



GENDER DIVERSITY WORKPLACE INCLUSION POLICY

Effective Date 2024.02.21	Approved by Council Motion # 240220.05
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1 PURPOSE

- 1.1 This policy focuses on ensuring a safe, inclusive, and productive workplace environment for two-spirit, trans, non-binary, and other gender diverse employees. It sets forth guidelines to address two-spirit, trans, non-binary, and gender diverse employees' needs and how to protect their rights and safety while promoting a work environment that celebrates diversity.

2 LANGUAGE

- 2.1 For the sake of clarity, this Policy uses the term "gender diverse" as an umbrella term to refer to anyone who identifies as transgender or trans, non-binary, two-spirit, or any other diverse gender identity that is different than the gender they were assigned at birth.

3 SCOPE

- 3.1 This Policy applies to all Town of Middleton employees.
- 3.1.1 Town of Middleton employees are expected to read and understand this Policy and how it relates to them.
 - 3.1.2 Town of Middleton employees are expected to expediently request additional information from their supervisor if they are uncertain about any aspect of this Policy.



- 3.2 The Town of Middleton is committed to creating a safe and welcoming work environment and does not tolerate discrimination on the basis of sex, sexual orientation, gender identity, or gender expression. The Town of Middleton respects individual identities and believes that a person's identity, including their gender identity, is for them alone to determine.
- 3.3 Town of Middleton employees will:
 - 3.3.1 Work to prevent stigmatization by fostering dialogue and understanding of gender diversity in the workplace.
 - 3.3.2 Foster an environment where people can be who they are without fear of unwanted consequences, and where employees, community partners, and clients of all diverse genders are treated with dignity and respect.

FOR GENDER DIVERSE EMPLOYEES

4 GENDER DIVERSE EMPLOYEE RESPONSIBILITIES:

- 4.1 **Notify Management of Updates to Personal Information and Any Workplace Supports Required:** The gender diverse employee should notify their direct supervisor, a Human Resources representative, or another relevant member of management, about any changes that need to be made to their employee record, such as updates to their pronouns and name in their employee file, or any supports that may be required, such as time off for healthcare needs, if applicable.
- 4.2 **Provide Relevant Information:** For clarity, employees are only required to provide as much information as would assist the Town of Middleton in providing relevant support and fulfilling its legal obligations. Examples of information a gender diverse employee may share include:
 - 4.2.1 The date the employee wishes to update their name and pronouns in the workplace, and whether the employee wishes this information to be communicated to coworkers.

- 4.2.2 The employee's desired communication plans and timeline for sharing this updated information (who to bring on board, how, and when). The employee may wish to communicate this information themselves or can request that leadership communicate relevant updates (for example, through leadership sending a team email with the information).
- 4.2.3 Notification to management of any requests for time off for gender affirming medical procedures, if applicable. The employee does not need to provide specific details to management about what kind of medical treatment or process they require. The employee may be asked to provide a doctor's note so that the Town of Middleton can assess and provide accommodations such as medical leave, in accordance with the duty to accommodate under the *Nova Scotia Human Rights Act* [or *Canadian Human Rights Act* if the employer is federally regulated].
- 4.3 In unpredictable, volatile, or uncomfortable situations, gender diverse employees are never required to provide response to offending language or behaviour. Instead, the employee may bring their concerns to a relevant member of management, who will follow up to address any situation in which any gender diverse employee experiences behaviours which may be considered harassing or discriminatory in nature.

5 MANAGEMENT RESPONSIBILITIES:

- 5.1 Will prioritize the needs of the gender diverse employee as much as possible, providing special care to avoid any "outing" of the gender diverse employee without their consent.
- 5.2 Reassure the gender diverse employee of their support and that they will work to create a climate of understanding and mutual respect among all employees. Because every gender diverse person may have different needs, management will work with the employee to determine what type of support will assist them in feeling comfortable and respected in their gender identity in the workplace and at any workplace events, job sites, and online environments associated with the Town of Middleton.
- 5.3 Provide Organizational Information: Ensure that the gender diverse employee knows about the organization's policies and processes for supporting gender diverse employees, including this Policy, any Policy governing diversity and inclusion in the workplace, and any Policy and procedures regarding workplace harassment.



