

# Transgender and Gender Diverse Staff Support Policy

## Section 1 - Key Information

<b>Policy Type and Approval Body</b>	Administrative - Vice-Chancellor
<b>Accountable Executive - Policy</b>	Chief Operating Officer
<b>Responsible Manager - Policy</b>	Executive Director, Human Resources
<b>Review Date</b>	19 December 2026

## Section 2 - Purpose

(1) This Policy outlines La Trobe University's (the University) commitment to supporting gender affirmation in the workplace and ensuring the appropriate support and a safe environment are provided for staff affirming their gender. It includes provisions in the [La Trobe University Enterprise Agreement 2023](#) (Enterprise Agreement) that assist staff affirming their gender and staff who are supporting someone affirming their gender as defined in Schedule 10 of the Enterprise Agreement.

(2) This Policy conforms with the [Enterprise Agreement](#) which sets out:

- a. paid leave entitlements for the purposes of gender affirmation (clause 49.1)
- b. personal carers leave provisions to support people affirming their gender (clause 45.1)
- c. provisions for a one-off gender affirmation allowance for eligible casual staff (clause 28.1)

(3) This Policy is supported by the University's [Equity, Diversity and Inclusion \(Staff\) Policy](#), the [Gender Equity Policy](#) and [Flexible Work Policy](#) and the University commitment to creating an inclusive culture that promotes the performance and wellbeing of our staff members irrespective of family responsibilities, marital status, age, disability, race, religion, political beliefs, gender expression, gender identity or sexuality.

## Section 3 - Scope

(4) This Policy applies to:

- a. all staff
- b. all associates i.e. contractors engaged by the University
- c. CONAGOTHS (Consultants, Agency or Other)

## Section 4 - Key Decisions

Key decisions/Responsibilities	Role
Approve gender affirmation and carers leave, flexible work arrangements and where eligible, provision of one-off gender affirmation payment (for casual staff)	Staff manager/supervisor
Develop a gender affirmation support plan and designate their support team	Individual staff member

## Section 5 - Policy Statement

(5) The University is committed to an inclusive and diverse workforce in which all our staff members feel they belong. The University supports staff by building an inclusive, culturally capable, and diverse workforce that reflects the communities we serve and the La Trobe University Cultural Qualities.

(6) The University recognises people of diverse gender identities. Some people may identify as a different gender from the one assigned at birth, and some people may identify as neither exclusively male nor exclusively female.

(7) This Policy recognises that gender affirmation is a unique experience for each person. As self-determination is at the core of the affirmation process, a staff member's individual circumstances and needs must be considered.

(8) The University is committed to supporting staff members who take steps to affirm their gender, which includes the provision of gender affirmation leave and flexible working.

(9) The University is also committed to providing a safe, respectful workplace and this means one that is free from discrimination and harassment. Trans and Gender-based harassment, such as disclosing a staff member's gender affirmation without consent, will not be tolerated. The University encourages reporting of behaviour that is harmful and disrespectful so it can be addressed to ensure the University is a safe and respectful work environment. Breaches of the [Equity, Diversity and Inclusion \(Staff\) Policy](#), [Gender Equity Policy](#) and [Code of Conduct](#), in line with relevant legislation, may result in disciplinary action under the [Enterprise Agreement](#).

## Section 6 - Procedures

### Gender Affirmation

(10) Gender affirmation is the personal process or processes a trans or gender diverse person determines is right for them in order to live as their defined gender so that society recognises this.

(11) Gender affirmation may involve 'social affirmation', such as changing outward appearance, voice and communications, clothing, mannerisms and 'legal affirmation', which means confirming identity across various government institutions. It may also involve a 'medical affirmation' to align an individual's body with their gender identity, and this may involve gender-affirming surgery and/or hormone replacement therapy.

(12) Where a staff member chooses to tell the University that they intend to or are affirming their gender, there are a range of ways the University can support them in the workplace, including managers working with the staff member to plan any leave they require to enable their gender affirmation process.

