'Lost in Transition': Some Preliminary Considerations on Voicing Transgender and Gender Non-Conforming Discrimination in the Workplace

DAVIDE BIZJAK

davide.bizjak@unina.it

University of Naples Federico II

Abstract

This article proposes a model aimed at considering both voice and inclusion during social and medical transition of transgender and gender non-conforming (TGNC) people in their workplace. A preliminary theoretical framework is focused on voice and inclusion in organisation. The rationale of this article lies in the difficulties expressed in current research in taking into account TGNC issues in organisation due to lack of empirical evidence. The model proposed in the current work intends to add knowledge on the experiences of TGNC people within their workplaces, especially during the transition process.

1.   Introduction

Phenomena of unemployment and underemployment in transgender and gender non-conforming (TGNC) people are associated with depression and mental health problems (Grant *et al.*, 2011). Notwithstanding, Organisation Studies and Human Resource Management (HRM) scholars are still lacking in conducting empirical research concerning TGNC people in workplaces (Ozturk and Tatli, 2016). Particularly in the field of Diversity Management, TGNC people are usually considered as the T of the lesbian, gay, bisexual, and transgender (LGBT+) community, not distinguishing issues concerning sexual orientation and gender identity (Collins *et al.*, 2015).

> Gender identity diversity, in turn, is almost a phantom concept in the make-up of LGBT equalities literature, and, as a consequence, it is sometimes relegated to a postscript in HRM theory and practice, which is usually more concerned with a more generic LGBT equality agenda. (Ozturk and Tatli, 2016: 784).

Most of the research addressing TGNC people from an organisational perspective is focused on issues linked to workplace discrimination in hiring (Dentice and Dietert, 2009; Brewster *et al.*, 2012). Seemingly, very few scholars have explored discrimination and exclusion experienced by TGNC people, taking into account whether TGNC individuals have already gone through the transition or not. Sexual orientation is more acknowledged than gender identity, thus neglecting not only TGNC people but also those who do not identify either as transgender nor as binary (Ragins, 2008).

This article aims to advocate an increasing challenge to TGNC invisibility in organisations through voice and inclusion. Before proposing a model to understand voice and inclusion of TGNC people within organisations, a review of the primary characteristics of voice of TGNC people in organisation is provided, as well as a perspective on inclusion as lack of both direct and invisible discrimination.

2.   Silence/voice of TGNC people in organisations[1]

The silenced attitude towards TGNC people living within organisations contributes to perceiving them as absent, perpetrating the consistent lack of attention to gender identity issues in the diversity agenda of organisations (Ward and Winstanley, 2003), despite the significant amount of literature on gay, lesbian, transgender, and non-binary people. For this reason, analysing the role of TGNC people with regard to silencing/voicing processes should be considered of paramount importance in scientific research. Furthermore, language is one of the factors that influence people in remaining silent (Ward and Winstanley, 2003):

> Foucault is recognizing that discourse may be made up of silence and of things that do remain unsaid may be, in some way, forbidden. Silence, can therefore be illustrative of power being articulated, or as a means of resistance (Ward and Winstanley, 2003: 1260).

This section aims to understand how the categories of voice and silence would impact on pathways of TGNC inclusion and exclusion. Silence and voice can be considered as two opposite categories, even if silence has sometimes been interpreted as something different from the lack of voice (Van Dyne and Botero, 2003). On the one hand, the category of voice is usually identified as a process contributing either to a strategy or some practice considered too bad to keep the silence. On the other hand, silence is often interpreted by the LGBT+ community as a way to hide themselves from other members of the organisation, thus avoiding any performance about their sexual orientation or gender identity. For example, organisational silence occurs when individuals choose to withhold their opinions about organisational problems (Morrison and Milliken, 2000). Even in the scientific research field, inclusion and disclosure of sexual orientation and gender identity are considered as voice lesser heard in organisation (Ward and Winstanley, 2005). Lack of voice is usually attributed to lack of power (Morrison and Milliken, 2000), and for stigmatised groups, silence is considered to be either quiescent (i.e., voluntary withholding of voice to protect oneself) or acquiescent (i.e., involuntary withholding of voice), as it reflects the acceptance of adverse circumstances as 'normal' (Pinder and Harlos, 2001). At least three types of silence linked to sexual orientation and gender identity in organisations may be identified: (1) silence as covering one's own sexual orientation and gender identity; (2) silence as the transparency of heteronormativity, which is structurally taken for granted; and (3) silence as the lack of acknowledgement by colleagues when the gender identity becomes overt. These categories of voice and silence have been fruitfully scrutinised in organisation studies focusing on gender issues in organisations (for a detailed review, see Simpson and Lewis, 2005). What is still

---

[1] This paragraph is partially retrieved and further elaborated from Bizjak (2018).

lacking is the consideration of a poststructuralist view (Reingardė, 2010) of the performativity of gender identity and sexual orientation (Butler, 1999), instead of a binary view of gender.

