that we don't actually understand as an organisation' (Public 2).*

Importantly though, analysis of the data showed that both during and post-transition, a trans-employee's transition/trans-history was something which six of the eight interviewees felt that managers and the organization had a 'need to know'. However, within this framework, interviewees stressed that they would seek to maintain 'dominant individuals' knowledge in a confidential manner, and take disciplinary action if this was breached. Nevertheless, this finding indicates a notable gulf between policy and practice, particularly as five of the interviewees also made clear that information provided on *confidential* medical forms could also be disseminated under this 'need to know' basis. Worryingly, only one interviewee clarified that this would be informed by the trans-employee's agreement, which potentially indicates the removal or 'ignoring' of power from/of trans people. Moreover, the data showed that interviewees were aware of the possibility for people in possession of confidential information to gossip. Several interviewees felt that this could be a particular danger regarding an employee's transition/trans-history, as people may perceive this to be a topic open to discussion, or too 'exciting' to keep confidential.

Breaches of confidentiality were repeatedly raised by trans-participants, and this has been discussed in this thesis in terms of cisgender-colleagues' perceived procedural right to know (and discuss) their trans-colleague's private business. (In)visibility is thus subject to the manifestations of this presumed procedural right. Subsequently, the potential for breaches of confidentiality remains significant, and is something that some organizations are less effective at ensuring than others. Crucially, only trans people in receipt of a GRC are currently protected from being summarily outed by people who have obtained information of their GRC/trans-status in a formal capacity (GR(DI)(EWNI)O 2005). This means that individuals not in receipt of a GRC are not legally protected, and have little access to recourse. Additionally, the data showed that not all of the interviewees were aware of the GR(DI)(EWNI)O.

Not all trans people will seek to keep their trans-status/history confidential at work (nor will all be able to, due to their external signifiatory displays), but it is imperative that the choice to be 'out' is theirs alone, and that they are not outed, or pressured to

proceed by their employer at a speed which does not suit them. Trans (in)visibility is something which both trans-employees and organizations/personnel are compelled to navigate in the intertextually interactive work sphere. 'Validity' and presence/absence is also subject to multifaceted gatekeeping mechanisms, and can at once be undone and redone by the actions/inactions of cisgender onlookers, and to some extent, trans-employees themselves. The fear of discrimination and inequality due to being gender-diverse is a very valid concern, as the data has shown, and can make gender-actualization at work, or continued employment participation, difficult or untenable. It appears from the interview-data that whilst the participating organizations stated they wish to be proactive, they are ultimately uncertain of what steps to take to support and protect trans-employees during (and indeed after) transition. The gulf between policy and practice (and indeed trans-participants' experiences) illustrate the extent to which medicolegal validity and presence can be undone to return trans people to a construct of societal curio rooted in others' navigation of their (in)visibility. Illegal and questionable practices continue to persist, placing trans-employees at risk of being outed against their wishes both within and without the work-space.

### **8.3: Business Mechanisms for Detecting and Addressing Harassment and Discrimination**

This, and other recent research, has demonstrated that transphobic discrimination continues to be a significant problem in UK workplaces, despite over a decade of trans-focussed equality legislation, and increasing intra-organizational policy provision. So, despite increasing legislative and societal trans 'presence', trans-equality remains widely deficient. In many ways, the roots of transphobia appear at this time irreconcilable: discrimination against gender-diverse individuals is perpetuated in overt, covert, and embedded ways *specifically because* of mutual dysphoria, of the othered construction of trans against the dominant cisgender societal status quo (see chapter one). Nevertheless, employers have a legal duty to prevent/address harassment and discrimination, albeit within the constraints of trans-equality's position as a subordinate equality-strand. Where gender-diversity is visible or known, trans people face a significant risk of inequality and discrimination.

Moreover, as stealth is not a secure position, stealth individuals are under constant threat of signficatory or documentary reinterpretation (see Rundall and Vecchietti 2010).

Additionally, literature, and the websurvey data has shown that stealth trans people may feel unable to form close interactional workplace relationships due to the pressures of both self and historical textual mediation, impacting on their, and others' perception of their in-group membership. Analysis of the websurvey data has shown that transphobic discrimination is complex and multifaceted, and that organizational gender regimes and cultures can lead to higher than average trans-staff turnover. Additionally, trans-participants' experiences of discrimination, protection, and support, indicate that many employers and unions may be perceived to be failing to adequately support and protect trans-employees. Through analysis of the interview-data, in this section the ways in which business-interviewees stated their organization addresses/proposes to address transphobic discrimination are considered. This is a crucial aspect of the ways in which organizations approach trans-employment equality more generally.

Analysis of the interviews revealed that none of the participating organizations possessed any trans-specific frameworks to address transphobic harassment or discrimination. Instead, generic anti-harassment and grievance procedures are the avenues by which trans-employees can seek support and recourse, as with all employees. The primary avenue of redress in all of the organizations centred on employees' self-reporting discrimination. All but one of the participating businesses had a variety of structures in place to enable this, including: confidential reporting lines, mentoring schemes, and an open-door policy with managers, human resources, and equality officers<sup>208</sup>. And yet, employees may not always know who the appropriate point of contact is, an issue recognised by many of the interviewees. Furthermore, employees may feel unable to seek redress through fear of reprisal. Moreover, in cases of transphobia, designated points of contact may be unaware of

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<sup>208</sup> Several organizations also displayed equality policies around the work-space, highlighting their recognition of the importance of policy visibility, as well as seeking to increase awareness by placing materials in induction packs. Nevertheless, not all employees will take the time to read these materials, and the issue remains as to whether policies are implemented efficiently.

the issues faced by gender-diverse employees, and thus lack the tools necessary to tackle instances of inequality effectively.

Crucially, analysis of the websurvey data highlighted the extent to which trans-employees feel *they* may be perceived as a troublemaker when reporting discrimination, or not be taken seriously, or blamed for their predicament, resulting in increased ostracism. Additionally, the data revealed that in many cases, managers/supervisors are complicit in the enactment and perpetuation of transphobic behaviours, and indeed in some cases are the instigators, navigating and gatekeeping other personnel's responses also. As ever, cisgender personnel in positions of power are subject to their own perceptions of, and sensibilities surrounding, the un/palatability and in/validity of gender-diversity and gender-actualization, which thus implicitly influences their approaches to instances of transphobia.

Aside from an emphasis on self-reporting, three of the interviewees stated that their organizations try to facilitate an equality and diversity centred organizational culture by providing their managers with training<sup>209</sup>. This training aims to make managers/supervisors aware of their responsibilities to equality and diversity, and the need to be 'emotionally intelligent'<sup>210</sup>. Importantly though, only one interviewee stated that their organization periodically appraised managers' competency in engendering equality and diversity, with the onus placed on the manager to prove that they did so:

*'We...have an appraisal system, where we measure everybody's competence around promoting equality of opportunity, and embracing diversity. It is broken down into to specific expectations of individuals to be able to prove, and provide the evidence, that they do support and promote equality of opportunity'* (Public 4).

Another interviewee, from a small and self-reported 'close-knit' organization, stated that they take a holistic approach to detecting and addressing harassment and discrimination, as highlighted by the following interview-extract:

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<sup>209</sup> Which frequently does not include information on trans-equality.

<sup>210</sup> Stated by Private 3.

*'Collectively we have a responsibility to take care of each other, and that is definitely emphasized. And if someone see's something, as a family we can raise a flag. Supervision is a way, that's been a theme throughout, it is a proven informal way of detecting early on any issues, and it's a quick route into making it formal if it needs be. It works very well for us, but of course it's not a cure' (Private 2).*

Nevertheless, this interviewee recognised that this approach did not prevent instances of discrimination or harassment from arising.

Overall, the analysis of the interviews revealed that, regardless of organizational policies, many of the participating businesses possessed very limited (and in some cases nonexistent) formal frameworks and mechanisms to detect discrimination and harassment, whether it is rooted in transphobia or otherwise. Not only does this finding arguably reiterate the subordination of trans-equality and societal/workplace trans-'absence', but it may also be indicative of a wider rejection of organizational responsibility, and thus the subordination of 'detection' over self-reporting. The gulf between policies, and self-reported equality and diversity focuses, is therefore made starkly apparent. Without mechanisms in place, supported by individual and collective awareness, organizations deny themselves the tools to facilitate the very avenues of equality and diversity to which they purport to ascribe, ultimately impeding their effectiveness in instances of trans, and other, inequalities. It is suggested that this, combined with organizational cultures embedded in wider genderist and biocentric tensions, perpetuate pervasive transphobic inequalities in the UK employment sphere.

## **Conclusions**

The UK trans community is a largely private and widely dispersed minority population that is societally constructed (as well as widely constructing itself where possible) as (in)visible, resulting in multifaceted tensions surrounding 'visibility' and 'presence'. Thus, this research has found that many employers feel that overtly facilitating trans-equality through policies, practices, and training, is less of a necessity, and moreover less cost effective, compared to the needs of other 'more dominant' equality-strands. Subsequently, trans-equality is constructed as subordinate to other more societally

'valid' and 'visible' equality-strands, which results in trans-equality being placed *sous rature* to the point of neglect in some organizations. Such 'erasure' and cultivated 'absence' is indicative of wider sociocultural subordinations of gender-diversity.

Whilst legislation has positively impacted on organizational approaches, particularly in relation to policy-provision, the data revealed that this has occurred only in a very limited manner. Moreover, neither legislation, nor organizational policies, prevent discrimination or inequalities from occurring, and do not overtly change organizational cultures. Indeed, this research has shown that a significant gulf remains between legislation, organizational awareness, policy, and practice, which is intrinsically rooted in the tensions which surround (in)visibility. Furthermore, trans-participants' responses have highlighted the extent to which genderist and transphobic organizational cultures, and the sensibilities of personnel, can undermine protective policies to the point of impotence. This is not to underestimate the importance of legislation/policies, both as an avenue of recourse, and as a symbolic acknowledgement of trans-'validity'. Rather though, legislation (frequently through ensuing policies) appears to have an 'indirect' and gradual impact on the employment sphere, which relies on organizations, and their personnel, choosing to recognise and embrace legislation before any shifts in workplace cultures (and behaviours) can occur. Alternatively, as an avenue of recourse, trans-employees may utilize legislative provisions to seek redress, forcing legislation and a need for equality into a state of presence.

Analysis of the primary research has found that amongst the eight interviewed, organizations remain intrinsically rooted in expectations of binary sex/gender/corporeal congruence, and thus whilst businesses may desire to 'go further than legislation', in practice they are frequently unable to do so. They are fundamentally constrained by the existing binary status quo, and appear mostly unable to think outside and beyond this matrix. Moreover, businesses at times fail to implement even basic legislative provisions, due to a perceived lack of necessity/poor business case, confusion, or misunderstanding. Crucially, analysis of the interviews revealed that many organizations lack the knowledge and tools necessary to construct mechanisms to efficiently implement their policies, and thus the very equality framework they purport to ascribe. Consultation of the trans community/allied

organizations does occur, but organizations may fail to adopt suggestions into policies and practices. These findings indicate the potential that trans-equality and associated corporate social responsibility, are currently issues of 'importance' in name only, and that working cultures may take longer to change.

Organizations, and cisgender-personnel (both as individuals and collectives) perpetuate the construction of trans-gatekeeping mechanisms which can surveill and police any steps taken towards equality-advancement, preserving the existing cis-dominant status quo. It is argued that it is a widespread lack of awareness of the complexities faced by trans people in the employment sphere, combined with an embedded subconscious desire to maintain cis-dominance and avoid disruptive or unsettling challenges, which symbiotically perpetuate inequality regimes rooted in genderism and biocentrism. These allow the dominant cisgender population to 'elastically other' social agents who step (or are perceived to step) outside of this framework. The author argues that only through increased education, awareness, broader protections for all gender-diverse individuals, and trans-visibility, may the UK populations' iconic and arbitrary knowledge bases gradually be altered to allow for a greater degree of visible trans-inclusion, which may thus potentially engender a less transphobic employment (and indeed societal) arena.



## **Chapter Nine: Thesis Conclusions**

The focus on trans-employees has enabled a unique opportunity to consider how 'doing' gender is experienced in workplaces (Schilt 2006; Schilt and Connell 2007; Schilt and Westbrook 2009; Hancock and Tyler 2007). More specifically, this thesis has focussed on the ways in which individual experiences of gender and the institution of gender influence interpersonal and spatial interactions. The works of Whittle, Schilt, Risman, and West and Zimmerman, among others, have played an important role in providing an empirical and theoretical backdrop to this research. This research has demonstrated the significant extent to which being trans/having an atypical gender-history impacts and alters the ways in which other members of the work-team may behave and respond. This impact has been highlighted in particular in relation to participants' experiences of gender-identity acceptance, discrimination, protection, support, and inclusion. Through the use of a combined methodological and analytical approach underpinned by a poststructuralist/queer theoretical framework, this thesis has shown in detailed ways the overarching importance of (in)visibility in shaping trans-employees' experiences. This theoretical framework not only informed and underpinned the approach to this research overall, but has also enabled me to theorise (in)visibility in terms of interpersonal, discursive, and textual interactions informed by notions/expectations of gender 'normativity' and binary sex/gender/corporeal congruence. Furthermore, drawing on Lorber (1994), this framework has facilitated recognition and discussion of the repetitive nature of gender, informed and policed by macro level gender regimes and institutionally constructed ways of doing, undoing, and redoing gender. Overarching this is the fundamental issue of gender as an everyday lived experience, and as such something that trans people are compelled to navigate in order to produce a 'liveable' life, particularly in relation to employment participation.

At the individual level, gender (and its expression) was shown to be multifaceted, and informed by spatial, temporal, and interpersonal factors. Gender-expression was highlighted as a reflexive and potentially risky undertaking (see also: Whittle *et al.* 2007; Pepper and Lorah 2008). Visibility of trans-employees' gender-diversity significantly increased the likelihood of discrimination. And yet, where an individual's

gender-identity is accepted by other members of the work team despite visibility or knowledge, a greater sense of inclusion may be gained. The binary-focussed institutional level of gender regime exerts a constant influence, not only over both trans and cis employees, but also over the mechanisms and structures of workplaces. This is overwhelmingly rooted in notions of sex/gender/corporeal congruence and biocentrism, and thus shapes what is *perceived* to be possible, and how cisgender-individuals and institutions of employment respond when *atypical* gender-identity and expression arise. It is argued that the workplace straddles both institutional and individual gender, and thus creates an excellent space in which to investigate the intersection of the two. It is this interaction that gives rise to trans-employees' experiences. This thesis makes a unique contribution to existing knowledge, as it presents an in depth investigation of gender navigation and both interpersonal and self surveillance in the current employment sphere from the perspective of a participant sample afforded legal protections and the potential for gender-recognition, but who are still widely pathologised in society. Furthermore, theorizations of these findings, with reference to the works of Whittle, Schilt, Butler, and many others, enables us to see the ways in which gender-expression and navigation is framed by the expected repetition of recognizable gendered displays, and subsequent constructions of gender 'palatability' or othering. These processes are interactive, incremental, and highly nuanced.

Ironically, whilst seeking to continually examine and challenge everyday experiences of the binary categorizations which surround gender, this thesis has also invoked a language of binaries as conceptual tools to explore, investigate, and theorize, the research findings. Key examples are: visibility/invisibility, passing/not passing, inclusion/exclusion, granting/withholding. The question as to whether such usage reinforces the limitations of language is then raised. Moreover, to what extent is it possible to move beyond dichotomous terms in any real everyday rather than semantic sense, and still be able to present a comprehensible thesis? It is suggested that the use of binary language was in many ways unavoidable and inescapable, not only due to existing language frameworks, but also because so much of trans-experience, and societal gender regimes are unavoidably steeped in either/or, and in terms of agency (framed by a cis dominant society) experienced as such.

Nevertheless, despite binary usage, throughout this thesis the complexities which both reproduce and unsettle dichotomies have been highlighted.

In these conclusions, the discussion returns to the original research questions and then suggestions for future research are presented.