### Part A - Leave & Work Arrangements

(13) The University will provide the following Gender Affirmation Leave arrangements:

- a. Continuing and fixed term trans and gender diverse staff (except casuals) are entitled to up to 4 weeks paid

leave, each calendar year, for the purposes of social, medical or legal affirmation as provided in the [Enterprise Agreement](#) (clause 49). This leave accumulates to a maximum of 8 weeks over the life of the continuing or fixed-term staff member's employment, and any untaken leave is not paid out upon termination of employment. This leave is separate to personal leave;

- b. This leave will be provided on a pro-rata basis for eligible staff:
  - i. engaged on a part-time/fractional employment; or
  - ii. employed on a part-year or annualised hours professional employment.
- c. If a staff member has used all of their paid leave under this clause, the staff member may apply for further unpaid leave. Such additional leave will not be unreasonably withheld and subject to the approval of the supervisor/manager.
- d. Leave arrangements detailed in sub-clauses 13 a - c will not be unreasonably refused;

(14) The University will provide the following work arrangements:

- a. providing flexible working arrangements or alternative work arrangements, for instance, to change their hours or days, to work from home or other options to support the staff member during their gender affirmation process;
- b. ensuring that the staff member affirming their gender is acknowledged by the gender with which they identify. This includes acknowledging the staff member by the name, pronouns and gender the staff member has stipulated (which may change over time);
- c. referring the staff member to the [Employee Assistance Program](#) ('EAP'), La Trobe's Staff Wellbeing Connect Service or other confidential support services if the staff member requests support;
- d. ensuring that the staff member has access to facilities (e.g. change rooms, bathrooms) that align with their identified gender. Staff are entitled to use whichever facilities they feel safe in using, including all gender facilities;
- e. providing relevant staff with training on working with people who wish to affirm their gender. The University will organise the training and will consult with the staff member affirming their gender about the preferred training provider and method of delivery.

(15) The University will provide the following leave for supporting people to affirm their gender:

- a. staff (except casual staff) are entitled to access their accrued personal leave entitlements to support an immediate family or 'chosen family' (as defined in Schedule 10 of the [Enterprise Agreement](#));
- b. a staff member must provide their supervisor with notice of leave as soon as practicable and must advise of the period or expected period of the leave;
- c. eligible staff will be required to provide a medical certificate for paid leave to support a person to affirm their gender where the absence is in excess of 3 consecutive days or when the absences exceed a total of 5 consecutive days in any year of service. This could include absences related to carers leave in any year of service.
- d. once eligible staff have spoken with their supervisor/manager they must complete the Gender Affirmation Leave Request Form via AskHR.

(16) Trans and gender-diverse staff employed as casuals may be eligible for a one off paid Gender Affirmation Allowance as specified in the [Enterprise Agreement](#) (clause 28). Casual staff and contractors will have access to university support, resources and facilities, including a Gender Affirmation Support Plan and support/referral services to enable them to be supported through their gender affirmation.

- a. Once eligible staff have spoken with their supervisor/manager they must complete the Gender Affirmation Allowance Request Form via AskHR.

## Notice and Evidence Requirements

(17) Gender affirmation is different for each individual and the evidence to support a request for leave may not be the same in each circumstance.

(18) A staff member providing primary care or support to someone undergoing gender affirmation must be from their immediate family or 'chosen family'. In this case, a chosen family is families with non-kinship bonds that are built on foundations of love, understanding, and acceptance.

(19) A staff member must make all reasonable efforts to advise their supervisor/manager as soon as reasonably practicable on any day of absence from their employment and must advise of the period, or expected period, of the leave.