According to Reingardė (2010), our knowledge about the experiences of silence or coming out in the workplace, as well as their influence on one's own identity, are still scarce. Indeed, members of traditionally marginalised groups frequently experience different forms of discrimination which affect their silencing/voicing behaviour, limiting expression of dissenting views and power to make changes (Bowen and Blackmon, 2003; Roberson and Stevens, 2006). As Allen (1995) noted, a high level of authentic voice in organisations is an indicator of successful diversity management. The next section is aimed at methodologically explaining how to explore silence and voice processes in managing diversity in organisations.

3. Inclusion of TGNC people in organisations

In dealing with 'resistance to inclusion' by organisations, researchers are less interested in examining explicit discriminatory organisational practices, being more interested in analysing ways through which organisations themselves reproduce exclusion while its explicit aim is to promoting inclusion. In other words, researchers are interested in practices of resistance to inclusion that are not the outcome of visible discrimination or intentional marginalisation, but rather a failure of the realisation of purposefully inclusive policies (Boncori *et al.*, 2019). Indeed, there is a sort of blindness even in those organisations particularly engaged in fostering inclusion, and such 'blind spots' should attract the attention of researchers, who should explore those wedge-shaped cores of darkness that are not intentional wrongdoing (i.e., intentional discrimination or marginalisation). Inclusion is always a process, and some individuals may inevitably remain outside its scope.

Additionally, inclusive practices cannot comprise only general principles, but they should be situated in very specific organisational contexts. Inclusion is a process, and as such, it is activated at the margins of organisations (even in the most 'progressive' ones), in their 'blind spots' and dark alleys, where the 'clearing' process of barriers and causes of exclusion has not yet occurred, not (necessarily) because of intentional discrimination, but because of an imperfect awareness of how organisations (re)produce exclusion (or, more precisely, because of the impossibility of predicting in which 'places' exclusion will (re)appear).

Drawing on this view of inclusion, we can gain some interesting insights coming from the existing organisational literature in order to focus on those practices that can pinpoint us towards a broader observation of such organisational phenomena in a non-deterministic way.

According to Shore *et al.* (2011), an inclusive organisation is where:

- people feel to belong to the organisation;
- individual uniqueness is accepted and fostered.

However, the feeling linked to being part of a group is not a sufficient condition to make inclusiveness flourish. Indeed, a sense of belongingness needs to be accompanied by the fostering of uniqueness. In the case TGNC people, it does not matter whether a TGNC person occupies a good position in the organisation's chart: what truly matters is that the elements making that individual unique are involved in decision-making processes. 'Unique characteristics' refer not only to specific competencies and qualities but also to positive attitudes or traits that are potentially useful to solve a specific problem. However, inclusive

processes can also be placed on a diachronic axis, where increasing diversity representations and achieving workforce inclusion represent a two-stage process, with each stage affecting the other. The first stage is reactive (i.e., organisations recruit and employ a more diverse workforce). The second stage is proactive (i.e., organisations come up with solutions in active diversity management with the aim of enhancing inclusion and fostering organisational effectiveness in their workforce; see Mor Barak and Travis, 2009; Mor Barak, 2015).

Research on processes of inclusion needs to consider more explicitly the organisational boundaries in order to highlight where inclusion comes into being. In the case of TGNC workers, we may consider organisational boundaries as identity coherence (Santos and Eisenhardt, 2005). According to this view, setting the boundaries of organisations does not mean looking at the coherence between the organisation and its activities, but choosing 'who we are' as an organisation. This issue is twofold, as it concerns scholars dealing with inclusion, as well as managers dealing with diversity and minority management. Setting the boundaries and including minorities (in our specific case, TGNC employees) implies a relationship between the identity of those embodying the minority population and the organisation (as well as its boundaries).