## **Answering the Research Questions**

- **Main Research Question: *What impact does transitioning, or having transitioned, from one gender to another, have on a person's experiences in UK workplaces?***

This research has demonstrated that transitioning/having transitioned can greatly impact upon peoples' experiences in UK workplaces. These experiences are multifaceted, and yet the greatest impact is the risk of interpersonal and structural transphobic discrimination, inequality, and harassment due to their 'othered' status. Whilst workplace discrimination is faced by all societal groups to some extent, it has been argued that trans-employees' experiences of discrimination are at times more 'visible' and profound, as they impact on their selfhood and wellbeing - the very basis of their identity, as well as their social and employment statuses, and wider lives. Unfortunately, unemployment levels within the UK trans community are considerably higher than the UK national average, a trend which has proved long-term, despite legislative protections against transphobic discrimination in employment and vocational training (see Whittle 2002). This trend, and the findings of other empirical research that transphobia remains pervasive in the employment sphere<sup>211</sup>, formed key rationales for this research.

Trans people become 'elastically othered' through onlookers' perceptions of the un/palatability of their gender-diversity and gender-actualization<sup>212</sup>. Moreover, the

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<sup>211</sup> E.g.: Whittle *et al.* 2007; Whittle 2002; Schilt and Connell 2007; Pepper and Lorah 2008.

<sup>212</sup> It has been theorized this as the extent to which a trans person is perceived to be, and is treated as, 'other' within the genderist and biocentric gender arena. This includes the manner in which the strength of this designation can shift, oscillate, or be removed, depending on spatial, interpersonal, and semiotic factors. Elastic othering is intrinsically related to (in)visibility, including the knowledge of an individual's gender-diversity or atypical gender-history. The extent to which a trans person is othered

data repeatedly demonstrated the interaction between (in)visibility, palatable transness, and elastic othering, and as such, this interaction has formed an overarching theme throughout this thesis. This can inculcate a 'violent' rejection of the 'validity' of a trans person's gender-identity, and indeed, in extreme cases, existence. Alternatively, some trans people find themselves treated as an object of workplace fascination: a 'societal curio' that is at once both present and absent. Whilst legislative provisions have somewhat increased trans-support and protection, and provided formalized avenues of recourse, support, and protection, in day-to-day workplace participation, provisions continue to be lacking due to wider institutional biocentric and genderist societal underpinnings. Thus, despite over a decade of trans-focussed employment-equality legislation, the employment sphere is a space in which trans people can continue to face egregious discrimination and inequality. Although not a new finding, this research has been particularly informative about the limitations of legislation in facilitating societal change on interpersonal, wider collective, and structural, levels. So whilst protective legislation is positive, it currently is unable to displace transphobia. And yet, through increased awareness and avenues of recourse brought about through legislation, changes in the social consciousness may gradually engender change on both micro and macro levels.

The majority of trans-employees are compelled to actualize their gender-identities in genderist and biocentric workspaces due to the current medicolegal framework. Indeed, they must also in many instances have to come to terms with 'incongruencies' in their gender-expression post-transition: and thus continued interpersonal and institutional discrimination and ostracism. Moreover, trans people must also navigate onlookers' readings and interpretations of, and responses to, their gender-articulations<sup>213</sup>. Trans-participants perceived that cisgender onlookers frequently experience significant discomfort when faced with 'mixed gender-significatory messages'. And yet many trans people will be unable to successfully mediate the (in)visibility of their gender-diversity/history all or some of the time. Trans people may feel compelled (through both external pressures and internal desire) to

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can depend on the extent to which they appear as (in)visibly gender-diverse, on onlookers' sensibilities, and can vary between formal and informal work situations.

<sup>213</sup> Whilst to some extent stealth individuals may be somewhat displaced from the scrutiny of others, to some extent this pressure remains, as presentation as stealth is constantly at risk of reinterpretation and deconstruction.

draw on 'essentialized' constructions of masculinity and femininity, however illusive and inaccurate these are in wider society. In this vein, this research confirms the ways in which the binaries of gender 'workings' are both durable *and* tenuous. Nevertheless, these essentialized constructions can prey upon the minds of trans-employees seeking to express their gender-identities and access their preferred gender-category under the influence of existing gender-hierarchies. Some trans-employees are able, and choose, to present as stealth at work. But ultimately stealth is not a secure position, and is constantly at risk of signficatory and documentary reinterpretation. Moreover, historical mediation may mean that stealth employees feel reticent about constructing 'meaningful' workplace relationships for fear of discovery and ostracism. Thus, in the long-run, stealth individuals may feel less included and supported than 'visible'/out individuals who successfully secure support, inclusion, and gender-identity acceptance.

Whilst 'transsexual' individuals are protected from being overtly dismissed because of their gender-diversity, organizations may construct other reasons to justify covertly transphobic dismissal. Thus, many trans-employees find that their position becomes insecure after announcing their intention to, or commencing, transition. Additionally, employers and colleagues can make the workspace so unpleasant as to make continued participation untenable. In addition to employment security, promotional progression may also be affected, which may also encourage trans people to seek alternative employment. Like other projects, this research has shown that gaining employment during/post-transition is an issue of significant difficulty for trans people, and many are forced to apply for positions below their qualification/skill/experience levels (see also Whittle *et al.* 2007). Unfortunately, many of these applications are unsuccessful.

This research makes a significant contribution to empirical and theoretical academic awareness surrounding gender-minority population employment and the pressures of the gender institution, in addition to the impact and potency of legislative provision. Moreover, it illuminates some of the many tensions which are both implicit and explicit in the policing and re/constructions of dominant societal-framework boundaries. Ultimately, gender-actualization and continued employment participation involves a process of balancing numerous considerations and tensions, including the threat (or

experiences) of discrimination and gatekeeping mechanisms, in order to achieve a 'liveable life'. Without significantly increased trans-visibility<sup>214</sup> and societal awareness of gender-diversity to bring trans (and other gender-diverse groups) into the mainstream, it seems clear that, despite legislative provisions, the current transphobic employment and other societal spheres remain highly problematic.

- **Subsidiary Question 1**: How/does the visibility, readability, or other's knowledge, of an individuals' gender-diversity or gender-history impact upon the way trans-employees are treated at work?

This research has shown both empirically and theoretically that the visibility, or knowledge, of a trans person's gender-diversity/atypical gender-history does significantly impact on trans-employees' experiences of the ways in which they are treated at work. The basis of this is that gender-diversity marks trans people as other against the dominant (and assumed to be innate) binary gender status quo. Binary sex/gender/corporeal congruence are expected and assumed in all interpersonal interactions, and so any perceived/known deviation from this can unsettle the immutability of this institutional construction, throwing it into stark relief. This research has shown that to be visibly/knowably gender-diverse is to be at greater risk of discrimination and inequality. Indeed, over half of the participating trans-employees reported workplace discrimination, which is over eight times the levels recorded in staff surveys without a trans-focus (see Capita 2010:46). Fundamentally, gender-signification, and perceptions/readings of in/congruous gender performances, influence cisgender-onlookers' perceptions of trans people's gender-membership and the validity of their gender-identity based on the cis-onlookers' own experiences of gender and perceptions of the gender institution. This then navigates the extent to which trans-employees' gender-identities are contested, accepted, or proverbially propelled towards binary repatriation. This research reiterates the importance of societal expectations of gender repetition in sanctioned and recognizable ways in order for gender to be done, and recognized by others (see Butler 1990). However, it has been argued that during transition, shifts in gender-signification (and the ways in

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<sup>214</sup> Which is of course tempered by the risk of discrimination and transphobia.

which this is perceived by onlookers) render 'normative' constructions of gender (if only momentarily) *incomprehensible*.

Interpersonal categorization and recognition, and in-group/outsider positionality, are complex, and full of partiality and tension. Underpinned by societal binary-cis dominance, and the policing of societally constructed and institutionalized gender boundaries, the treatment trans people's receive from others is fundamentally rooted in onlookers' perceptions of the un/palatability of gender-diversity. This subsequently governs the extent to which trans people are 'elastically othered', which varies across spatial, temporal, and interpersonal contexts. This research overarchingly contributes to both theoretical and empirical understandings of gender-boundary policing, and the multifaceted ways in which these are perceived and experienced by the minority 'transsexual' population. Moreover, this research provides important evidence of the nuances of gender-interpretation and interpersonal textual gender constructions, by highlighting the power of the dominant 'trans-signified' as a template for understanding, categorization, and potential threat removal.

Not all trans people will be able to mediate the (in)visibility of their gender-diversity/history all or some of the time, and indeed, some individuals may choose not to do so. Furthermore, stealth is not a secure position, and remains at constant risk of reinterpretation. This research provides important additions to the body of knowledge surrounding the longevity and enduring nature of this potential reinterpretation. Additionally, this research contributes to theoretical understandings of interpersonal binary gender-rooted categorization, and the ways in which ostracism and sanctions may be minimized or alleviated if a trans person is perceived to be trying to re-conform, rather than unsettle, the institutionalized binary framework. Variation between employment sectors was also a notable finding here. Nevertheless, to be perceived to 'not be trying hard enough' is to be at risk of transphobic sanction aimed at removing the threat and power of 'undecidability' and unpalatable gender-diversity: to position (and strengthen the designation of) the threatening other as a tabooed outsider. The (in)visibility of gender-diversity is complex, and can lead not only to discrimination, exclusion, and ostracism, but also over-the-top expressions of support and 'interest' rooted in assumptions of 'procedural right'. Moreover, this research has highlighted the ways in which feelings

of discomfort, and fear of associative stigmas, can navigate the ways cisgender individuals are perceived to interact with trans-colleagues, including the ways in which these interactions may be policed by other cis-onlookers.

Cisgender colleagues' acceptance of trans-participants' gender-identities was found to greatly impact on their perceptions of the treatment they receive at work (this is discussed further in relation to subsidiary question 2 below). However, it is important to reiterate here the finding that whilst passing did not directly determine the quality of trans-employees' work experiences, the extent to which their gender-identity was accepted by others did. And acceptance was directly influenced by passing and (in)visibility. Perceived acceptance was found in the data analysis to influence perceptions of discrimination, protection, support, and inclusion. Therefore, through the granting or withholding of acceptance, passing indirectly impacts upon trans people's experiences and perceptions. On a theoretical level, this research contributes to poststructural and queer perspectives regarding constructions, deconstructions, and insecurities, of intertextual self mediation, and the tensions and power struggles between 'author' and 'reader' dominance. (In)visibility has been theorized in order to dissect the complexities surrounding external and documentary presentation, and the ways in which gender-expression can be done or undone. Moreover, the importance of 'palatability' in shaping the extent to which a trans-employee is constructed as other or 'threatening' to the binary gender order has been theorized. It has also been argued that acceptance and inclusion may themselves be considered gendered in light of the propensity for ciswomen to be more forthcoming, at least initially, than their cismale counterparts. Overall, colleagues' acceptance of trans-employees' gender-identities was intrinsically linked to perceptions of their signification displays, reiterating the importance of recognizable gender repetition defined by macro regimes of gender at both societal and organizational levels.

Existing research has suggested that trans women are more at risk of discrimination due to their less-mediatable corporeal canvasses than trans men. The data supported this. And yet, it has been theorized and argued that due to the force of the dominant trans-signified, even where the seams of gender-expression are perceivable, trans women frequently gain greater acceptance of their gender-identity, and greater support and inclusion, than their trans male counterparts. Nevertheless,



trans women also face proportionately higher levels of discrimination, exclusion, and a lack of support due to their (in)visibility. Thus, (in)visibility appears to hold greater significance for the experiences of trans men, particularly in relation to the policing of gendered spaces, and overarching gender-identity acceptance and identity 'validity'. This research therefore adds to the body of knowledge surrounding the dimensions of variation within and between trans-subgroups. Importantly though, visibly gender-diverse individuals do receive support, protection, and inclusion, particularly if they can successfully gain acceptance of their preferred gender-identity, despite their 'visibility'. Moreover, to be accepted regardless of visibility may increase experiences of support and inclusion, and contribute to the breaking down of gender-barriers, thus facilitating greater trans-arbitrary knowledge amongst cis-colleagues.

- **Subsidiary Question 2**: How/are trans-employees' expressions of their gender-identities at work navigated and policed, both by themselves, and others?

This research has shown that trans-employees' expressions of their gender-identities are navigated and policed, both by themselves and by others, at work. Primarily, navigation centres on achieving, and granting/withholding, acceptance of a trans person's preferred gender-identity, and for trans people to avoid sanction and ostracism where possible. The underlying matrix of this is that interpersonal interactions pedagogically signify, through: responses; support and inclusion, or denial of these; which behaviours and signficatory displays are acceptable/unacceptable and un/palatable. Browne's (2004:331) conceptualization of genderism as 'hostile readings of, and reactions to, gender ambiguous bodies' was repeatedly illustrated throughout the data, highlighting that British society is steeped in genderist practices and sensibilities. Trans-employees were found to feel compelled to present their selves in an 'unthreatening' and 'categorizable' manner: indeed, this research reiterates the extent to which gender-diversity may be perceived to be 'threatening' to the binary gender order, and subsequently subject to policing and navigation.

Many trans-participants employed stereotypical gender-signifiers in order to facilitate others' recognition of their gender-identity, but also to lay claim to their preferred gender-category. Nevertheless, once participants felt more secure in their gender-roles, many chose to lessen their use of stereotypical gender-signifiers in favour of a more personal and intersectional approach to signification in order to 'be themselves'. Where a trans person's gender (in)visibility is perceivable, they are subject to an increased surveilling gaze of others during the course of their ongoing gender-articulations. However, cisgender onlookers are also compelled to navigate gender-diversity and gender-articulation along with trans-colleagues. Importantly, this research contributes to knowledge about self and external mediation, of in/congruous gender-performances, and the ways in which binary gender-membership and identity acceptance, can be granted or withheld. An integral part of this is the hierarchies found in signification in interpersonal interpretation. The data showed that onlookers frequently privilege visual signification over aural ones in face-to-face interactions. Moreover, onlookers may choose to overlook incongruities where more culturally-dominant visual gender-signifiers are successfully presented. Nevertheless, the semiotics of gender is complex: gender is not only a doing and undoing, but also a redoing and a doing to that is informed by individuals' experiences of gender influenced by macro level gender regimes and ensuing societal structures and practices.

Mutual dysphoria in the institution of gender is key to theorizations of interactive trans and cis navigations of workspaces (as well as other spaces). It has been theorized and argued that mutual dysphoria forms the basis of onlookers' responses, both in relation to policing and rejection, but also pedagogical navigation, and repatriative classification, in order to 'shore up' the 'crumbling boundaries' of the 'notionally unquestionable'<sup>215</sup> binary gender-framework (even where trans people identify, and choose to re-conform, with, the gender-binary). 'Uninitiated' cisgender-onlookers frequently appear unable to look beyond and outside of the binary, unless it is to position an 'unpalatable' gender-diverse person firmly outside of its confines. The notion of 'genders' or 'gender spectrum' are thus widely unrecognized by many of the

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<sup>215</sup> In the eyes of the cis-population en masse following internalization of pedagogical reinforcement of macro regimes of gender.

UK population, regardless of the freedom and flexibility recognition could afford to all social agents.

Combined with the processes and underpinnings of elastic othering, the 'validity' of medicolegal gender-repatriation is a construct which can be both undone and redone, and thus varies between interpersonal, spatial, and temporal contexts. Essentialism is, for many social agents, both cis and trans, something that is perceived and experienced as an essential imperative, not a construct. This is particularly highlighted by many trans people's desire to actualize their gender-identities 'full-time' despite a very real risk of discrimination, inequality, and hardship, due to the transphobia and genderism of others. However, it has been argued that whilst an essential imperative, the ways in which essentialism may be used to validate/invalidate, and police, gender-identities and expressions, is something that appears highly constructed and tenuous.