## Part B - Privacy and Confidentiality

(20) Information concerning gender affirmation will always be treated with confidentiality:

- a. the staff member has the right to discuss their gender affirmation openly, or to keep their information private;
- b. it is the decision of the staff member what information is shared, when, with whom and how much they share about their gender affirmation, it is not legally required for a staff member to share this information;
- c. it is integral to their health and safety that staff members always remain in control of these decisions;
- d. where the staff member requests a change of name, pronouns, gender or other related information to their employment records as part of their gender affirmation, the University must support the required changes;
- e. the staff member may make requested changes to employment records and for the purposes of accessing technology and systems. The University will support staff members who are affirming their gender by respecting the right of the staff member's privacy by not disclosing any information about the staff member's trans or gender-diverse status without their consent, except as is practicably needed for processing the request for Gender Affirmation Leave.

(21) Information use and disclosure must be managed in line with the University's record management practices and in accordance with the [Privacy and Data Protection Act 2014](#) and the [Health Records Act 2001](#).

## Part C - Complaints or Concerns

(22) This Policy operates within the context of the [Enterprise Agreement](#), University policies and relevant legislation, including the Victorian [Equal Opportunity Act 2010](#).

(23) A staff member who is directly affected by a decision made or action taken pursuant to relevant clauses of the [Enterprise Agreement](#), or this policy may apply for a resolution under the University's [Workplace Issue Resolution \(Staff\) Procedure](#) or seek to resolve a dispute through the dispute settling procedures detailed in the [Enterprise Agreement](#).

(24) A staff member can contact Safer Community to confidentially report any concerning or inappropriate behaviour. Safer Community can be contacted on 03 94798988; email: [safercommunity@latrobe.edu.au](mailto:safercommunity@latrobe.edu.au) or online report via the [Safer Community website](#).

## Part D - Planning

(25) While it is up to the individual staff member to decide if and when they wish to inform the University of their gender affirmation, they are encouraged to raise this with the University as soon as they are comfortable. This will more easily enable the planning and arrangement of appropriate support and if required, for a period of leave.

(26) The University must ensure the staff member is treated with dignity, courtesy, respect and provided appropriate support throughout the gender affirmation process. The support provided may include a designated person in the Human Resources area to have oversight of workplace matters associated with the staff member's gender affirmation process. A staff member may also wish to have a support person with them, such as someone from outside the workplace or another staff member when discussing their affirmation needs with the University.

## Gender Affirmation Support Plan

(27) Creating a [Gender Affirmation Support Plan](#) to support the staff member's affirmation process is strongly encouraged. If the staff member wishes to develop an affirmation support plan, the plan should be developed and agreed upon through discussion between the staff member and the designated member(s) of the staff members support team.

(28) A [Gender Affirmation Support Plan](#) outlines practical considerations (such as establishing a timeframe if appropriate, identifying a support team, leave options, implementing flexible working or reasonable adjustments or a transfer to safe work, use of pronouns and chosen name, and preparing for advising staff and managing their responses) to facilitate a staff member's gender affirmation process and identify how the staff member will be supported.

(29) A [Gender Affirmation Support Plan](#) should be reviewed regularly to check-in and make amendments that the staff member requires. A staff member can request a review of their affirmation support plan at any time and bring it to close when they see fit. The University will provide at least 24 hours' notice in writing to the staff member, should the University want to discuss the affirmation support plan with the staff member to ensure the staff member can access a support person if they wish.

(30) If the staff member doesn't want to develop a [Gender Affirmation Support Plan](#), the University should make efforts to support the staff member with their affirmation process in the workplace and check in regularly and remind them they can raise any concerns and seek support at any time.

## Part E - Record Keeping

(31) The University is required to take reasonable steps to ensure personal information in their records is accurate. If a request to change recorded details is made, the change should be verified by evidence to ensure it is representative of the individual's affirmed identity. Where the University needs to verify a person's identity, or match records, the evidence required is noted below. The University will treat these requests where possible in a quick and reasonable timeframe and will look to be guided by the staff member's [Gender Affirmation Support Plan](#).

