

# ONEIDA NATION

## Human Resource Department

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## Human Resources Department Interpretation

March 14, 2018

**RE:** Interpretation "Bathroom/Locker Room Access for Transgender Employees"

"*Transgender*" refers to people whose gender identity and/or expression is different from the sex assigned to them at birth (*e.g. the sex listed on an original birth certificate*).


The term transgender woman is used to refer to someone who was assigned the male sex at birth but who identifies as a female.

Likewise, the term transgender man is used to refer to someone who was assigned the female sex at birth but who identifies as male.

A person does not need to undergo any medical procedure to be considered a transgender man or a transgender woman.

In relation to Bathroom/Locker Room Access for Transgender Employees, the Oneida Human Resources Department has interpreted the following:

1. Transgender employees shall have equal access to a common restroom and/or locker room corresponding to the employee's gender identity;
2. Transgender employees are not required to provide proof of related surgery or any other related medical procedure; and
3. While not required, it would be acceptable for a department/division to make a single-user restroom available to all employees who might choose to use it; and
4. Discrimination based on transgender status is sex discrimination and considered a sexual harassment violation.

  
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Geraldine R. Danforth, HRD Manager

  
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Date