Due to the above considerable tensions, essentialism has been treated cautiously in this thesis in order to recognize individual experiences, and the expressions of agency in which this can manifest, in interaction with macro regimes of gender and societal structures. Thus, the flexing of boundaries and constructs found in this research contributes to theoretical and empirical understanding of gender doings, undoings, redoings, and doings to, and the ways in which these may be 'flexibly' policed in order to ensure the continued dominance of an existing hierarchical construct, whatever the 'compromises' required to achieve this. Nevertheless, this may contribute to the reconfiguration (if only temporarily) of existing societal hierarchies rooted in notions of 'typified' gender binarism, or open these up to contestation. Importantly though, the author agrees with Connell's (2010:32, paraphrasing West and Zimmerman 2009) assertion that the 'accountability structures that maintain gender...are never entirely eradicated'. This is likely to result in complex matrices of fluctuating gatekeeping influences.

Trans people are frequently treated as 'societal curios' by cisgender-colleagues who may assume a 'procedural right' to disregard trans-colleagues' boundaries and access personal information about their gender-actualization. This assumed and societally-sanctioned position of cis-dominance reconfirms existing discussions

surrounding theoretical understandings of the construction and maintenance of institutionalized and interpersonal power hierarchies and tensions. Ultimately, signifiatory mediation is complex, and (in)visibility is impeded by possibility and choice regarding the ways in which trans people are able to navigate the expression of their identities and personhood. The implications of passing and (in)visibility were found to be most significant in relation to trans men's, and private-sector participants', experiences, and yet the greatest discrimination was reported in the public sphere. These findings in particular highlight the dominance of the transsexual-signified and the additional taboo and unawareness which surrounds trans male gender-diversity, and the enduring influence of organizational gender-regimes and the aesthetic economy. Identity navigation is broadly policed, and particularly where top-down support is lacking, this research has found that 'pack othering' behaviours and practices may occur. This, and other empirical findings, contributes to the sociology of work by highlighting the ways in which institutionalized minority discrimination can be overt, covert, and embedded. In terms of trans-equality and workplace experiences, this research provides an important 'snapshot' of the experiences that trans people's may have, despite over a decade of trans-focussed equality legislation, and increasing organizational policy provision. Legislation therefore appears is in some ways impotent in achieving its aims, but nevertheless provides an important backdrop to the potential for increased trans-equality.

- **Subsidiary Question 3**: How/do trans-employees interpret and negotiate their experiences at work in relation to the context of expected hetero- and bio-normativity in the UK employment sphere?

This research has shown that trans-employees occupy a position of 'outsiderwithin', which shapes their perspectives and negotiations of the UK employment sphere. Trans-employees primarily navigate workspaces via (in)visibility and the ways in which they approach their gender-expression and actualization. Moreover, they are frequently in a position (regardless of whether they ultimately pass) to compare pre-, during-, and post-transition experiences, and thus discern the ways in which interactions can vary. Thus, this research contributes to theoretical understandings of gender-categorization and interpretive power-play. (In)visibility has been shown and

theorized as implicitly influencing the ways in which cis-onlookers grant/withhold gender-identity acceptance, identity 'validity', and in-group membership. Participants' recollections of the instances in (and perceived conditions of) which they felt they were treated positively or negatively, and were supported, protected, and included (or not) demonstrated the multifaceted ways in which trans presence/absence, and in/validity, are wielded as tools and enacted on individual, group, and institutional bases by cis- and binary-dominant agents and regimes.

Additionally, this thesis adds to discussions surrounding gender-expression, performance, binary-re/constructions, and trans-internalization or rejection of these. Trans-employees' interpretations of workspaces have been found to be intrinsically viewed through a lens of necessary gender-identity acceptance which shapes their perceptions of experiences and treatment. Therefore, these findings contribute to theorizations surrounding interpersonal categorization and the importance of identity-recognition. Also, this research reiterates the dominance of binary-categorization: and yet trans people are not only subject to judgment about whether they are the 'right sort' of man or woman, but also, the right sort of trans man/trans woman, and 'transsexual'. The importance and tensions of gender-capital are particularly highlighted in this regard, as trans people may not only be othered due to their gender-diversity, but where stealth, may be viewed as 'subordinate' in terms of expected gender capital.

Many trans-employees expect discrimination due to their own experiences, observations, or anecdotal evidence circulated within the trans community. Fear, and experiences, of interpersonal and institutional discrimination can gatekeep the perceived feasibility of gender-actualization at work. Importantly, these fears are frequently well-founded, as this, and other empirical research, has shown that trans-employment discrimination and inequality are rife. Furthermore, it has been theorised that gatekeeping mechanisms enact a 'civilizing' pressure over workplace gender-expressions, policing the facets of expression deemed acceptable in different spaces. Interestingly, legislative provisions were perceived to have the greatest impact on internally-derived discrimination, although many participants nonetheless felt unprotected. There are many hurdles to transition and post-transition employment (both structural and personal), and due to the current medicolegal framework (in

conjunction with the need for remuneration), trans people are frequently compelled to engage with these organizational and interpersonal hurdles. Some trans-employees choose to embrace the visibility of their gender-diversity and open themselves to the gaze of cis-onlookers, which in some cases can alleviate prejudice and facilitate in-workgroup membership. However, this is not always the case, and prejudice and ostracism can ensue from all or some workplace subgroups.

Trans-participants highlighted the ways in which support, protection, and inclusion, can differ between colleagues and employers, and thus trans-employees must negotiate the tensions and policing mechanisms present in their specific organizational regime in order to construct a 'liveable life'. Interestingly, one of the chief ways in which trans-employees navigate the employment sphere is by choosing to change jobs during/after transition in order to make a 'fresh start' (although participants also left jobs due to discrimination). Whilst individuals who passed all or most of the time were most likely to choose to make a 'fresh start', those with less successful signficatory mediations also chose to do so. This finding highlights the ways in which others' acceptance of a person's gender-identity may be made more possible without the 'weight' of pre-transition interactive experiences, even where (in)visibility is notably present.

- **Subsidiary Question 4**: How and in what ways have businesses sought to afford trans-employees support and protection at work, and how has this been effective or problematical?

Legislation has had a degree of influence over organizational approaches to trans-equality, particularly in relation to policy-inclusion. And yet, there is still a long way to go to facilitate and incorporate the essence of legislative protections into organizational practices and cultures. Moreover, it has been have argued that legislation has led to a 'veiling' of transphobia, and ultimately remains entrenched in binary macro regimes of gender which solidify genderist practices and structures. Nevertheless, organizational approaches are complex. On the one hand, trans-inclusion in anti-harassment policies signifies presence and institutional 'validation'. On the other hand, a widespread lack of knowledge, and lack of mechanisms needed

to implement policies and legislation into day-to-day practices, in addition to the construction of trans-equality as a subordinate equality-strand, reconstruct trans as absent and 'invalid'. It has been argued that organizational approaches to trans-equality reside in, and perpetuate, wider societal trans-subordination, and cultivated absence, despite the trans community's increasing societal visibility. Thus, whilst legislative provisions have designated 'transsexual' gender-diversity as 'categorizable enough' to be provided with repatriation-rooted protections and recognition, trans-employment and trans-equality are intrinsically underpinned by societal conceptualizations of trans-otherness and unpalatability. This process is reminiscent of criticisms of queer theory, where binary-identified 'transsexual' individuals are perceived to be 'too queer' by wider cisgender populations, but 'not queer enough' by some members of gender-diverse and queer-theory enclaves.

This research contributes to the body of knowledge on approaches to societally tabooed minority employment and in/equality. The data showed that organizations/personnel are predominantly unable to think 'beyond the binary' because of the extent to which they, and organizational structures, are embedded within, and underpinned by, gender binaries and dichotomies. This finding is key in order to recognize the basis for barriers to trans-equality and provision on an organizational and structural level. And yet, the participating organizations stressed their desire to be flexible and supportive in relation to gender-diverse employment. Many stated that they would seek to be guided by trans-employees. Whilst this could be seen to signify a lack of awareness and knowledge, should trans-employees feel able to specify their needs, and have these heeded, a positive individually-tailored approach may be facilitated. And yet, trans-employees' experiences have highlighted the ways in which organizational support may be unreliable or unforthcoming, leading to a lack/removal of provision in actuality. This research is important because it adds to poststructuralist and queer theorizations surrounding the contestability of gender 'validity': trans is both present and absent, and frequently constructed as *sous rature*. Thus, whilst progress towards the recognition of a need for trans-equality has occurred in legislation, it has been argued that many organizational trans-equality approaches merely 'window-dress' through presentation of what the author argues is their 'equality etiquette', and ultimately lack necessary substance and implementation.

## Summary of Conclusions

So, what impact does transitioning, or having transitioned, from one gender to another, have on a person's experiences in UK workplaces? We can see that the impact of transitioning is profound, multi-faceted, and transphobia continues to be pervasive at all levels of the workplace (p289). Consequently trans people become 'elastically othered' through onlookers' perceptions of the un/palatability of their gender-diversity and gender-actualization (p289-90). To deal with this many trans people must come to terms with incongruities in their gender presentation post-transition, and others' responses (p289). However, when acceptance can be gained in the face of visible gender-diversity/known atypical gender history, 'out' trans people may (whilst at risk of greater discrimination and inequality) perceive and experience greater support and protection in the long-term (p290). Nevertheless, despite protective legislation, the rate of trans employees who become unemployed after stating their intention to transition or commencing transition, is considerable (p290). This is frequently due to covertly transphobic dismissal, or because the work environment becomes so unpleasant (p290). Promotional progression is also affected (p290). Additionally, trans-unemployment is considerably higher than the UK national average, and this has proved a long-term trend (p290).

The visibility or knowledge of a person's gender variance or gender-history greatly increases the chances of and level of discrimination and prejudice experienced (p291). Furthermore, the rates of discrimination reported by trans participants was over eight times the level recorded for discrimination reported in research without a trans-focus (p291). Others' perceptions of trans peoples 'gender-membership' is mediated by their gender-presentation, and cisgender colleagues'/employers'/clients' previous experiences, and perceptions of their *own* gender-identity and presentation (p291). This then influences the extent to which colleagues may exert pressure over trans colleague's gender expression, and how they respond to, and treat, their trans colleague (p291). Importantly, not all trans people are able to mediate the (in)visibility of their gender-identity or atypical gender history, and moreover many do not wish to hide their gender-diversity/gender history, instead taking pride in being out (p292).



Trans women, whilst at risk of greater levels of inequality than their trans male counterparts due to increased levels of 'visibility', also experience greater levels of inclusion where they were out or did not pass (p293-4). Overall, for both trans male and trans female employees, stealth was shown to be an insecure position constantly at risk of reinterpretation (p292).

A trans worker will have to navigate through the possible expressions of their gender-identities, often self-policing their image to prevent ostracism or sanction from cisgender members of the workplace (p294-5). This frequently involves employing socially dominant gender cues in order to achieve recognition and acceptance of their gender-identity (p295). However, this relaxes further on into transition, and is increasingly informed by trans individuals' personality and preferences (p295). However, cis colleagues may withhold gender acceptance and recognition if they do not perceive the trans person to be 'trying hard enough', or deem their trans-colleague's gender-expression to be 'unpalatable' or unsuccessful (p295). Furthermore, cisgender members of the workplace may exhibit a significant and at times callous disregard for trans-colleagues' privacy and personal boundaries, which may occur both informally and formally (p296-7).

Trans employees are compelled to interpret and negotiate their experiences under the influences of hetero- and bio-normativity in the workplace in a variety of ways. They occupy a position of 'outsiderwithin' and are thus able to perceive gender frameworks and tensions which cis individuals ignore or take for granted (p298). As such trans people are often able to compare the treatment they receive pre-, during-, and post-transition (p298). Trans people are subject to others' judgement of whether they are the 'right sort' of man/woman, or indeed the 'right sort' of transsexual (p298). Where out, trans individuals may be othered due to their gender-diversity (p298-9). However, stealth individuals may also be perceived as subordinate members of their preferred gender-category because others' may perceive them to lack expected levels of gender-capital (p298). Individuals and mechanisms within the workplace exert gatekeeping and policing pressures over gender-diverse employees, and despite legislation, discrimination and inequality remain rife (p299). Subsequently,

many trans people seek alternative employment post-transition in order to make a 'fresh start' (p299). This is problematical because levels of trans-recruitment remain so low, and levels of unemployment so high (p290).

Business approaches to transsexual equality are frequently uninformed, ineffectual, and problematical, even if well intentioned (p299-301). Organisations are largely ill informed about trans issues, and legislative requirements regarding trans equality and inclusion (p299-301). 'Trans' as an equality strand is perceived to be 'subordinate' to other equality strands and as such often receives little or no investment and focus (p300). Support offered by employers may often be unreliable or unforthcoming in actuality (p301). Subsequently, it appears that many organisations merely 'window dress' their approaches to trans-equality, viewing provisions for a comparatively small and widely dispersed population as unnecessary, often resulting in breaches to legislation (p301).

## **Recommendations**

Therefore, in order to create safer and better workplaces for trans people, (whether gender variant, intersex, transgender or transsexual), the following should be undertaken:

- 1: Significantly increased trans-visibility and societal awareness of gender-diversity is required to bring transsexual (and other gender-diverse groups) into the mainstream, in order to 'depathologise' and 'humanise' members of this often private diverse population.
- 2: Greater support and information needs to be provided to gender-diverse individuals and people in positions of power and responsibility in workplaces.
- 3: Equality and diversity training *inclusive* of trans-equality needs to be provided to all members of the workforce.
- 4: Poor levels of trans recruitment and high levels of trans unemployment need to be further researched and addressed.

5: Guidance needs to be provided to organisations, and their responses to trans equality legislation audited in order to try and alleviate largely ill informed and ineffectual workplace approaches.

### **Suggestions for Future Research**

This PhD research has highlighted a number of areas which would benefit from future in-depth research, many of which the author hopes to address in her future academic career. The following suggestions for future research are split into trans, business and trade union, and wider cisgender, focuses.

This research has highlighted some significant variations between trans men's and trans women's experiences of UK workplaces. It would be interesting to investigate the extent, breadth, and generalizability of these variations, and the potential reasons for any differences found. It would also be useful to investigate the effects of 'gender capital', or lack thereof, and whether this impacts upon the pay and promotional opportunities and employment success, of trans men and trans women. Also, from both a sociological and methodological perspective, it would be interesting to consider why this, and other trans-focussed research, has found an underrepresentation of trans-participants from ethnic minorities. It would be useful to investigate whether this is a reflection of the methodological approaches used, or whether there is an ingrained underrepresentation of trans people from ethnic minorities in the trans community generally. If so, it would be interesting to investigate whether this stems from barriers to gender-actualization, and social, cultural, familial and religious pressures, or due to other reasons.

The gulf between legislation, organizational policies, and practices, has formed a particular focus of the latter part of this thesis. Whilst this research focussed on 'equality minded' organizations, it would be interesting to conduct a larger, more in-depth, research project into organizational approaches to gender-diversity and trans-equality. In particular, it would be useful to specifically consider variations in provisions and approaches in relation to the different employment sectors, and the

sizes of participating organizations. Additionally, whilst this research had originally intended to investigate trade union approaches to trans-equality and trans-member support, this was not possible due to limited recruitment and a subsequent lack of data. Nevertheless, this area comprises an important topic for future research, particularly due to trans-participants perceptions of union apathy, exclusion, and discrimination.

As a wider backdrop to trans-employment and in/equalities, it would also be useful to investigate cisgender-onlookers' perceptions of gender-diversity, and the extent that legislation, and media depictions impact upon iconic constructions of trans, and the 'trans-signified'. Moreover, it would be interesting to examine cisgender-individuals' perceptions of, and responses to, (in)visible gender-diversity. This would enable tensions between the re-constructions and navigation of gender-norms, and perceptions and experiences of mutual dysphoria in the institution of gender, to be considered from the perspective of the 'dominant' collective.