- 5.4 Communication: With the gender diverse employee's consent, notify relevant management members who should be made aware of any pronoun or name updates so that organizational leaders can voice support when the employee's new name and pronouns are made known to the work team.
- 5.5 Workplace Supports: If any new or existing employee discloses that they are gender diverse, management will communicate with the gender diverse employee to explain any available supports. This may involve sharing information on the following areas:
 - 5.5.1 Ensure the employee understands any gender affirming health care benefits they may be eligible for and that if time off is needed for medical reasons, sick pay and leave policies will apply.
 - 5.5.2 Determine what updates should be made to the gender diverse employee's records, and when they will be made.
 - 5.5.3 With full consent of the gender diverse employee, determine how, and in what format, coworkers will be made aware of any gender identity-related updates such as new name and pronouns.
 - 5.5.3.1 It is up to the gender diverse employee to decide if they would like to make some coworkers aware of any such updates on a one-on-one basis beforehand.
 - 5.5.3.2 It is up to the gender diverse employee to decide if they would like a written memo, email, or handout to be shared with staff, or an in-person staff meeting to share any gender identity-related updates.
 - 5.5.4 In consultation with the gender diverse employee, decide what, if any, additional training should be provided for employees to help create a supportive environment.
 - 5.5.5 Identify what steps the employee should take if they experience any stigmatization or discrimination in the workplace.



5.6 Ensure that any name changes, and new pronouns are updated in all workplace records and documentation. If an employee's legal name is different from their chosen name, the Town of Middleton will retain the legal name in the employee file but will keep this information as confidential as possible and will refer to the gender diverse employee by their chosen name on all other documentation such as email, phone directory, name tag, company identification card, etc.

6 STATEMENT OF CONFIDENTIALITY

6.1 The gender identity of an employee is considered confidential and should only be disclosed with the consent of the employee.

HUMAN RESOURCES COMMITMENTS

When recruiting and onboarding new employees, Human Resources is committed to ensuring that the workplace feels welcoming and safe for people of all genders.

7 HUMAN RESOURCE/MANAGEMENT (IN THE ABSENCE OF HR) RESPONSIBILITIES

- 7.1 Will check in with all new employees about their pronouns. This practice should be applied to everyone regardless of whether they may be cisgender or gender diverse.
- 7.2 Maintains a straightforward process for employees to update their names and pronouns as needed. Names and pronouns are kept in employee personnel files which include basic information such as address updates, emergency contact updates, and other relevant personal information. When names and pronouns are updated, Human Resources or the appropriate manager will take prompt steps to ensure that all other workplace documentation reflects this updated information, including business cards, email address, name tags, and any other places where names and pronouns may be displayed.
- 7.3 Respects and protects the privacy of gender diverse employees. This means:
- 7.3.1 HR will be mindful to honour the importance of confidentiality and will avoid outing anyone in any workplace setting.



- 7.3.2 HR has a streamlined, confidential process for keeping track of legal names and chosen names when these are different. This form will be shared with as few people as possible to minimize the risk of outing someone in the workplace. If a new employee must provide documents that may have a different name than their chosen name (for example, a criminal record check), these documents should not be shared with anyone who does not need to see them.

- 7.4 Provides training for all current and future employees focused on 2SLGBTQIA+ inclusion. This training is included during onboarding, so that new employees can understand how best to demonstrate respectful inclusion.

- 7.5 Supports employees who are transitioning at work. This includes updating names and pronouns as required, and making sure that gender diverse employees feel safe accessing the washroom that best aligns with their gender identity.

- 7.6 Provides clear information on time off for gender affirming care and any gender affirming healthcare which may be covered by the employee’s benefits plan. HR understands that some gender diverse people may require gender affirming healthcare. HR will work with this employee to provide accommodation as needed and clear information about what kinds of gender affirming care are covered under the Town of Middleton’s health benefits plan.

I, Ashley Crocker, **Chief Administrative Officer of the Town of Middleton**, do hereby certify that the Policy, of which the foregoing is a true copy, was duly passed at a duly called meeting of the Town Council of the Town of Middleton held on the 20th day of November 2023.

Ashley Crocker

Chief Administrative Officer

Policy Adoption	
Date of 7-day notification to Council	February 5, 2024
Date of Approval	February 20, 2024

Appendix 1 Definitions

“Language is always evolving, which means that some of the terms used in this guide may change over time and become outdated. This is because gender identity and gender expression are complex, and so words that we use at any given time to name particular identities may change as our understanding of those identities deepens and evolves.”¹

“Ally - Someone who actively supports a marginalized community through their actions and commitment to learning. An ally is usually someone who is not part of the community (for example, a straight ally who supports 2SLGBTQIA+ rights) but sees the importance of making positive changes that benefit the oppressed group.

Cisgender - Someone whose gender identity is the same as the gender they were assigned at birth. For example, a cisgender woman is someone who was identified as female when she was born and still identifies with this gender.

Deadname - The name that a two-spirit, trans, non-binary, or other gender diverse person was given at birth and that is different from the name they have adopted for themselves.

Gender affirming healthcare - This includes a variety of medical processes and treatments that allow a person to feel that their body is better aligned with their gender identity. Some examples of gender affirming healthcare include hormone treatment, chest surgery, electrolysis, and many others.