4.   A proposal for a model

Since we advocate to consider gender identity issue overcoming the gender binary in organisation (Ozturk and Tatli, 2016), we need to regard transition as a variable of a person working life. Indeed, TGNC people could start their social or medical transition at any moment of their life. In most cases, transition represents a crucial moment for TGNC employees (Ozturk and Tatli, 2016), who may experience different levels of discrimination in their workplaces, depending on the specific transition stages (Table 4.1).

Table 4.1. Gender transition and inclusiveness in the workplace.

	Searching for a job	Having a job
Beginning of the transition	Involuntary silence Direct discrimination	Voluntary silence Direct discrimination
Transition completed	Voluntary Silence Invisible discrimination	Involuntary silence Invisible discrimination

4.1.   TGNC people having already made the transition and searching for a job

A different experience based on gender (male-to-female [MtF] vs. female-to-male [FtM]) is usually reported by TGNC candidates. For example, gender expression becomes the source of overt discrimination in MtF individuals and covert discrimination in FtM ones. Even if searching for a job after the transition has already been completed may turn into a voluntary silence from individuals, MtF candidates usually experience higher levels of discrimination during interviews due to their greater visibility compared to FtM people.

4.2. TGNC people having already made the transition and having already a job

The most inclusive alternative occurs when a TGNC person has already made the transition and has already a job. As Richardson and Monro (2012: 175-176) reported, "trans people who have had gender reassignment surgery (or intend to do so) have greater claims to social legitimacy and acceptability than those who identify as gender-fluid or diverse". In this case, lack of voice is somehow voluntary, and TGNC people are less exposed to overt discrimination, whereas invisible discriminations may represent a more definite possibility as member of the LGBT+ community.

4.3. TGNC people going through the transition and having already a job

If the transition involves surgical intervention, medical and judicial authorities usually request TGNC people to live in the gender of identification for an extended period of time (i.e., real-life test, which usually lasts 2 years) while undergoing hormonal treatment, and this implies high visibility. In addition to such compulsory self-disclosure, the challenges experienced by TGNC individuals while undergoing transition spill over to the work context as the transition period entails a significant investment of financial capital, time, energy, and emotion, with potentially disruptive consequences for the career (Pepper and Lorah, 2008).

4.4. TGNC going through transition and searching for a job

TGNC people searching for a job during the transition process may experience the worst forms of discrimination since, in this case, discrimination is direct and overt; and silence is not a means of resistance but, rather, it is imposed by the general climate of exclusion that distinguishes gender identity from sexual orientation issues.

5. Conclusions

Some TGNC individuals need to make a full transition to adapt their body to their gender identity. As the whole process is lengthy and expensive, these individuals need to be employed during this period. However, the current scientific research on the experience of transition in the workplace needs to be expanded. For example, we need to expand our knowledge on the potential differences of the experience of transition in MtF and FtM individuals, as well as in all other gender diverse people (e.g., non-binary, genderqueer, etc.). To this end, one of the most evident limitations of the model reported in the current study is not having included non-binary identities.

TGNC people are increasingly visible in pop culture, mainly thanks to some TV shows dedicated to TGNC individuals or included them as actors. On the contrary, organisations seem to be more behind, as gender and equality practices, as well as common organisational procedures, rarely include TGNC people.

We hope that the observations provided in this paper will contribute to the visibility of TGNC people's needs, encouraging organisations in separating practices on gender identity from those on sexual orientation and in considering the matching between transition stages and work status.

Reference list

Allen, K.R. (1995), "Opening the Classroom Closet: Sexual Orientation and Self-Disclosure", *Family Relations*, 44 (2): 136–141.

Bizjak, D. (2018), "Silencing/Voicing Transgender People at Work: An Organizational Perspective", *puntOorg International Journal*, 3 (1/2): 5–13.

Boncori, I., Sicca, L.M., and Bizjak, D. (2019), "Transgender and Gender Non-conforming People in the Workplace: Direct and Invisible Discrimination", in S. Nachmias and V. Caven (eds), *Inequality and Organizational Practice*, pp. 141–160. Cham, Switzerland: Palgrave Macmillan.

Bowen, F., and Blackmon, K. (2003), "Spirals of Silence: The Dynamic Effects of Diversity on Organizational Voice", *Journal of Management Studies*, 40 (6): 1393–1417.