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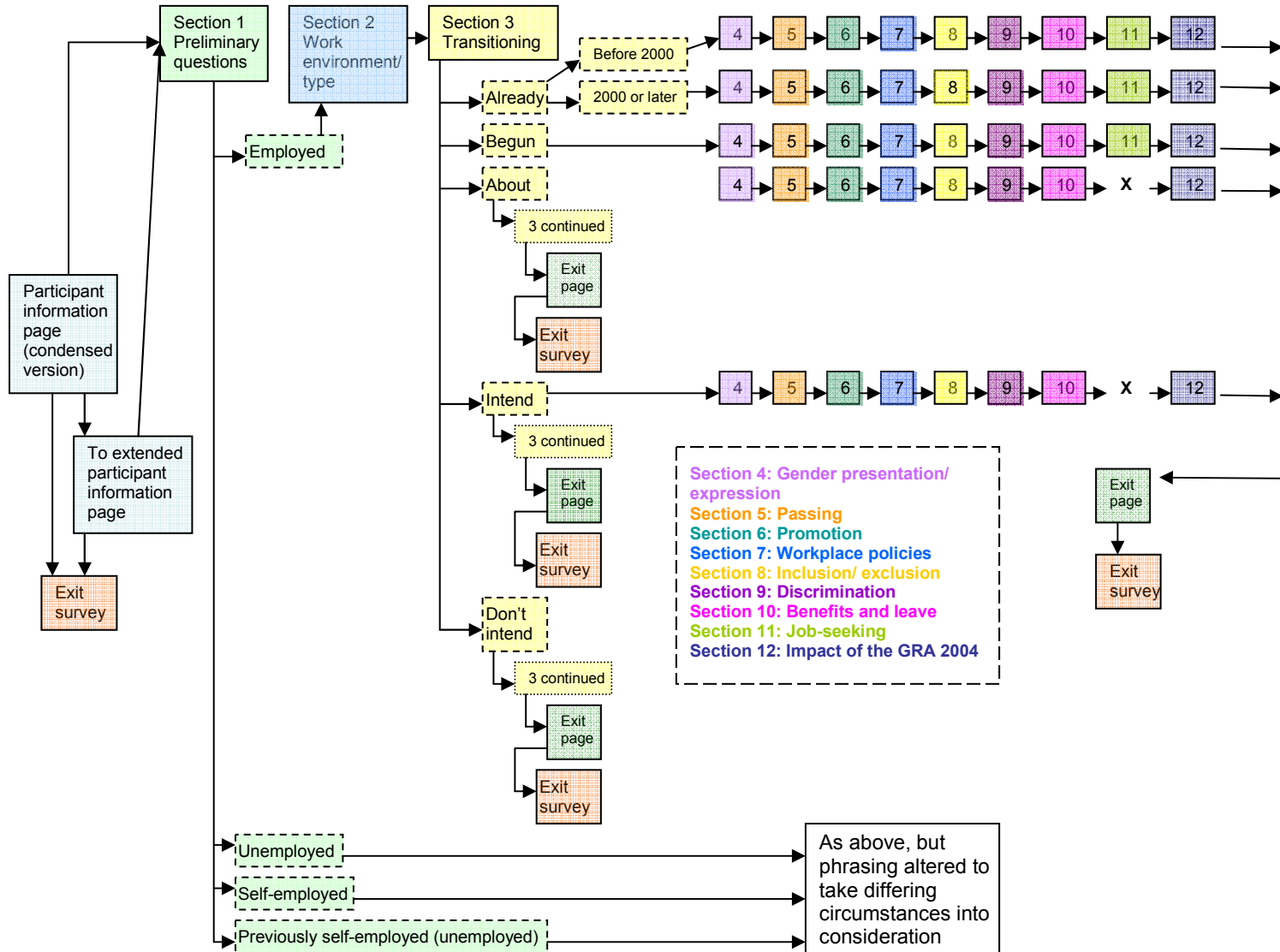
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## **Appendices**

# Appendix A: Diagrammatic Representation of the Websurvey Layout and the Use of Skipping-Logic



## Appendix B

### Web-Survey

Please note that as skipping logic was used in order to present participants with the questions and phrasing most applicable to their current employment, gender, and transition, situations, it would be impractical to include a full print out of the web-survey threads for these variations. Therefore, the following is a condensed version of the websurvey, which presents questions in the format used with employed participants who had begun transitioning. Where specific questions are only presented to other groups of participants, they are marked aside and presented with reference to the participants to whom they are applicable. Page headers have also been omitted due to spatial constraints involved in printing a websurvey.



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[Exit this survey >>](#)

## A Research Study into Trans Men's and Trans Women's Experiences in UK Workplaces

1. Welcome page

Welcome!

You are invited to take part in a research study. Before deciding whether or not to take part, it is important you understand why this research is being carried out, and what it will involve. Please take time to read the following information carefully.

If you would like to leave the survey at any time, just click "Exit this survey" which is located in the top right hand corner of each page.

Next >>



[Exit this survey >>](#)

## 2. Participant Information

This research is being carried out by:

Emma Rundall  
Sociology PhD Student

Department of Sociology, School of Social Sciences and Law, Oxford Brookes University,  
Headington Campus, Gipsy Lane, Oxford. OX3 0BP.

trans\_ukworkplace\_study@yahoo.co.uk

I am conducting this research as part of my PhD in Sociology at Oxford Brookes University. It is self-funded. I am based in the Department of International Relations, Politics and Sociology in the School of Social Sciences and Law.

I am an associate member of FTM London, and recently contributed to the literature research of Professor Stephen Whittle's and Dr Lewis Turner's study into the discrimination faced by trans people in the UK today.

This study aims to investigate the experiences trans men and trans women have in UK workplaces. I hope that by raising the awareness of trans men's and trans women's experiences in UK workplaces, and the issues and difficulties they face, this study will go some way towards helping facilitate the positive and progressive steps employers can and should take to support their trans-employees, and enable employees the security to actualise their gender-identities without fear of repercussions at work.

This study will examine issues faced by transsexual employees, including:

- difficulties or positive experiences you have had when considering gender reassignment whilst at work
- transitioning at work
- interacting with colleagues
- inclusion in the workplace
- promotional/employment progression
- how you express your gender-identity at work (if at all)

No matter what stage of transition you are at, please participate if you:

- identify as transsexual, or as a different sex or gender than that ascribed to you by others at birth
- are 18 years old or older
- currently work in the UK, or have worked in the UK within the last seven (7) years - i.e. 2000 or later

Please remember - participation is entirely voluntary. This website allows you to remain completely anonymous.

The survey comprises mostly of multiple-choice and yes/no questions, but some questions will ask you to explain your experiences or opinion. The questionnaire may take approximately forty (40) minutes.

The majority of questions in this survey will focus on your current views and most recent experiences in UK workplaces between 2000-2007.

The results will be:

- used as part of my PhD in Sociology
- included in future publications
- placed online after December 2008 in summary form

Please email me to be notified of the URL of the website once the results are available: [trans\\_ukworkplace\\_study@yahoo.co.uk](mailto:trans_ukworkplace_study@yahoo.co.uk) If you wish to obtain a hard copy of the above

summary of findings please also email me.

#### FOR MORE INFORMATION:

Please read the full Participant Information page accessed via the selection of options at the bottom of the page, or contact me at the address/email at the top of this page.

If you would like more information about trans rights, campaigns, and issues faced by trans people, including advice about problems at work as well as other areas, please visit:

[www.pfc.org.uk](http://www.pfc.org.uk)

Press for Change is 'a political lobbying and educational organisation, which campaigns to achieve equal civil rights and liberties for all trans people in the United Kingdom, through legislation and social change' (PFC 2006).

PLEASE NOTE: Your computer will need to have JavaScript enabled to run this questionnaire. Most computers will enable this automatically.

#### 1. Please select one of the following 3 options:

- Please select one of the following 3 options: I would like to read the full Participant Information page before I decide whether to take part  
(See [thesis Appendix L](#))
- I would like to START the survey straight away
- I would like to EXIT the survey

Next >>

[Exit this survey >>](#)

### 3. Message about use of skipping logic

Please note: based on your answers this website will direct you to the questions most applicable to you.

Questions in blue font relate to your experiences of UK workplaces/work environments between 2000-2007 ONLY.

Questions in black font are not date restricted, i.e. you do not have to restrict your answers to experiences between 2000-2007. Most questions in black font will relate to your current views, feelings or most recent experiences. Some will also ask about your gender-identity and steps you may have taken in expressing it.

There are 12 sections in this survey.

You will not be able to use the 'back button' once you have clicked 'next' at the bottom of each page of this survey.

**4. Section 1 of 12 - PRELIMINARY QUESTIONS**

**1. 1. Are you a:**

- Female-to-Male transsexual person
- Man with a transsexual background
- Male-to-Female transsexual person
- Woman with a transsexual background
- Other trans identified or gender variant person (please state)

**1. 2. How old are you?**

- 18-24
- 25-29
- 30-39
- 40-49
- 50-59
- 60-64
- 65+

**1. 3. What is your ethnicity?**

**(These categories are drawn from the 2001 census ethnicity classification system)**

- Asian or Asian British
- Black or Black British
- Chinese or Chinese British
- Mixed White & Black/ Mixed White & Black British
- Mixed White & Asian/ Mixed White & Asian British
- Any other mixed background
- White British
- White Irish
- Any other White background
- Any other ethnic group
- Information refused

**1. 4. What is your religious background, if any?**

**1. 5. What is your sexual orientation?**

- Gay
- Lesbian
- Bi

- Queer
- Straight
- Asexual
- Don't know
- Other (please specify)

**1. 6. Are you in full-time or part-time education?**

- Yes - full-time
- Yes - part-time
- No

**1. 7. Are you currently employed?**

- Yes
- Yes - Self employed
- No
- No - previously self employed

Next >>

\*\*\*\*\*

***This question is only applicable to unemployed and previously self-employed (but currently unemployed) participants***

**Have you been employed in the last 7 years? (i.e. 2000 - 2007)**

- Yes
- No

\*\*\*\*\*

[Exit this survey >>](#)

**5. Section 1 of 12 continued**

**1. 8. Are you employed:**

- Full-time
- Part-time

**1. 9. Which region of the UK do you work in?**

- NE England
- NW England
- Midlands

- Central
- London
- SE England
- South England
- SW England
- Scotland
- Wales
- Northern Ireland
- Other (please specify)

**1. 10. Is your contract of employment:**

- Permanent
- Permanent – through an employment agency
- Fixed term
- Fixed term - through an employment agency
- Temporary
- Temporary - through an employment agency

**1. 11. Are you a member of a union?**

- No
- Yes (please state which one and whether you are a union rep)

**1. 12. Approximately how much do you earn per year, before tax and other deductions?**

- Less than £5,000
- £5,000 - £9,999
- £10,000 - £14,999
- £15,000 - £19,999
- £20,000 - £29,999
- £30,000 - £39,999
- £40,000 - £49,999
- £50,000 or more

**1. 13. What is your self-identified social class?**

- Upper class



- Upper-middle class
- Middle class
- Lower middle class
- Working class
- Other (please specify)

**1. 14. How many people work for your employer at the place where you work?**

- 1 to 24
- 25 or more

**1. 15. Do you supervise any other employees?**

**(A supervisor or foreman is responsible for overseeing the work of other employees on a day-to-day basis)**

- Yes
- No

**1. 16. How did you hear about this survey?**

- Poster
- Flyer
- Email
- Word of mouth
- Magazine/paper/newsletter
- Other (please specify)

Next >>

[Exit this survey >>](#)

## 6. Section 2 of 12 - WORK ENVIRONMENT AND TYPE OF WORK

**2. 1. What employment sector do you work in?**

- Public
- Private
- Voluntary

**2. 2. What is your workplace? E.g. a school, local council, charity, software development company, investment company etc:**

**2. 3. What is your job title?**

2. 4. Would you define your workplace as predominately:

- Female
- Male
- Mixed female and male

2. 5. Are there any other employees who are trans or have a trans history?

- Yes
- No
- Don't know

2. 6. Are the people in positions of power (i.e. supervisors, managers) predominately:

- Female
- Male
- Mixed male and female

2. 7. Are there any individuals in positions of power (i.e. supervisors, managers) who are trans or who have a trans background?

- Yes
- No
- Don't know

Next >>

\*\*\*\*\*

**The following questions are only applicable to self-employed and previously self-employed (but currently unemployed) participants**

2. A. What year did you set up/take over your business?

2. B. Was your decision to become self employed related to your gender-identity, intention to transition, trans status or history?

2. C. Do you think being trans/having a trans history has impacted upon your ability to obtain financial support for your business if necessary?

- No
- Yes (please expand)

**2. D. If you are self employed and employ others, do you think it is harder to recruit employees if you are trans/have a trans background than if you are not trans/don't have a trans background?**

- No
- Don't know
- N/A – I do not employ anyone
- Yes (please expand)

Next >>

\*\*\*\*\*

[Exit this survey >>](#)

## 7. Section 3 of 12 - TRANSITIONING

**3. 1. In your opinion, which option best describes your current position with regards to transitioning?**

- Already transitioned
- Begun transitioning or are currently transitioning (including if you have started living in your preferred gender as part of your 'real-life experience')
- About to transition, including if you hope to start living as your preferred gender as part of your 'real-life experience' within the next 1-2 years
- Intend to transition in the future, i.e. in 2years +
- Don't intend to transition in the future

Next >>

\*\*\*\*\*

**The following question applies only participants who stated they had already transitioned.**

## 8. Section 3 of 12

**Did you transition before or after 2000?**

- Before 2000
- 2000 or later

Next >>

\*\*\*\*\*

The following question only applies to participants who stated they are about to transition.

Do you intend to transition whilst at work?

Yes

No (please state why)

\*\*\*\*\*

The following question only applies to participants who stated they do not intend to transition.

Please explain why you do not intend to transition:

\*\*\*\*\*

[Exit this survey >>](#)

9. Section 3 of 12 continued

If you began transitioning before 2000 but consider yourself to still be in the process of transitioning, [please answer questions in blue font in relation to experiences you have had between 2000 – 2007 ONLY.](#)

Questions in black font are not date restricted, i.e. you do not have to restrict your answers to experiences between 2000-2007. Most questions in black font will relate to your current views, feelings or most recent experiences. Some will also ask about your gender-identity and steps you may have taken in expressing it.

Next >>

[Exit this survey >>](#)

10. Section 3 of 12 continued

3. 2. Which year did you begin transitioning?

3. 3. What steps have you taken in your transition process to date?

3. 4. Did you begin transitioning whilst at work?

- Yes  
 No (GO TO Q6)

3. 5. Are you still at that place of work?

- Yes  No

3. 6. Did you tell anyone at work of your intention to transition before you began?

- Yes  No

Next >>

\*\*\*\*\*

**The following question applies only participants who stated they had already transitioned.**

Did you transition whilst at work?

- Yes  No

\*\*\*\*\*

**The following question applies only to unemployed and previously self-employed (but currently unemployed) participants.**

Have you been employed since beginning to transition?

7. Have you been employed since beginning to transition? Yes  No

\*\*\*\*\*

[Exit this survey >>](#)

11. Section 3 of 12 continued

3. 7. In which year was this?

3. 8. Who did you tell? (TICK ALL THAT APPLY)

- Customers / clients
- Employer / Boss / Manager / Supervisor
- Colleagues that you supervise
- Colleagues that you DO NOT supervise

**3. 9. Overall, was/were the reaction(s) you received positive or negative?**

- Mostly negative
- All negative
- All positive
- Mixed
- Mostly positive

**3. 10. Overall, do you think the information you gave was treated with respect?**

- Yes, totally
- Yes, mostly
- 50/50 - Respect equal to disrespect shown
- No, not really
- No, not at all

Next >>

[Exit this survey >>](#)

**12. Section 3 of 12 continued**

Questions in blue font relate to your experiences of UK workplaces/work environments between 2000-2007 ONLY.

Questions in black font are not date restricted, i.e. you do not have to restrict your answers to experiences between 2000-2007. Most questions in black font will relate to your current views, feelings or most recent experiences. Some will also ask about your gender-identity and steps you may have taken in expressing it.