- a. chosen name: a person's chosen name may be their legally given (paper) name or a name by which they choose to be known. A request to amend a staff members chosen name can be made to Human Resources staff at any time. Verification of identity is not required, nor is any rationale for the change. This change will not result in any change to a staff members legal (paper) name in the existing University record;
- b. legal (paper) name: a request to amend a staff member's legal (paper) name can be made to Human Resources staff at any time. To be able to amend the existing record, the University will need to link the change of existing record to the new record and the staff member will be asked to provide proof of identity. The system change will only be made after the required evidence has been sighted by Human Resources staff. Any one of the following is sufficient evidence:
  - i. a certificate of marriage issued by the Registry of Births, Deaths and Marriages
  - ii. a change of name certificate which authorises the use of the new name issued by the Registry of Births, Deaths and Marriages;
- c. the same process applies for change to family name;
- d. title: a request to amend a staff member's mode of salutation (title such as Mr, Mrs, Ms, Mx) can be made to

Human Resources staff at any time. A title conferred by way of degree/award/honour is only amended by Human Resources upon request in accordance with University policy;

- e. sex on birth certificate: University systems ask a staff member to identify as M (male), F (female) or X (Other) in accordance with the 2020 Australia Bureau of Statistics Standards for Sex, Gender, Variation of Sex Characteristics and Sexual Orientation Variables. A request to amend sex information can be made to Human Resources;
- f. gender: amending gender information on your university record does not require any evidence. To amend your gender information, visit your employee profile in MyHR.
- g. new identification card: once a staff member has changed their name in university systems, they may wish to obtain a new identification card, this request can be made [here](#).

(32) Evidence is not required for the affirming staff member to access paid gender affirmation leave, this is only applicable to the relevant systems/reporting items mentioned in the above clauses in Part E.

## Part F - Data Collection

(33) The University, as part of culture and capability activities, such as employee experience surveys, may, on occasion, collect gender-disaggregated data to inform gender equality and LGBTQIA+ inclusion initiatives and programs.

(34) Where gender information is collected, staff should be given the option to select from a range of descriptors that enable gender affirmation and also align with recommended leading practice in gender inclusivity.

## Part G - Dress Standards and Uniforms

(35) The University is an inclusive workplace, and understands staff members will identify in different ways and choose to express their gender identity in a way that feels most appropriate and comfortable for them.

(36) In environments where uniforms are required, University staff members are welcome to choose the uniform that allows them to affirm their gender or gender expression. In non-uniform required environments, staff members are welcome to take the 'dress for your day' approach, while adhering to appropriate work attire and allowing for comfort and authenticity in what they wear.

(37) Health and safety dress requirements (for example, personal protective equipment) must be maintained.

## Part H - Roles and Responsibilities

### Staff Members

(38) Staff members are responsible for contacting their Manager/Supervisor or a Human Resources Business Partner if they wish to access the support outlined in this policy or procedure, related procedures and/or the [La Trobe University Enterprise Agreement 2023](#).

(39) Staff members are welcome to access [Employee Assistance Program](#) and [Staff Wellbeing Connect](#) Service without notifying their supervisor and/or Human Resources Business Partner if they feel more comfortable doing so.

### Human Resources

(40) Human Resources via HR Business Partners and/or the Equity, Diversity and Inclusion team via [diversity.inclusion@latrobe.edu.au](mailto:diversity.inclusion@latrobe.edu.au) are available for providing confidential advice to staff and Managers about this policy, related procedures and provisions in the [Enterprise Agreement](#) and will coordinate/provide support for a staff member.

## Managers

(41) Managers must request support from their HR Business Partner.

(42) Managers may approve leave applications and/or requests for flexible working arrangements for their staff in accordance with this procedure.

(43) While Managers/Human Resources are able to advise and assist staff, please note they are not able to act on behalf of, or represent the staff member.

## Part I - Additional Information

### Support Options

(44) Staff may access the [Employee Assistance Program](#) (EAP), or the [Staff Wellbeing Connect service](#), these services are confidential and free to access.