Gender assigned at birth - This term refers to how someone is categorized at birth according to the gender binary. For example, a baby with a penis will usually be assigned male at birth and a baby with a vulva will usually be assigned female at birth. A person’s gender identity can be different from the gender they were assigned at birth.

Gender expression - How someone expresses their gender (for example, whether they wear clothing or hair styles that are traditionally read as masculine or feminine; what pronouns they use; how they speak; the name they use)

¹ “Moving Beyond the Binary: a Guide on How to Make Your Organization Meaningfully Inclusive of Two-Spirit, Trans, Non-Binary, and Gender Diverse People”. Copyright © 2022 by the Legal Information Society of Nova Scotia. Page 11

Gender identity - How someone identifies and understands their own gender (for example, if they identify as a man, a woman, two-spirit, agender, genderqueer, more than one gender, or somewhere else within the gender spectrum). Gender identity refers to a person's internal sense of self, while gender expression more often refers to how they outwardly express their gender.

Pinkwashing - A term for when organizations show only a superficial commitment to 2SLGBTQIA+ inclusion, for example, when companies participate in a Pride Parade but do not have inclusive policies aimed at supporting their 2SLGBTQIA+ employees and clients. Pinkwashing is sometimes also known as pride capitalism.

Genderqueer - Someone whose gender identity cannot be categorized as exclusively male or female. Some genderqueer people identify with both ends of the gender spectrum, while others identify as outside of gender or have a fluid understanding of their gender.

Man - someone who identifies as a man, which includes both cisgender and trans men.

Non-binary - Someone who identifies outside the gender binary of male and female. Non-binary people are often grouped under the trans umbrella, but not all non-binary people identify as trans. Non-binary people sometimes use gender neutral pronouns such as they/them, but not all non-binary people do. Remember to ask about someone's pronouns rather than assuming.

Trans or Transgender - Someone whose gender identity is different than how they were identified at birth. Trans people may identify with the gender binary (for example, trans men and trans women) or outside the gender binary (for example, non-binary people).

Transfeminine - A term to refer to trans and gender diverse people who are on the feminine end of the spectrum, for example trans women.

Transmasculine - A term to refer to trans and gender diverse people who are on the masculine end of the spectrum, for example trans men.

Two-spirit - A term used by Indigenous communities to describe someone who identifies as having both a masculine and feminine spirit. "Two-spirit" can refer to gender identity or sexual orientation or both of these. Being two-spirit may mean that someone experiences same-gender attraction, or it can mean that the person is gender diverse (i.e. not cisgender), or it can

mean both of these things. “Two-spirit” should only be used to refer to people who are Indigenous.

Queer - A term used to refer to people who are not straight and/or not cisgender. If someone refers to themselves as queer, that person may fall anywhere in the 2SLGBTQIA+ umbrella. “Queer” doesn’t necessarily tell you a lot of information about someone, such as what kind of people they’re physically or romantically attracted to (if they experience attraction) or how they identify in terms of gender. “Queer” used to be a slur but has been reclaimed by the 2SLGBTQIA+ community as empowering.

Woman - someone who identifies as a woman, which includes both cisgender and trans women.

2SLGBTQIA+ - An acronym used to refer to the following identities: two-spirit, lesbian, gay, bisexual, trans, queer or questioning, intersex, asexual, and + for the many other identities that exist within the queer spectrum.”²

² “Moving Beyond the Binary: a Guide on How to Make Your Organization Meaningfully Inclusive of Two-Spirit, Trans, Non-Binary, and Gender Diverse People”. Copyright © 2022 by the Legal Information Society of Nova Scotia. Pages 69-70






4.0 Gender Diversity Workplace Inclusion Policy 2024

Final Audit Report

2024-02-28

Created:	2024-02-22
By:	Krista Gear (kgear@town.middleton.ns.ca)
Status:	Signed
Transaction ID:	CBJCHBCAABAABGxiuLo7j7Nc_4AR4_WpRD3TQHhP9T_K

"4.0 Gender Diversity Workplace Inclusion Policy 2024" History

-  Document created by Krista Gear (kgear@town.middleton.ns.ca)
2024-02-22 - 12:57:43 PM GMT
-  Document emailed to Ashley Crocker (acrocker@town.middleton.ns.ca) for signature
2024-02-22 - 12:58:24 PM GMT
-  Email viewed by Ashley Crocker (acrocker@town.middleton.ns.ca)
2024-02-28 - 3:21:04 PM GMT
-  Document e-signed by Ashley Crocker (acrocker@town.middleton.ns.ca)
Signature Date: 2024-02-28 - 3:21:41 PM GMT - Time Source: server
-  Agreement completed.
2024-02-28 - 3:21:41 PM GMT