**3. 11. Do you feel you were treated differently at work after you announced your intention to transition or began transitioning?**

- Yes, by all
- Yes, by some
- No
- Don't know

**3. 12. Please expand on this:**

**3. 13. Has your employer/supervisor asked questions about how he/she could make your transition easier at work?**

- Yes
- No

**3. 14. Have you taken, will you take, or are you currently taking a leave of absence to transition? (i.e. you remained or will remain employed)**

**(please tick which best applies)**

- Yes I have
- Yes, I am currently on that leave of absence
- Yes I will
- No (GO TO Q 16)
- Other (please specify)

**3. 15. Was this before or after 2000?**

- Before 2000
- 2000 or later

**3. 16. If you need to take, or have taken, time off work for appointments, surgery or other gender reassignment treatment, how has your employer/organisation reacted to this?**

**3. 17. If you present yourself as your acquired/preferred gender at work and pass, have you (whilst passing) divulged your trans status to your employer in confidence?**

- Yes
- No (GO TO Q19)
- N/A (GO TO Q19)

**3. 18. If yes, have they kept this information confidential?**

- Yes
- No
- Don't know

**3. 19. Have any positive provisions been made for you by your employer during your transition? (tick all that apply)**

- Allowed time off for appointments

- Allowed to work flexi-time when needed
- Freedom to choose/adapt work attire/uniform
- Freedom to use whichever toilets you feel comfortable with
- Swift change of name, gender and pronoun on name badges, work records etc
- Support with educating other people in the workplace about trans issues and gender reassignment
- Moved to a less frontline position if you SPECIFICALLY requested to be moved
- No provisions made (GO TO Q20)
- Other (please specify)

**3. 20. How have people at work responded to you changing visually due to gender reassignment treatment, e.g. growth or removal of facial/body hair, change of vocal pitch, top surgery, etc if any of these have occurred?**

- Negative overall
- Mixed
- Positive overall

**3. 21. If you wish to expand:**

**3. 22. Have you changed your name and gender at work?**

- Yes (GO TO BOTTOM OF PAGE AND CLICK NEXT)
- No

**3. 23. Do you intend to change your name and gender at work?**

- No (GO TO Q25)
- Yes

**3. 24. Why have you delayed changing your name and gender at work? (THEN PLEASE PROCEED TO 'NEXT')**

**3. 25. Why do you wish to retain your existing name and gender at work?**



Next >>

[Exit this survey >>](#)

### 13. Section 3 of 12 continued

Questions in blue font relate to your experiences of UK workplaces/work environments between 2000-2007 ONLY.

Questions in black font are not date restricted, i.e. you do not have to restrict your answers to experiences between 2000-2007. Most questions in black font will relate to your current views, feelings or most recent experiences. Some will also ask about your gender-identity and steps you may have taken in expressing it.

**3. 26. In which year did you change your name and gender at work?**

**3. 27. If you use your new name and preferred/acquired gender at work, what is your experience of getting identification and documentation changed at work to reflect your change of gender and other details?**

- Easy
- Neither easy nor hard
- Hard
- N/A

**3. 28. Are you aware of any problems with your employer's insurance cover for you when you began transitioning or informed them of your legal changes?**

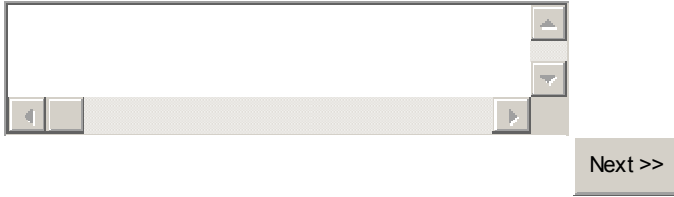
- No
- Yes (please state what the problem was)

**3. 29. After notifying your employer, colleagues and people that you supervise (if applicable) of your change of name and details, have you ever NOT been addressed by, or referred to by, your correct name and pronoun (he/she)? (tick all that apply)**

- Yes, informally (e.g. verbally and outside of meetings)
- Yes, formally (e.g. in meetings, emails and written correspondence)
- No, I am always addressed and referred to by my correct name and pronoun (GO TO

BOTTOM OF PAGE AND CLICK NEXT)

**3. 30. Please state who by (i.e. their position and how they are work related to you), including how often this occurs:**

A text input field with a scroll bar and a 'Next >>' button.

[Exit this survey >>](#)

#### 14. Section 3 of 12 continued

Questions in blue font relate to your experiences of UK workplaces/work environments between 2000-2007 ONLY.

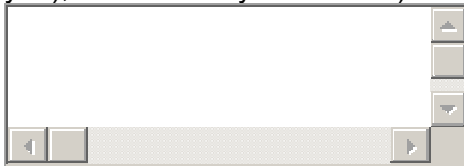
Questions in black font are not date restricted, i.e. you do not have to restrict your answers to experiences between 2000-2007. Most questions in black font will relate to your current views, feelings or most recent experiences. Some will also ask about your gender-identity and steps you may have taken in expressing it.

**3. 31. Do you feel other people in the workplace accept you and see you as your acquired/preferred gender?**

- All do       Most do       Mixed       A few do       None

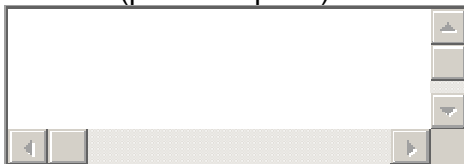
**3. 32. Has anyone at your workplace ever intervened over your use of facilities at work? (For example, asking you to use the disabled toilets, the toilets/changing rooms for your former gender, or toilets/changing rooms in another area of the workplace)**

- No  
 Yes (please state who intervened (i.e. their position and how they are work related to you), and how they intervened)

A text input field with a scroll bar.

**3. 33. Are there any tasks you feel uncomfortable about carrying out since you began transitioning?**

- No (GO TO Q35)  
 Yes (please expand)

A text input field with a scroll bar.

**3. 34. Are you successfully able to excuse yourself from doing these tasks?**

- Yes
- No
- I have not felt able to ask to be excused from carrying out tasks which make me feel uncomfortable

**3. 35. Since starting to transition, have you left or changed, or are you about to leave or change, your:**

**(tick all that apply)**

- Job/workplace
- Type of job (managerial, admin, skilled labour etc)
- Position/duties
- Department
- Sector of employment (private, public, voluntary)
- Become freelance/self employed
- Left employment
- No change (GO TO Q43)

**3. 36. At which stage of transitioning did or will you leave work or change jobs?**

**(tick all that apply)**

- Before transitioning
- During transitioning
- After transitioning

**3. 37. Why did or will you leave or change jobs?**

- Forced to leave/change jobs
- Chose to leave/change jobs
- Mixture of choosing and being forced to leave/change jobs
- Other (please specify)

**3. 38. Please select all applicable contributing factors to you leaving or changing jobs:**

- In order to make a fresh start after transitioning
- In order to make a fresh start once I pass
- Illness related to gender reassignment treatment
- Depression
- Stress
- Fear of other's reactions at work

- Covertly made to leave
- Overtly made to leave
- Being ignored/given the silent treatment
- Having work related requests constantly unfulfilled
- Being the focus of comments or gossip
- Bullied/harassed at work
- Work criticized unfairly
- Unjustified 'off the record' complaints made about you or your work
- Verbally abused by someone connected with work
- Threatened with sexual abuse by someone connected with work
- Sexually abused by someone connected with work
- Threatened with physical abuse by someone connected with work
- Physically abused by someone connected with work
- Other (please specify)

**3. 39. In which year, or between which years did the above occur?**

**3. 40. If you ticked any of the above options, have you sought union support?**

- No (GO TO Q42)
- I am not a union member (GO TO Q43)
- Yes (please state which union)

**3. 41. How helpful did you find the union?**

**1= not helpful, 5= very helpful**

**(PLEASE THEN PROCEED TO Q43)**

- 1       2       3       4       5

**3. 42. What made you decide not to seek union support?**

**3. 43. Has anyone at your workplace been given diversity training about gender dysphoria?**

- No
- Don't know
- Yes (please state who - i.e. their position and how they are work related to you)

**3. 44. If you are a supervisor, have you made any changes which benefit existing trans-employees, or will benefit trans-employees in the future?**

- N/A
- No
- Yes (please summarize and state between which year(s) you did this)

**3. 45. If you are a union representative, have you been able to coordinate or make any changes which benefit existing trans-employees, or will benefit trans-employees in the future?**

- No
- N/A
- Yes (please summarize and state between which year(s) you did this)

**3. 46. Which do you think the wider non-trans community finds more acceptable:**

- Someone to transition to either male or female
- Someone choosing to remain in-between conventional genders, or not to be 'easily' categorised

**3. 47. Is there anything that your employer/organisation could have done to make your transition easier?**

**3. 48. Is there anything that your employer/organisation could do to make it easier to be a trans-employee?**

Next >>

[Exit this survey >>](#)

## 15. Section 4 of 12 - GENDER PRESENTATION AND EXPRESSION

**4. 1. Do you live full time in your acquired/preferred gender?**

- No – but I hope to do so in the future
- No - and I do not intend to live full time in my acquired/preferred gender in the future
- Yes (please state how long to the nearest full year)

**4. 2. Do you present yourself in your acquired/preferred gender at work:**

- All the time
- Most of the time
- Sometimes
- Rarely
- Never (GO TO Q4)
- Other (please state)

**4. 3. How long have you been doing so?**

- Under 1 year
- 1-2 years
- 3-5 years
- 6-10 years
- 11-20 years
- 21-40 years
- 41 years +

**4. 4. In expressing your gender-identity, have you felt constricted by stereotypical cues of gender and socially recognised models of masculinity and femininity, for example, feeling you need to keep your hair long/short, wear skirts, wear makeup, grow facial hair etc?**

**4. 5. How much does your sense of identity rely on other's acceptance of your gender-identity?**

**1=not at all, 5= completely:**

- 1                       2                       3                       4                       5

**4. 6. Are you open about your sexual orientation (e.g., gay, lesbian, bi, straight etc) at work?**

- Yes, totally  
 Yes, to some people  
 No

**4. 7. Are you open at work about your trans status/history? (Please tick which answer best applies)**

- Yes, totally  
 Yes, to some people  
 Yes, with employer/HR only  
 No  
 I do not pass and so I am effectively outed at work  
 Other (please specify)

**4. 8. Do you think it is easier to be open about your trans status/trans background if you identify as lesbian, gay, or bisexual, than if you identify as straight?**

- Yes                       No                       Don't know

Next >>

[Exit this survey >>](#)

## 16. Section 5 of 12 - PASSING

**5. 1. Do you make use of socially recognised gender stereotypes/signifiers in order to pass more easily? (For example, keeping your hair long/short, wearing skirts or makeup, growing facial hair etc).**

**5. 2. Has this changed the longer you have been living in your acquired/preferred gender?**

**5. 3. In your opinion and from the feedback/reactions you get from others, do you think you currently pass at work PHYSICALLY?**

- All of the time
- Most of the time
- Some of the time
- Rarely
- I do not think I pass at this time

**5. 4. In your opinion and from the feedback/reactions you get from others, do you think you currently pass at work VOCALLY?**

- All of the time
- Most of the time
- Some of the time
- Rarely
- I do not think I pass at this time

**5. 5. If you currently do not pass, or do not pass all the time, how does not having the option to keep your trans status/history confidential impact upon your work life experiences?**

**(IF YOU DO PASS, PLEASE GO TO THE NEXT QUESTION)**

**5. 6. If you pass at work, have you noticed people at work interact with you differently compared to when you did not pass?**

**(IF YOU DO NOT PASS, PLEASE SCROLL TO THE BOTTOM OF THE PAGE AND CLICK 'NEXT')**

- Yes all
- Yes some



- Sometimes
- No (PLEASE CLICK 'NEXT')
- Don't know (PLEASE CLICK 'NEXT')

**5. 7. Please state how:**

Next >>

[Exit this survey >>](#)

## 17. Section 6 of 12 - PROMOTION

Please keep going – you are half way there!

Questions in blue font relate to your experiences of UK workplaces/work environments between 2000-2007 ONLY.

Questions in black font are not date restricted, i.e. you do not have to restrict your answers to experiences between 2000-2007. Most questions in black font will relate to your current views, feelings or most recent experiences. Some will also ask about your gender-identity and steps you may have taken in expressing it.

**6. 1. Is your career a large part of your self-identity?**

- Yes
- No (GO TO Q3)

**6. 2. If yes, how has being trans impacted upon this?**

**6. 3. Do you think being trans/having a trans background has impacted upon your promotional opportunities and progression?**

- Yes
- No
- Don't know

**6. 4. Do you think the way you choose to present your gender-identity visually (i.e. through clothes, hairstyle etc) impacts upon your promotional progression?**

- Yes, positively
- Yes, negatively
- No impact
- Don't know

**6. 5. Have you ever been asked to do a job you are over-qualified for, which you think relates to your intention to transition, your transitioning process or trans background?**

- No
- Not that I am aware of
- Yes (please expand)

**6. 6. If you work with a selection of clients on a regular basis, how have they reacted to you transitioning?**

- N/A
- All positive
- Mostly positive
- Mixed reaction
- Mostly negative
- All negative

**6. 7. Have any clients/customers stopped working with you or asked to work with a different member of staff since you transitioned/began transitioning/proposed to transition?**

- Yes
- No
- N/A

**6. 8. Has your organisation removed you from overseeing/managing a project, client list or portfolio, which you think was due to your trans status, history, or intention to transition?**

- Yes
- No
- N/A

**6. 9. Do you feel you are paid fairly for the work you do, compared to bio-gendered colleagues who do the same or comparable work?**

- Yes
- Don't know
- No (please state what makes you think this, and whether you think it relates to your trans status/background or gender-identity)

**6. 10. Do you feel you have the same access to perks as bio-gendered colleagues in a similar role/position do?**

Yes  
 Don't know  
 No (please specify)

Next >>

[Exit this survey >>](#)

**17. Section 7 of 12 - POLICIES**

Please keep going – only 5 more sections left!

**7. 1. Does your workplace include the term 'gender-identity', or refer to transsexuals in its Equal Opportunity and Diversity statement or policy?**

Yes                       No                       Don't know

**7. 2. Does your workplace have any proactive policies which you think benefit trans-employees or employees with a trans background, that you are aware of?**

No  
 Yes - (please specify)

**7. 3. Do you think the people in positions of power in the organisation you work for are aware of the issues and difficulties faced by trans-employees?**

Yes, the majority seem aware  
 Yes, a few seem aware  
 No, none seem aware

**7. 4. Has your employer, manager, or organisation sought reliable advice (i.e. from Press for Change) about how to support trans-employees, at any point that you are aware of?**

No  
 Don't know  
 Yes (please state who from and approx what year this was)

**7. 5. Do you feel protected by your employer from transphobic/prejudiced colleagues?**

- Yes                       No                       Unsure                       N/A

**7. 6. If you are a supervisor or manager, do you feel protected by your employer from transphobic/prejudiced employees?**

- Yes                       No                       Unsure                       N/A

**7. 7. Do you feel protected by your employer from transphobic/prejudiced customers/clients?**

- Yes                       No                       Unsure                       N/A

Next >>

[Exit this survey >>](#)

## 18. Section 8 of 12 - INCLUSION/EXCLUSION

Please keep going – only 4 more sections left!

Questions in blue font relate to your experiences of UK workplaces/work environments between 2000-2007 ONLY.

Questions in black font are not date restricted, i.e. you do not have to restrict your answers to experiences between 2000-2007. Most questions in black font will relate to your current views, feelings or most recent experiences. Some will also ask about your gender-identity and steps you may have taken in expressing it.