Brewster, M.E., Velez, B., DeBlaere, C., and Moradi, B. (2012), "Transgender Individuals' Workplace Experiences: The Applicability of Sexual Minority Measures and Models", *Journal of Counseling Psychology*, 59: 60–70.

Butler, J. (1999), *Gender Trouble: Feminism and the Subversion of Identity*, New York, NY: Routledge.

Collins, J.C., McFadden, C., Rocco, T.S., and Mathis, M.K. (2015), "The Problem of Transgender Marginalization and Exclusion: Critical Actions for Human Resource Development", *Human Resource Development Review*, 14 (2): 205–226.

Dentice, D., and Dietert, M. (2015), "Liminal Spaces and the Transgender Experience", *Theory in Action*, 8 (2): 69–96.

Grant, J.M., Mottet, L.A., Tanis, J., Harrison, J., Herman, J.L., and Keisling, M. (2011), *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey*, Washington, DC: National Center for Transgender Equality and National Gay and Lesbian Task Force.

Mor Barak, M.E. (2015), "Inclusion Is the Key to Diversity Management, but What Is Inclusion?", *Human Service Organizations: Management, Leadership & Governance*, 39: 83–88.

Mor Barak, M.E., and Travis, D.J. (2009), "Diversity and Organizational Performance", in Y. Hasenfeld (ed.), *Human Service as Complex Organizations* (2nd edn.), pp. 341–378, New York, NY: SAGE.

Morrison, E.W., and Milliken, F.J. (2000), "Organizational Silence: A Barrier to Change and Development in a Pluralistic World", *Academy of Management Review*, 25 (4): 706–725.

Ozturk, M.B., and Tatli, A. (2016), "Gender Identity Inclusion in the Workplace: Broadening Diversity Management Research and Practice through the Case of Transgender Employees in the UK", *The International Journal of Human Resource Management*, 27 (8): 781–802.

Pepper, S.M., and Lorah, P. (2008), "Career Issues and Workplace Considerations for the Transsexual Community: Bridging a Gap of Knowledge for Career Counsellors and Mental Health Care Providers", *The Career Development Quarterly*, 56: 330–343.

Pinder, C., and Harlos, H. (2001), "Employee Silence: Quiescence and Acquiescence as Responses to Perceived Injustice", *Research in Personnel and Human Resource Management*, 20: 331–369.

Ragins, B.R. (2008), "Disclosure Disconnects: Antecedents and Consequences of Disclosing Invisible Stigmas Across Life Domains", *Academy of Management Review*, 33: 194–215 .

Reingardė, J. (2010), "Heteronormativity and Silenced Sexualities at Work", *Kultūra ir Visuomenė: Socialinių Tyrimų Žurnalas*, 1 (1): 83–96.

Richardson, D., and Monro, S. (2012), *Sexuality, Equality and Diversity*, Basingstoke: Palgrave Macmillan.

Roberson, Q.M., and Stevens, C.K. (2006), "Making Sense of Diversity in the Workplace: Organizational Justice and Language Abstraction in Employees' Accounts of Diversity-Related Incidents", *Journal of Applied Psychology*, 91 (2): 379–391.

Santos, F.M., and Eisenhardt, K. (2005), "Organizational Boundaries and Theories of Organization", *Organization science*, 16 (5): 491–508.

Shore, L.M., Randel, A.E., Chung, B.G., Dean, M.A., Holcombe Ehrhart, K., and Singh, G. (2011), "Inclusion and Diversity in Work Groups: A Review and Model for Future Research", *Journal of Management*, 37 (4): 1262–1289.

Simpson, R., and Lewis, P. (2005), "An Investigation of Silence and a Scrutiny of Transparency: Re-Examining Gender in Organization Literature through the Concepts of Voice and Visibility", *Human Relations*, 58 (10): 1253–1275.

van Dyne, L.A.S., and Botero, I.C. (2003), "Conceptualizing Employee Silence and Employee Voice as Multidimensional Constructs", *Journal of Management Studies*, 40 (6): 1359–1392.

Ward, J., and Winstanley, D. (2003), "The Absent Presence: Negative Space within Discourse and the Construction of Minority Sexual Identity in the Workplace", *Human Relations*, 56 (10): 1255–1280.

Ward, J., and Winstanley, D. (2005), "Coming Out at Work: Performativity and the Recognition and Renegotiation of Identity", *The Sociological Review*, 53 (3): 447–475.