

What can we tell co-workers about a new employee's sex change and transgender status?

Q. We recently hired an experienced salesperson. During her orientation, she told HR that she recently underwent a sex change procedure and that she is transgender. A few days later, another employee went to HR and explained that he had known the salesperson in a previous job before her sex change. This employee is clearly uncomfortable and asked for advice on what he can say to the new employee and others on the team about their former working relationship?

A. The new salesperson's gender, now or in the past, is irrelevant to her job performance. Transgender status is a protected class, and discrimination against transgender employees is unlawful. Although the situation may be uncomfortable for other employees, it is important for the company to abide by applicable law.

Make sure the complaining employee understands these legal protections. Advise him to be careful about conduct that could be viewed as creating a hostile working environment.

You may also want to discuss the situation with the new employee. Get a feel for whether she has any concerns about the fact that she used to work with this other employee in a former job. While you are not bound to follow any suggestions she may have, if she has concerns there is no harm in asking her how she would like you to address them. If they seem reasonable, this may give you some helpful guidance.

This situation provides a good reminder of the importance of employee training on diversity issues. While you might not want to conduct training on transgender issues right on the heels of this hiring, it's one of many topics to add to your list for future training opportunities.