**8. 1. Do you feel included at work (e.g. being part of social networks/the grapevine)?**

- Yes, actively included  
 Yes, mostly included  
 No, mostly excluded  
 No, actively excluded  
 Neither yes/no, we all continue as before

**8. 2. Do you feel included in work social events (e.g. at the Christmas party/meal, teambuilding events and birthday celebrations etc)?**

- Yes, actively included  
 Yes, mostly included  
 No, mostly excluded  
 No, actively excluded  
 Neither yes/no, we all continue as before

**8. 3. Do you feel supported by your employer?**

Yes                       No                       Unsure                       N/A

**8. 4. Do you feel supported by your colleagues?**

Yes                       No                       Unsure                       N/A

**8. 5. Do you feel supported by your employees?**

Yes                       No                       Unsure                       N/A

**8. 6. Do you feel supported by your customers/clients?**

Yes                       No                       Unsure                       N/A

**8. 7. If your organisation carries out teambuilding activities which you feel uncomfortable about participating in, are you able to excuse yourself without being excluded from other aspects of the teambuilding experience?**

- No team building carried out
- N/A - I am comfortable with the teambuilding activities
- Yes
- No
- I do not feel able to excuse myself from teambuilding activities
- I avoid work, for example by phoning in sick when there is teambuilding because it can be so stressful

**8. 8. If you are in a relationship, do you feel your relationship is acknowledged in your workplace in the same way other employee's relationships are?**

- N/A, I am not in a relationship
- Yes
- No (please expand)

**8. 9. If you are a parent, do you feel you are treated the same as other parents of your acquired/preferred gender in the workplace?**

- N/A, I am not a parent
- Yes
- No (please expand)

**8. 10. Does your workplace have a trans support network or group?**

- Yes – formally organised
- Yes – informally organised
- No support network

**8. 11. If possible, please give some examples of positive experiences you have had in the workplace which relate to you being trans or having a trans background.**

**Please include the approximate years these occurred.**

[Exit this survey >>](#)

**19. Section 9 of 12 - DISCRIMINATION**

**Please keep going – only 3 more sections left!**

Please answer questions in this section in relation to experiences you have had between 2000 - 2007 ONLY.

**9. 1. Have you experienced any of the following at work? (PLEASE TICK ALL THAT APPLY)**

- Being ignored/given the silent treatment
- Having work related requests constantly unfulfilled
- Being the focus of comments or gossip
- Bullied/harassed
- Work criticized unfairly/unjustified 'off the record' complaints made about you or your work
- Verbally abused
- Threatened with sexual abuse
- Sexually abused
- Threatened with physical abuse
- Physically abused
- None of the above (GO TO Q5)
- Other (please specify)

**9. 2. Between which years did the above occur?**

**9. 3. Did the above occur at your current or previous workplace?**

- Current
- Previous
- Both current and previous

**9. 4. Do you think the above experiences are:**

- Related to you being trans/ having a trans background
- Related to you being seen as different
- Not trans related
- Don't know

**9. 5. Have you ever been threatened with being outed about your trans status or history by someone at work?**

- No (GO TO Q8)
- Yes, current workplace
- Yes, previous workplace

**9. 6. If yes, please state who by (i.e. their position and how they are work related to you) and what year this was**

**9. 7. How has this affected you and your life at work?**

**9. 8. Do you feel you are treated the same as bio-gendered colleagues in the day-to-day work environment?**

- Yes
- Don't know
- No (please state how and who by - i.e. their position and how they are work related to you)

**9. 9. Since transitioning, whilst transitioning, or after stating your intention to transition, have you ever been moved, without your express request, to a less visible position - i.e. moved from a frontline role to a non-frontline role?**

- No (GO TO Q11)
- Not sure
- Yes

**9. 10. Do you think this was due to your transition, trans background, or expression of your gender-identity?**

- Yes
- No
- Not sure

**9. 11. Do you feel you are treated the same as bio-gendered employees if you need to take time off work?**

- Yes
- Don't know
- No (please expand)

**9. 12. Have you ever been involved in a formal grievance procedure started by your employer against you, which you thought was unjustified and based solely on your transition, intention to transition, trans background or your expression of your gender-identity?**

- No (GO TO Q15)
- Yes (please expand and state what year this occurred)

**9. 13. If yes, what was the outcome?**

- The outcome was in my employer's favour
- The outcome was in my favour

**9. 14. Did you have union support during these proceedings?**

- No
- I was not a member of a union during these proceedings
- Yes (please state which union)



**9. 15. Have you ever been involved in a formal grievance procedure started by you against your employer for things you feel related to your transition, intention to transition, trans background or your expression of your gender-identity?**

No (PLEASE SCROLL TO THE BOTTOM OF THE PAGE AND CLICK 'NEXT')

Yes (please expand and state what year this occurred)

**9. 16. If yes, what was the outcome?**

The outcome was in my employer's favour

The outcome was in my favour

**9. 17. Did you have union support during these proceedings?**

No

I was not a member of a union during these proceedings

Yes (please state which union)

Next >>

[Exit this survey >>](#)

## 20. Section 10 of 12 - BENEFITS AND LEAVE FROM WORK

Please keep going – only 2 more sections left!

**10. 1. Are you currently in receipt of benefits?**

No

Yes (please state which benefits)

**10. 2. Are you currently off work? (e.g.: due to a leave of absence or sickness leave)**

No

Yes (please briefly state why you are off work)

Next >>

\*\*\*\*\*

The following question applies to unemployed and previously self-employed (but currently unemployed) participants.

**Why are you not currently working?**

\*\*\*\*\*

[Exit this survey >>](#)

## 21. Section 10 of 12 continued

**10. 3. How long have you been off work?**

- 0-1 month
- 2-6 months
- 7-18 months
- 19 months-3years
- 4-5 years
- 6 years +

Next >>

[Exit this survey >>](#)

## 22. Section 11 of 12 - JOB SEEKING

Please keep going – only 1 more section left!

**11. 1. Have you sought employment since transitioning or beginning to transition?  
(PLEASE ANSWER IN RELATION TO YOUR MOST RECENT EXPERIENCE)**

- No
- Yes, before 2000
- Yes, 2000 or later

**11. 2. How do you feel your trans history has been handled by employment agencies/HR departments during the application process?**

- Very well
- Well
- Neither well nor badly
- Badly
- Very badly
- I have not divulged my trans status/history on application forms or in interviews

**11. 3. Do you think it is harder to find employment suited to your qualifications and experience if you are trans?**

- Yes
- Sometimes
- No
- Don't know

**11. 4. Do you think it is easier to get a job if you successfully 'pass' in your preferred/acquired gender than if you don't fully pass?**

- Yes
- Sometimes
- No
- Don't know

**11. 5. Did you find yourself resorting to applying for things you were over qualified for because you had found it difficult to find suitable employment for your qualifications as a trans person?**

- Yes
- No

**11. 6. If you have been recruited into a new job since transitioning/beginning to transition, how have your experiences of this process compared to recruitment processes before you transitioned/began transitioning?**

**11. 7. Have you sought employment since April 2005 when the Gender Recognition Act 2004 legally came into force?**

- Yes
- No

**11. 8. Do you think the introduction of the Gender Recognition Act 2004 has impacted upon trans people's job seeking process and experiences?**

- No
- Don't know
- Yes (please state how)

Next >>

\*\*\*\*\*

The following question applies only to unemployed and previously self-employed (but currently unemployed) participants.

## Section 12 - Gender Recognition Act 2004

Please keep going – this is the final section!

Have you been employed since April 2005 when the Gender Recognition Act 2004 legally came in to force?

Yes

No

Next >>

\*\*\*\*\*

[Exit this survey >>](#)

## 23. Section 12 - IMPACT OF GRA

Please keep going – this is the final section!

12. 1. How important is it to you that the trans community is visible in society?

Very important

Somewhat important

Don't mind

Unimportant

I would prefer the trans community to be invisible

12. 2. Do you think the introduction of the Gender Recognition Act 2004 has impacted upon your work life and experiences?

No

Don't know

Yes (please state how)

12. 3. Do you think the introduction of the Gender Recognition Act 2004 has impacted upon your pay?

- No
- Don't know
- Yes (please state how)

**12. 4. Do you think the introduction of the Gender Recognition Act 2004 has impacted upon your promotional opportunities?**

- No
- Don't know
- Yes (please state how)

**12. 5. If you are retiring/considering retiring, what impact has the Gender Recognition Act 2004 had on this process/your decision?**

**12. 6. Are you in receipt of a Gender Recognition Certificate?**

- Yes
- Pending/awaiting panel's decision
- No, panel's approval not given at this time
- I haven't applied but I hope to
- I do not intend to apply

Next >>

[Exit this survey >>](#)

## 24. Exit page

Thank you for taking the time to complete this survey, your participation is very much appreciated!

If you have any questions, or would like to contact me, please email:

trans\_ukworkplace\_study@yahoo.co.uk

**Is there anything you wish to add about how being trans, transitioning, or having a trans background has impacted upon your work life and experiences?**

An empty text input field with a light gray background and a thin black border. It features a vertical scrollbar on the right side and horizontal scrollbars at the bottom.

**Are there any aspects of work which haven't been touched upon and about which you would have liked to have been asked?**

An empty text input field with a light gray background and a thin black border. It features a vertical scrollbar on the right side and horizontal scrollbars at the bottom.

**If you would like to leave anonymous feedback about this study, please feel free to do so below:**

An empty text input field with a light gray background and a thin black border. It features a vertical scrollbar on the right side and horizontal scrollbars at the bottom.

Done >>

## Appendix C

### Business-interview Schedule

*Please note: the term 'trans' is used here to include both transsexual and transgender individuals, although transgender individuals are currently not afforded the legal protections that transsexual employees are. Please answer relevant questions for each of these groups, separating your answers if necessary, if provisions and methods of approach by your Organisation differ.*

- How many people does your organisation employ in the UK?
- How many different offices/branches does your organisation have in the UK?
- Is your workforce predominately male or female?
- Are the people in senior or supervisory positions predominately male or female?
- Does your organisation have a full equality and anti-harassment policy in place which specifically protects people from harassment or bullying on the grounds of gender-identity or gender presentation?
- When was this implemented?
- If yes, what practices or procedures are in place to support and implement this?
- Does your organisation have any policies in place to specifically support and protect employees who intend to undergo, are undergoing, or who have undergone, gender reassignment?
- If yes, what practices or procedures are in place to support and implement this? When was it implemented?
- How would your organisation support an employee who is going through the 'real live experience' and who is beginning to live as their preferred gender, but who has not begun hormonal or surgical treatments, if they made their situation known to you/a member of your organisation? I.e. through provisions.
- How would your organisation support an employee who is commencing hormonal or surgical treatments, if they made their situation known to you/a member of your organisation? I.e. through provisions.
- How would your organisation support employees who have already transitioned, if they made their past known to you? I.e. through provisions.
- Does your organisation have any policies in place to specifically support and protect employees who live as their preferred gender some or all of the time, but

who do not fit the legal definition of transsexual, and who are thus not covered by the Gender Recognition Act 2004, or the Gender Equality Duty 2007?

- If yes, what practices or procedures are in place to support and implement this? When was it implemented?
- How does/would your organisation provide support and protection for a trans-employee who does not wish to take hormones or undergo surgery but who lives as their preferred gender some or all of the time?
- Does your organisation monitor the effectiveness of its policies and the support it provides its employees? If yes, how so?
- Did your organisation seek and/or receive input and advice from external organisations such as Press for Change and the Gender Trust, or a Trade Union, when constructing your policies relating to trans-employees?
- How do you ensure your employees are aware of your policies relating to transsexual and transgender employees, and protections relating to gender-identity and gender-expression?
- Do you have any mechanisms in place for monitoring the implementation of your policies and procedures in relation to trans-employees by different departments, offices, or managers?
- Does your organisation have any procedures or mechanisms in place for employees to provide anonymous feedback about existing policies, procedures and provisions, and to request further or different support in the workplace? How flexible is your organisation to this feedback?
- What mechanisms does your organisation have in place to detect and deal with harassment, bullying and abuse, particularly if this is based on trans or gender-identity/expression discrimination?
- How does/would your organisation support employees who have been subjected to harassment, bullying or abuse, particularly if this is based on trans or gender-identity/expression discrimination?
- Does your organisation have any mechanisms or procedures in place to protect employees who intend to undergo, have undergone, or are undergoing gender reassignment from harassment or discrimination by customers, clients, or the general public, due to the employee's transition, gender-identity, or gender-expression?
- If a customer/client asked to deal with someone other than a trans-employee because of that employee's transition, gender-identity, or gender-expression what would your organisation's course of action be?
- What is the procedure for an employee to change their name and gender at work (i.e. id, email etc)? How is this change of details recorded and stored?



- How do you ensure an employee's trans status/history, intention to transition, or other related details which may become known by your organisation/managers remain confidential unless the individual specifically chooses otherwise?
- Have you experienced any problems or restrictions with your company's insurance for employees when they transition or notify you of their change of details?
- Do/would trans-employees have the same spousal/partner support - i.e. benefits, healthcare and pension transference as non-trans-employees?
- If details are submitted in a medical questionnaire that reveals a person's trans status, history, or intention to transition, is this information kept confidential, or shared with the employee's manager/head of department?
- If these details are kept confidential, is the fact that it remains confidential explained on the medical questionnaire form?
- Is gender-identity recorded on any of your organisation's forms?
- Do your diversity officers receive training relating to trans issues, gender-identity, and the difficulties trans-employees may face in the workplace, as well as relevant policies? Who designs and provides this training?
- Do your managers receive training relating to trans issues, gender-identity, and the difficulties trans-employees may face in the workplace, as well as relevant policies? Who designs and provides this training?
- Are individuals who are involved in recruiting new employees given diversity awareness training? If yes, does this training cover trans issues, gender-identity, and the difficulties trans-employees may face in the workplace, as well as relevant policies? Who designs and provides this training?
- Is any diversity awareness training provided for employees who are not in a supervisory role? If yes, does this training include information on gender dysphoria, gender transitioning and issues and difficulties faced by trans-employees? If yes, who designs and provides the training?
- Are employees encouraged to feel they can approach someone in your organisation for help about issues relating to their gender-identity and expression, and the subsequent treatment they receive at work? How?
- Has your organisation been involved in a grievance procedure with a trans-employee/ an employee with a trans history? If so, how was the issue resolved, or is it still ongoing?
- How has recent legislation such as the Gender Recognition Act 2004 and the Gender Equality Duty 2007 impacted on your organisation's policies and practices relating to trans-employees?

- How do you ensure your organisation's policies and practices relating to trans-employees conform to requirements set forth in current legislation such as the Gender Recognition Act 2004 and the Gender Equality Duty 2007? How do you monitor this?
- Does your organisation aim to be proactive in the support it offers its trans-employees, and go further than the requirements set out in current legislation such as the Gender Recognition Act 2004 and the Gender Equality Duty 2007? If so, how so?

Thank you so much for taking part in this interview, your participation is much appreciated.

## Appendix D

### Trans Web-Participant Recruitment Email

Dear [gatekeeping trans organization],

I was wondering if you would consider forwarding my request for participants to your mailing lists.

I am conducting a research study into the experiences trans men and trans women have in UK workplaces as part of my PhD in Sociology at Oxford Brookes University. It is self-funded. I am based in the Department of International Relations, Politics and Sociology in the School of Social Sciences and Law.

I am an associate member of FTM London, and recently contributed to the literature research of Professor Stephen Whittle's and Dr Lewis Turner's study into the discrimination faced by trans people in the UK today.

I hope that by raising the awareness of trans men's and trans women's experiences in UK workplaces, and the issues and difficulties they face, this study will go some way towards helping facilitate the positive and progressive steps employers can and should take to support their trans-employees, and enable employees the security to actualise their gender-identities without fear of repercussions at work.

This study will examine issues including:

- difficulties or positive experiences participants have had when considering gender reassignment whilst at work
- transitioning at work
- interacting with colleagues
- inclusion in the workplace
- promotional/employment progression
- how participants express their gender-identity at work (if at all)

No matter what stage of transition you are at, please participate if you:

- identify as transsexual, or as a different sex or gender than that ascribed to you by others at birth
- are 18 years old or older
- currently work in the UK , or have worked in the UK within the last seven (7) years - i.e. 2000 or later

**This website allows you to remain completely anonymous.** The survey comprises mostly of multiple-choice and yes/no questions, but some questions will ask you to explain your experiences or opinion. The questionnaire may take approximately forty (40) minutes.

The majority of questions in this survey will focus on your current views and most recent experiences in UK workplaces between 2000-2007.

To access the website, please go to:

<http://www.surveymonkey.com/s.asp?u=394972112677>

The survey may take a moment to load.

Thanks, and best wishes,

Em Rundall  
Sociology PhD Student

Department of Sociology, School of Social Sciences and Law, Oxford Brookes  
University, Headington Campus, Gypsy Lane, Oxford. OX3 0BP.

trans\_ukworkplace\_study@yahoo.co.uk

## Appendix E

### Trans Participant Recruitment Flyer (size A5) and Poster (size A4)

# CALLING ALL TRANSMEN (FTMs) and TRANSWOMEN (MTFs)!

I am a doing a PhD in Sociology and I need participants for my online survey on Transmen's and Transwomen's experiences in UK workplaces, and how businesses could make better provision for trans employees. I am particularly focussing on how different methods of expressing gender identity impact upon these experiences.