(45) There are people/resources available to assist or support staff and provide further information, workplace or health and wellbeing advice and/or appropriate referrals, including external, if the affirming staff member wishes to access these. Support options may include:

- a. Manager
- b. Human Resources via HR Business Partner
- c. Support Person chosen by the staff member
- d. [Employee Assistance Program](#) (EAP) - Call 1300 OUR EAP (1300 687 327) to access EAP 24 hours 7 days per week pager service
- e. [Staff Wellbeing Connect service](#)
- f. La Trobe Communication Clinic (Gender Affirming Services) [communication.clinic@latrobe.edu.au](mailto:communication.clinic@latrobe.edu.au) for access to voice gender affirming communication training
- g. Union
- h. [Safer Community](#) - confidential reporting point for staff to report concerning or inappropriate behaviour

## Section 7 - Definitions

(46) For the purpose of this Policy and procedure:

- a. Chosen Family: is defined as families of non- kinship bonds, that are built on foundations of love, understanding, and acceptance.
- b. Gender Affirmation: is an umbrella term for the range of actions and possibilities involved in trans and gender diverse people living, surviving, and thriving as their authentic selves. What gender affirmation looks like for every individual trans person is unique and based on what is personally affirming, what feels safe to do, and what is accessible and available. Gender affirmation is inclusive of, but not limited to:
  - i. Social affirmation: this may include adopting the dress and style of presentation that better aligns with their gender identity and expression, and changing their pronouns and/or name.
  - ii. Medical affirmation: this may include surgery, hormone therapy, attendance at medical and/or counselling appointments, and rest and recovery from medical procedures.
  - iii. Legal affirmation: this may include legally changing their name and/or gender marker on personal identification documents such as their passport, birth certificate, drivers' licence or banking documents.
- c. Gender Diverse: is an inclusive umbrella term that describes people whose gender does not conform to the

binary of woman or man.

- d. Gender Expression: refers to an individual's presentation, including physical appearance, voice and communication behaviours, clothing choice and accessories and behaviour and communicates aspects of gender or gender role. Gender expression may or may not conform to a person's gender identity.
- e. Gender Identity: refers to one's concept of self as male, female, a blend of both or neither and is based on how individuals perceive and describe themselves.
- f. Immediate Family member is defined as:
  - i. partner, former partner, child, foster child, grandchild, parent, legal guardian, grandparent, sibling of the staff member;
  - ii. child, foster child, parent, legal guardian, grandparent, grandchild, and sibling of the staff member's partner or former partner;
  - iii. a relative who has taken the place of a parent;
  - iv. a person for whom the staff member has caring responsibilities arising from an Indigenous kinship relationship of equivalent status to (I) - (III) above or is the Indigenous kin of the person for whom they have caring responsibilities and is accepted by their community as having an Indigenous kinship relationship with that person.
- g. Trans: also known as transgender, is an umbrella term for people whose gender differs from what was presumed for them at birth.

## Section 8 - Authority and Associated Information

(47) This Policy is made under the:

- a. [La Trobe University Act 2009](#)
- b. [Equal Opportunity Act 2010](#)
- c. [Sex Discrimination Act 1984](#)

(48) Associated information includes:

- a. [La Trobe University Enterprise Agreement 2023](#)
- b. La Trobe University [Code of Conduct](#)
- c. [Equity, Diversity and Inclusion \(Staff\) Policy](#)
- d. [Gender Equity Policy](#)
- e. [Flexible Work Policy](#)
- f. [Leave Entitlements Policy](#)
- g. [Privacy Policy](#)
- h. [Workplace Issue Resolution \(Staff\) Procedure](#)



## Status and Details

<b>Status</b>	Not Yet Approved
<b>Effective Date</b>	To Be Advised
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<b>Approval Authority</b>	Vice-Chancellor
<b>Approval Date</b>	15th May 2024
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<b>Responsible Manager - Policy</b>	Regan Sterry Executive Director, Human Resources
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## Glossary Terms and Definitions

**"staff"** - Staff means any person employed by the University as per the definition in the La Trobe University Act 2009 (Vic).