No matter what stage of transition you are at, if you are transsexual/identify as a sex/gender other than the one ascribed to you at birth by others, are aged 18 or over, and currently work or have worked in the UK within the last seven years (2000 or later), please visit my website:

<http://www.surveymonkey.com/s.asp?u=394972112677>

If you have any questions please email:

[trans\\_ukworkplace\\_study@yahoo.co.uk](mailto:trans_ukworkplace_study@yahoo.co.uk)

## Appendix F

### Characteristics of Participating Businesses

<b>Designation</b>	<b>Sector</b>	<b>International or Solely UK</b>	<b>Field</b>	<b>Size (Approximate number of UK employees)</b>	<b>How Interviewed</b>	<b>Interviewee's Job Title</b>	<b>Interviewee's Gender</b>	<b>Whether Organization Currently/ Previously has/had Trans-Employees</b>
Private 1	Private	International	Financial	70,000	Telephone	Head of Diversity	Cis-Male	Yes
Private 2	Private	UK	Publishing	85-100	Face-to-face	Head of HR and Equality	Cis-Male	No
Private 3	Private	International	Audit, Assurance, and Professional Services	16,000	Telephone	Diversity Manager	Cis-Female	Yes
Public 1	Public	UK	City Council	16,839	Telephone	Equalities and Community Cohesion Officer	Cis-Female	Yes
Public 2	Public	UK	Legal	9,000	Telephone	Equality and Diversity Officer	Cis-Female	Yes
Public 3	Public	UK	City Council	15,000	Telephone	Senior HR Consultant Equality and Diversity	Cis-Female	Unsure
Public 4	Public	UK	Police	5,538	Telephone	HR Manager: Diversity, Employee Relations	Cis-Female	No
Public 5	Public	UK	Police	14,098	Telephone	Diversity Manager	Cis-Female	Yes

## Appendix G

### Business-Informant Recruitment Email

Dear

My name is Emma Rundall and I am conducting a PhD research study on transsexual employees' experiences of workplaces in the UK. I am based in the Department of International Relations, Politics and Sociology at Oxford Brookes University.

I am contacting you because you are the *Human Resources Manager/LBGT Officer/Equality Officer/are a suitable point of contact for Trans issues* for your organisation **(to be changed for each contact)**. I obtained your contact details from your organisation's website. Your organisation is being asked to participate because it is one of the few organisations that specifically include 'gender-identity' in their Equal Opportunity and Diversity policy/statement, as outlined on its website.

I wish to request your participation in a face-to-face interview (taking approximately one hour) to discuss your organisation's equality policies or provisions regarding transsexual employees. I am especially interested in discussing the impact, if any, of the Gender Recognition Act 2004 on your organisation, its policies, and its approach to transsexual employees. It does not matter if your organisation does not currently have any transsexual employees; I would still be interested in interviewing you. The information you and other business representatives give will provide a contextual background to the data collected from transsexual individuals, and will comprise a significant and important part of this research.

This research has been reviewed and approved by the University Research Ethics Committee, Oxford Brookes University. If you have any questions about this study, please email me: [trans\\_ukworkplace\\_study@yahoo.co.uk](mailto:trans_ukworkplace_study@yahoo.co.uk)

If you are interested in participating, please suggest some times/days when it would be convenient for me to visit you at your office, or an alternative mutually convenient venue, and conduct the interview. With your permission, your interview will be audio-recorded to allow full transcription later, but please be assured that all information collected will be kept strictly confidential. Interviewees/organisations will be de-identified from their responses/interview transcript, making the transcribed responses anonymous.

Please see the full Participant Information sheet attached as a Microsoft Word document.

Yours sincerely,

Emma Rundall

Postgraduate Student  
Department of Sociology  
School of Social Sciences and Law  
Oxford Brookes University  
Oxford  
OX3 0BP



# Appendix H

## INTERVIEW CONSENT FORM

### A Research Study into Transmen's and Transwomen's Experiences in UK Workplaces.

This research is being carried out by:

Emma Rundall  
Sociology Doctoral Candidate  
Department of International Relations, Politics and Sociology  
Oxford Brookes University

#### Please Initial Box Next to Each Point

1. I confirm that I have read and understood the information sheet for the above study and I have had the opportunity to ask questions.
2. I understand that my participation is voluntary and that I am free to withdraw at any time, without giving a reason.
3. I agree to take part in the above study.
4. I agree to the interview being audio recorded.
5. I agree to the use of anonymised quotes in publications.


\_\_\_\_\_  
Name of Participant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of Organisation

\_\_\_\_\_  
Department

\_\_\_\_\_  
Job Title

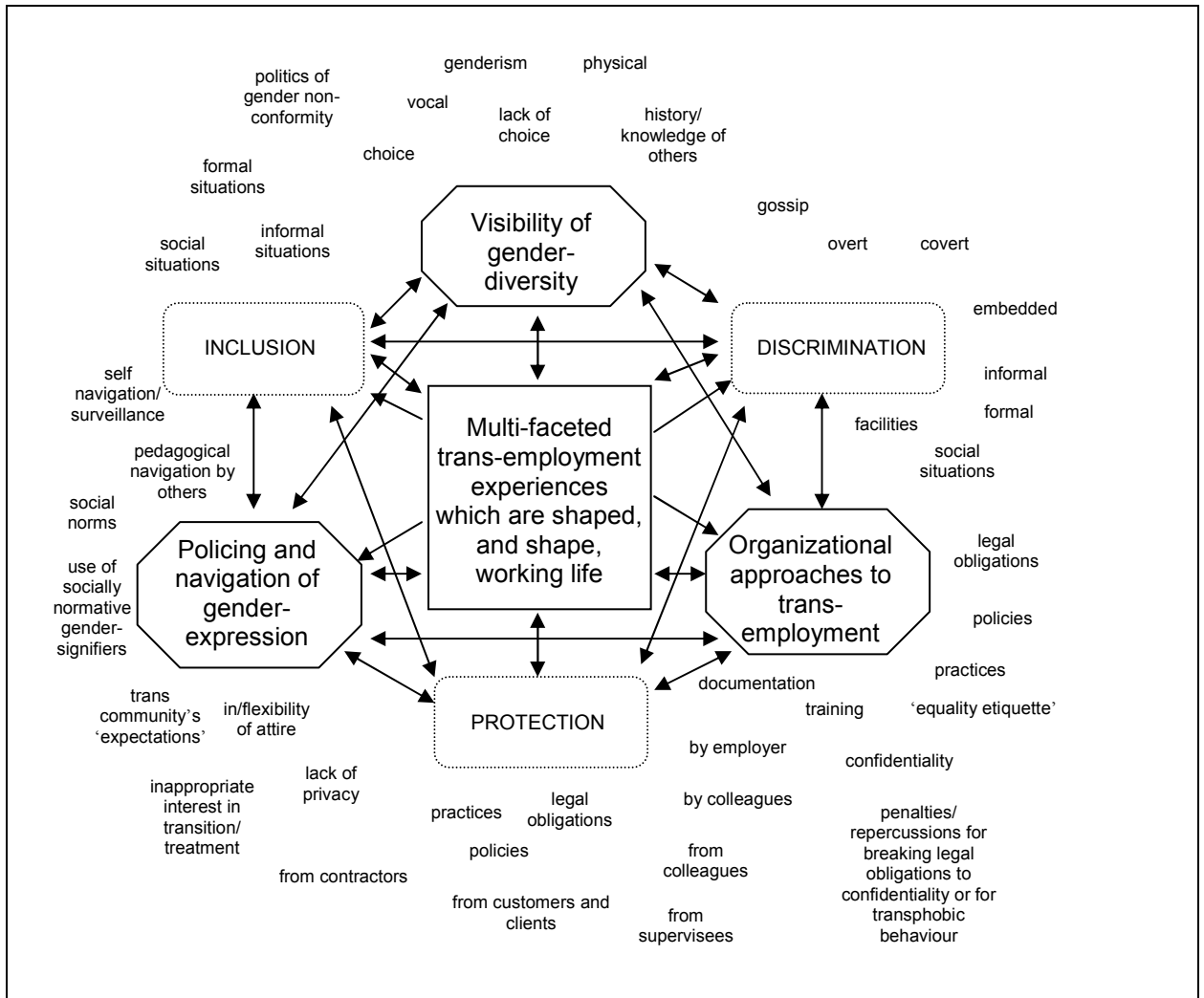
\_\_\_\_\_  
Name of Researcher

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

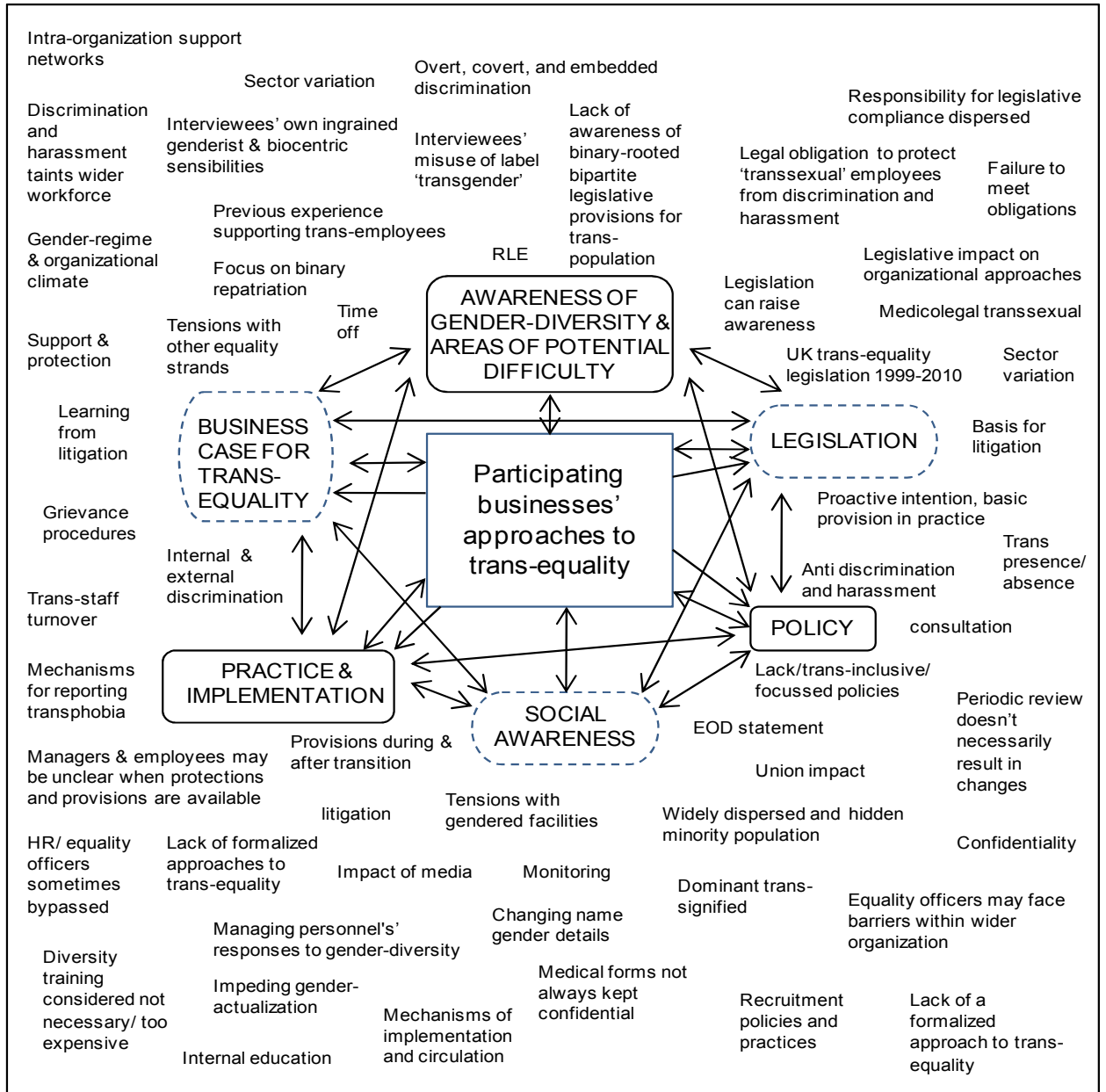
# Appendix I

## Trans Sample Thematic Network Diagram



# Appendix J

## Business Thematic Network Diagram



## Appendix K

### Condensed Web-Participant Information Page

This research is being carried out by:

Emma Rundall  
Sociology PhD Student

Department of Sociology, School of Social Sciences and Law, Oxford Brookes University, Headington Campus, Gypsy Lane, Oxford. OX3 0BP.

trans\_ukworkplace\_study@yahoo.co.uk

I am conducting this research as part of my PhD in Sociology at Oxford Brookes University. It is self-funded. I am based in the Department of International Relations, Politics and Sociology in the School of Social Sciences and Law.

I am an associate member of FTM London, and recently contributed to the literature research of Professor Stephen Whittle's and Dr Lewis Turner's study into the discrimination faced by trans people in the UK today.

This study aims to investigate the experiences trans men and trans women have in UK workplaces. I hope that by raising the awareness of trans men's and trans women's experiences in UK workplaces, and the issues and difficulties they face, this study will go some way towards helping facilitate the positive and progressive steps employers can and should take to support their trans-employees, and enable employees the security to actualise their gender-identities without fear of repercussions at work.

This study will examine issues faced by transsexual employees, including:

- difficulties or positive experiences you have had when considering gender reassignment whilst at work
- transitioning at work
- interacting with colleagues
- inclusion in the workplace
- promotional/employment progression
- how you express your gender-identity at work (if at all)

No matter what stage of transition you are at, please participate if you:

- identify as transsexual, or as a different sex or gender than that ascribed to you by others at birth
- are 18 years old or older

- currently work in the UK, or have worked in the UK within the last seven (7) years - i.e. 2000 or later

Please remember - participation is entirely voluntary. This website allows you to remain completely anonymous.

The survey comprises mostly of multiple-choice and yes/no questions, but some questions will ask you to explain your experiences or opinion. The questionnaire may take approximately **forty (40) minutes**.

The majority of questions in this survey will focus on your current views and most recent experiences in UK workplaces between **2000-2007**.

The results will be:

- used as part of my PhD in Sociology
- included in future publications
- placed online after December 2008 in summary form

Please email me to be notified of the URL of the website once the results are available: [trans\\_ukworkplace\\_study@yahoo.co.uk](mailto:trans_ukworkplace_study@yahoo.co.uk) If you wish to obtain a hard copy of the above summary of findings please also email me.

**FOR MORE INFORMATION:**

Please read the full Participant Information page accessed via the selection of options at the bottom of the page, or contact me at the address/email at the top of this page.

If you would like more information about trans rights, campaigns, and issues faced by trans people, including advice about problems at work as well as other areas, please visit:

[www.pfc.org.uk](http://www.pfc.org.uk)

Press for Change is 'a political lobbying and educational organisation, which campaigns to achieve equal civil rights and liberties for all trans people in the United Kingdom, through legislation and social change' (PFC 2006).

**PLEASE NOTE:** Your computer will need to have JavaScript enabled to run this questionnaire. Most computers will enable this automatically.

## Appendix L

### Extended Web-Participant Information Sheet

#### A Research Study into Trans Men's and Trans Women's Experiences in UK Workplaces.

This research is being carried out by:

Emma Rundall  
Sociology PhD Student

Department of Sociology, School of Social Sciences and Law, Oxford Brookes  
University, Headington Campus, Gipsy Lane, Oxford. OX3 0BP.

#### WHAT IS THE PURPOSE OF THIS STUDY?

The purpose of this study is to investigate the experiences trans men and trans women have in UK workplaces, both before and after the introduction of the Gender Recognition Act 2004 (which provides legal recognition of transsexual's acquired gender for all legal purposes once in receipt of a Gender Recognition Certificate).

This study will examine issues faced by transsexual employees, including: transitioning at work; interacting with colleagues; inclusion in the workplace; and promotional/employment progression. It will also include individuals who are currently not employed and who may be in receipt of benefits or searching for work. This research will gather information about how different methods of expressing gender-identity impact upon individual's experiences, and whether this affects how other's treat/interact with the individual. This study will also look at trans-employee's perceptions of the impact of the Gender Recognition Act 2004 on their work environment and their experiences.

#### WHY DO I NEED YOU TO PARTICIPATE?

Your responses are important to this research because you identify as transsexual/as a different sex or gender than that ascribed to you by others at birth. You are 18 years old or older. You currently work in the UK, or have worked in the UK **within the last seven (7) years - i.e. 2000 or later.**

#### YOU DO NOT HAVE TO TAKE PART!

It is up to you to decide whether or not to take part, participation is entirely voluntary. You are free to withdraw at any time and you do not have to 'submit' your responses.

#### WHAT WILL HAPPEN IF YOU DO TAKE PART?

If you do decide to take part in this study, the website will present you with a series of multiple-choice and yes/no questions. Additionally, some questions will ask you to explain your experiences or opinion. The questionnaire may take approximately **forty (40) minutes**.

Questions will be asked about any experiences you have had in the workplace which you think relate to being trans. The survey will look at worries about transitioning at work, any difficulties or positive experiences you have had when considering gender reassignment, and during your transitioning process (if applicable). If you have begun to transition/have transitioned already, questions about how your experiences at work may have changed throughout the transitioning process will also be asked. In addition, there are questions relating to your gender-identity, and how you choose to express it externally, particularly in the workplace.

The majority of questions in this survey will focus on your current views and most recent experiences in UK workplaces **between 2000-2007**.

### WHAT ARE THE POSSIBLE DISADVANTAGES OF TAKING PART?

Questions will be asked about your experiences of the workplace pre and post-transition if applicable, the impact of 'passing'/not 'passing', and being out or not at work about your trans status. If you feel that this questionnaire may make you at all uncomfortable, then please do not proceed any further. You are welcome to make any comments to either of the addresses below.

### WHAT ARE THE POSSIBLE BENEFITS OF TAKING PART?

If you decide to participate in this web-survey, your answers will constitute an important part of the research needed to further the understanding of trans men's and trans women's experiences in UK workplaces, both before and after the introduction of the Gender Recognition Act 2004. This area is at present under-researched, and as such it is important that trans men's and trans women's experiences in the workplace are studied.

### CONFIDENTIALITY.

All information collected will be kept strictly confidential as participant confidentiality is paramount. By using an online questionnaire, participants cannot be identified as having taken part, nor be linked to their responses.

Data generated by the study will be retained in secure paper or electronic form for a period of five years after the completion of this research study in accordance with the University's policy on Academic Integrity. Any emails or contact made with me about this study, separate to the web-survey, will also be kept securely and will not be linked with any of the collected data.

### WHAT WILL HAPPEN TO THE RESULTS OF THIS RESEARCH STUDY?

The results of this study will be used as part of my PhD in Sociology. They may also be included in future publications. A summary of this study's finding will also be

placed online after December 2008. Please email me to be notified of the URL of the website once the results are available: [trans\\_ukworkplace\\_study@yahoo.co.uk](mailto:trans_ukworkplace_study@yahoo.co.uk) If you wish to obtain a hard copy of the above summary of findings please also email me.

### WHO IS ORGANISING AND FUNDING THE RESEARCH?

I am conducting this research as part of my PhD in Sociology at Oxford Brookes University. I am based in the Department of International Relations, Politics and Sociology in the School of Social Sciences and Law. I am an associate member of FTM London, and recently contributed to the literature research of Professor Stephen Whittle's and Dr Lewis Turner's study into the discrimination faced by trans people in the UK today. My research is self-funded.

### WHO HAS REVIEWED THE STUDY?

The research for this study has been reviewed and approved by the University Research Ethics Committee, Oxford Brookes University.

### CONTACTS FOR FURTHER INFORMATION:

Please contact me:

Em Rundall, c/o School of Social Sciences and Law, Oxford Brookes University, Headington, Oxford. OX3 0BP  
[trans\\_ukworkplace\\_study@yahoo.co.uk](mailto:trans_ukworkplace_study@yahoo.co.uk)

Or my Director of Studies:

Dr. Abigail Halcli, School of Social Sciences and Law, Oxford Brookes University, Headington, Oxford. OX3 0BP.  
[ahalcli@brookes.ac.uk](mailto:ahalcli@brookes.ac.uk)

If you have any concerns about the way in which this study has been conducted, please contact the Chair of Oxford Brookes University's Research Ethics Committee on [ethics@brookes.ac.uk](mailto:ethics@brookes.ac.uk).

If you would like more information about trans rights, campaigns, and issues faced by trans people, including advice about problems at work as well as other areas, please visit: [www.pfc.org.uk](http://www.pfc.org.uk) - Press for Change is 'a political lobbying and educational organisation, which campaigns to achieve equal civil rights and liberties for all trans people in the United Kingdom, through legislation and social change' (PFC 2006).

**Thank you for taking the time to read the participant information!**



# Appendix M

## Oxford Brookes University School of Social Sciences and Law

Department of International Relations,  
Politics and Sociology

### Business Informant Participant Information Sheet

Headington Campus Gipsy Lane Oxford OX3 0BP UK  
t. +44 (0)1865 483950 / 484436  
f. +44 (0)1865 483937  
erundall@brookes.ac.uk

## A Research Study into Transmen's and Transwomen's Experiences in UK Workplaces.

This research is being carried out by:

Emma Rundall  
Sociology PhD Student  
Department of International Relations, Politics and Sociology

### WHAT IS THE PURPOSE OF THIS STUDY?

The purpose of this study is to investigate the experiences transsexuals have in UK workplaces. This study will examine issues surrounding transitioning from one gender to another at work, as well as considerations before, further along, and after the transitioning process.

In order to provide contextual background, this study will question how a selection of businesses make provision for transsexual employees in the workplace, particularly since the introduction of the Gender Recognition Act 2004 (which provides legal recognition of transsexual's acquired gender for all legal purposes once in receipt of a Gender Recognition Certificate).

### WHY HAVE YOU BEEN ASKED TO PARTICIPATE?

You have been asked to participate because you are the *Human Resources Manager/LBGT Officer/Equality Officer/are a suitable point of contact for Trans issues* for your organisation (**to be changed for each contact**). Your organisation is being asked to participate because it is one of the few organisations that specifically include 'gender identity' in their Equal Opportunity and Diversity policy/statement, as outlined on its website. Your contact details were obtained via your organisation's website.

### YOU DO NOT HAVE TO TAKE PART!

It is up to you to decide whether or not to take part, participation is entirely voluntary. You are free to withdraw from this study at any time and you are able to withdraw any *unprocessed* data previously supplied.

## WHAT WILL HAPPEN IF YOU DO TAKE PART?

If you do decide to take part in this study, a one hour face-to-face interview will be conducted at your office or an alternative mutually convenient venue at a time convenient for you. With your permission, your interview will be audio-taped to allow for full transcription at a later stage.

Questions will centre on your organisation's policies/provisions for transsexual employees. You will also be asked about the impact recent legislation, such as the Gender Recognition Act 2004, has had on your organisation and its approach to transsexual employees.

## WHAT ARE THE POSSIBLE DISADVANTAGES OF TAKING PART?

Through responding to the questions you may find that your organisation's policies or current provisions are inadequate, but becoming aware of this would also be a benefit as subsequent changes could be made.

## WHAT ARE THE POSSIBLE BENEFITS OF TAKING PART?

If you decide to participate in this interview your responses will constitute an important part of the research needed to further our understanding of transmen's and transwomen's experiences of the UK workplace, and the difficulties they face. Your responses will provide a contextual backdrop to responses collected from transsexual individuals, and will show, from a business perspective, how progression is being made, and where changes and increased awareness are needed.

You will have the opportunity to detail the various relevant policies and practices your organisation has, and outline how you see your organisation progressing.

## CONFIDENTIALITY.

All information collected will be kept strictly confidential (subject to legal limitations), and interviewees will be de-identified from their responses/interview transcript, making the transcribed responses anonymous. The identifying details will then be kept separately from transcripts, and both sets of information will be kept securely.

All data generated by the study will be retained in secure paper or electronic form for a period of five years after the completion of this research study in accordance with the University's policy on Academic Integrity.

## WHAT WILL HAPPEN TO THE RESULTS OF THIS RESEARCH STUDY?

The results of this study will be used as part of my PhD in Sociology. They may also be included in future publications. A summary of this study's findings will also be placed online after December 2008. Please email me to be notified of the URL of the website once the results are available: [trans\\_ukworkplace\\_study@yahoo.co.uk](mailto:trans_ukworkplace_study@yahoo.co.uk) If you wish to obtain a hard copy of the above summary of findings please also email me.

## WHO IS ORGANISING AND FUNDING THE RESEARCH?

I am conducting this research as part of my PhD in Sociology at Oxford Brookes University. I am based in the Sociology Department of the School of Social Sciences and Law. This research is self-funded.

## WHO HAS REVIEWED THE STUDY?

The research for this study has been reviewed and approved by the University Research Ethics Committee, Oxford Brookes University.

## CONTACTS FOR FURTHER INFORMATION

Please contact me:

Emma Rundall, c/o School of Social Sciences and Law, Oxford Brookes University, Headington, Oxford. OX3 0BP.

[trans\\_ukworkplace\\_study@yahoo.co.uk](mailto:trans_ukworkplace_study@yahoo.co.uk)

Or my Director of Studies:

Dr. Abigail Halcli, School of Social Sciences and Law, Oxford Brookes University, Headington, Oxford. OX3 0BP.

[ahalcli@brookes.ac.uk](mailto:ahalcli@brookes.ac.uk)

If you have any concerns about the way in which this study has been conducted, please contact the Chair of Oxford Brookes University's Research Ethics Committee on

[ethics@brookes.ac.uk](mailto:ethics@brookes.ac.uk).

If you would like more information about trans rights, campaigns, issues faced by trans individuals and advice about best practice guidelines for employers regarding trans employees, please visit: [www.pfc.org.uk](http://www.pfc.org.uk) Press for Change is 'a political lobbying and educational organisation, which campaigns to achieve equal civil rights and liberties for all trans people in the United Kingdom, through legislation and social change' (PFC 2006).

**Thank you for taking the time to read the participant information!**

# Appendix N

## Websurvey Security Provisions Provided by Surveymonkey

The websurvey platform provider 'Surveymonkey' ([www.surveymonkey.com](http://www.surveymonkey.com)) was used to construct and launch the trans-employee focussed websurvey.

The security details presented below were obtained from Surveymonkey's website: <http://www.surveymonkey.com/HelpCenter/Answer.aspx?HelpID=42&q=security>

### How do you keep our data secure and where is it stored?

As stated in our privacy policy, we will not use your data for our own purposes. The data you collect is kept private and confidential. You are the owner of data collected or uploaded into the survey.

★ We do offer [SSL encryption](#) for the survey link and survey pages during transmission. The cost is an additional \$9.95 per month or \$100 with an Annual subscription.

We are located in the US and all surveys and data are stored on our servers. The servers are kept at **Sungard** - [www.sungard.com](http://www.sungard.com).

In regards to the **security** of our infrastructure, here is an overview:

### Physical

- Servers kept in locked cage
- Entry requires a passcard and biometric recognition
- Digital surveillance equipment
- Controls for temperature, humidity and smoke/fire detection
- Staffed 24/7

### Network

- Multiple independent connections to Tier 1 Internet access providers
- Fully redundant OC-48 SONET Rings
- Uptime monitored every 5 minutes, with escalation to SurveyMonkey staff
- Firewall restricts access to all ports except 80 (http) and 443 (https)
- QualysGuard network **security** audits performed weekly. Hackersafe scans performed daily.

### Hardware

- Servers have redundant internal power supplies
- Data is on RAID 10, operating system on RAID 1

- Database is log-shipped to standby server and can failover in less than one hour

## **Software**

- Code in ASP.NET 2.0, running on SQL Server 2005 and Windows 2003 Server
- Latest patches applied to all operating system and application files
- SSL encryption of all billing data and passwords
- Data backed up every hour internally
- Data backed up every night to centralized backup system, with offsite backups in event of catastrophe

## **Appendix O**

### **Reflections on the Research Process**

This research has in many ways achieved its research aims, as highlighted by the above conclusions. Although far more data was collected than could be included in this thesis, this data will be incorporated into future publications.

Research with trans people needs to be a reflexively informed, 'sensitive', and requires a 'competent' researcher with an awareness of the need to maintain competency and 'ethical-mindedness' due to the sensitive and potentially distressing topics that may be investigated, so as to not cause offence or distress. Whilst an ally of the trans community for many years, the researcher, in this case, is cis-identified, but not without some community knowledge, having confronted gender-boundaries, and engaged in gender-play, in both personal and academic areas of life. Thus, avoiding the potential to be perceived as a trans-colonialist was very important: the overarching aim was to enable trans-employees to 'speak for themselves' about their experiences. However, as with all research, the researcher will have impacted upon the data through the personal lens, and the analysis/discussions undertaken.

Limitations of real world research always exist. In this case the use of a websurvey means that responses will only have been from trans people with access to computers and a related level of web literacy, who are comfortable with online participation. Additionally, as participant requests were predominantly circulated online via national trans-support organizations, individuals in contact with these organizations had the highest rate of participation. Other trans people may, as a consequence, have missed an opportunity to recount their experiences.

No trans person is going to want to complete questions about such a private matter, 'on show' in the local library web centre. Therefore, despite the international trans community being noted for its high usage of the internet, and indeed recent trans-focussed research favouring a websurvey approach, the survey was, most likely, limited to those with access to a home computer. Computer ownership is limited by socio-economic class, age, and gender, with poorer women having least access.

However, in this case, it is likely that the gender roles will have been reversed generally, with older trans women having more proportionate access than younger trans men.

Nevertheless, the use of an anonymous asynchronous websurvey was chosen due to key considerations surrounding ethics and accessibility. The trans community's high levels of use of the internet, very much allows for the popularity of this approach, and some trans people will be highly experienced participants. Whilst this is not a limitation per se, it is an issue for consideration.

This research focuses on the experiences of trans-employees who fall under the current medicolegal definition of 'transsexual', and who are thus able to gain legal protections, and potentially, gender-recognition. Nevertheless, it is recognised that implicit within this approach is an undercurrent of binarism, which is both useful and problematic in terms of the research focus. However, it has still been possible to highlight, discuss, and theorize, the tensions that this presented to this research, and to trans-employment in/equalities. Similar research could well be adapted in the future to have a broader participant focus to enable the inclusion of wider gender-diverse and non-binary-identified employees.

Whilst data was collected regarding the impact of transition/gender-diversity on employment progression, there is a need for further engagement on this issue. In addition, there is still a need to explore the implications of gender capital, and the impact of gender-diversity on scales of remuneration in line with wider research concerning the gender pay gap. However, this was not possible in a research project of this size, being constrained by limited resources. Additionally, whilst it might have been useful to compare the experiences of trans-employees with *their* employers' approaches to trans-equality, such research is, it is suggested, largely impossible on a wide scale due to the ethical implications discussed in this thesis, and the potential for trans-participants to be outed and ostracized.

This research has focussed predominantly on the self-reported experiences of trans-employees, which is an important and necessary focus. However, in terms of investigating organizational approaches to trans-employment equality, there is also a

need for more focus on barriers to trans-recruitment. Whilst some data on this issue was collected from business-interviewees, the data was very limited, and so it was decided to exclude this from the business-focussed chapter. This thesis has however discussed trans-participants' experiences of gaining employment during and post-transition. Trade unions' approaches to trans-equality and trans-member support, also needs to be further explored as it was only possible to obtain views from a limited number of trade unions. However this thesis has explored to some extent that relationship through the discussions with trans-employees' and their experiences of trade union support, or not, as the case may be. Additionally, there is also a need to explore how cisgender-employees perceive gender-diversity, in later research. .