

# Second Chance Employment for Transgender and Gender Diverse Californians

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Presented by the California Workforce Development Board with the Center for Employment Opportunities and Trans Can Work

## Slide 1 Topics for Today

- Defining Common Terms
- Statistics and Data
- Intersections and Barriers
- Common themes and focus group findings
- Best practices for Trans and Gender Diverse Workforce Development

## Slide 2 Trans Can Work: Workplace Education and Job Seeker Services

- 400 workplace partners in 2019
- 1800 gender diverse clients engaged in 2019
- 600 received direct support
- 200 full time employment
- CWA approved CTI Trainer/consultant

## Slide 3 The Rise of Gender Diversity in California

- 76% of adults identify as transgender
- 3% of youth identify as transgender
- 6% of youth identify as non-binary
- 27% of youth identify as non-conforming

There is an opportunity to improve the outcomes of many.

## Slides 4 and 5 Terminology

- Gender Identity: One's innermost concept of self as male, female, a blend of both of neither
- Transgender: A term for people whose gender identity, expression, or behavior does not match those typically associated with their assigned sex at birth
- Cisgender: A person whose sense of personal identity and gender corresponds with their sex at birth
- Gender Diverse: A person whose behavior or appearance does not conform to social and cultural expectations about their gender

- AMAB: Assigned male at birth
- AFAB: Assigned female at birth
- Intersectionality: The Overlapping and interconnected nature of social categorizations such as class, race, gender, sex, ethnicity, abilities, etc.
- Justice Involvement: Having had interactions with the criminal justice system as a defendant
- Sexual Minorities: A group whose identity, orientation or practices differ from the majority of the surrounding society
- Dual Discrimination: the act of multiple discrimination based on two projected characteristics

## Slide 6 Expectations for Many

### For Youth

In school, 78% experience abuse and 15% walk away. In home life, 57% experience rejection, 26% run away, and 51% attempt suicide.

### In the Workplace

90% experience abuse, 50% are harmed, and 25% are fired.

### Survival for the Gender Diverse Population

25% are unemployed, 19% are homeless, 27% live in poverty, and 16% participate in underground economies.

## Slide 7 Question

How many sexual minorities do you believe are currently incarcerated in the U.S. today?

- 100-500
- 1,000-5,000
- 10,000-50,000
- 100,000-500,000

## Slide 8 Answer

238,000 sexual minorities are incarcerated in U.S. prisons and jails.

- Lesbian, gay and bisexual Americans are 3 times more likely to be incarcerated than the general U.S. population
- Sexual minorities are disproportionately incarcerated: 3.5% of the U.S. population is LGB, 5.5% of men in prison are gay or bisexual, 33.3% of women in prison are lesbian or bisexual.
- 16% of trans people are incarcerated. Of that group, 50% are black trans people.

## Slide 9 Prison Experiences of Sexual Minorities

- Peer Abuse: Trans people are ten times more likely to experience sexual assaults while incarcerated
- Staff Abuse: Staff often blame LGBTQ people for their own victimization
- Segregation: 28% of the LGBTQ population in prison are placed in solitary confinement as a means of “protection”
- Access to Services: LGBT are not supposed to be declined education or programs due to their identity or sexual orientation but because they are often segregated, they cannot access these services

## Slide 10 Why is this important?

## Slide 11 Journey Map

- Pre-incarceration: Lack of employment, low social support, and high rates of discrimination leads to
- Incarceration: Sexual abuse, lack of diverse programming, high rates of segregation lead to
- Post-Incarceration: High barriers to employment, trauma, lack of support and social services

## Slide 12 Unique Intersections and Barriers to Employment

### The Intersection:

Where the formerly incarcerated and supervised by parole or probation crosses over with the trans and gender diverse.

### Barrier to Employment:

- Legal Documentation
- Mis-gendering/Dead naming
- Stigmas and implicit bias
- Social Support
- Housing displacement
- Language
- Disproportionate job history
- Lack of networking opportunities
- Limited quantitative and qualitative data

## Slides 13 and 14 Building a Gender Inclusive Program

- Internal: Consider strategic plan, policy and culture
- External: Identify partners, be inclusive, create opportunity
- Trust: Build trust with the community by having an inclusive culture and program with validation

## Slide 15 Internal Considerations

- Strategy: Where are we? Where do we want to go? How do we get there?
- Policy: Inclusive Systems, Language, and Facilities
- Culture: Education, Staffing, Partnerships

## Slide 16 External Considerations

- Partners: What partnerships will be important
- Inclusive: Are policy, culture and space of external partners inclusive?
- Opportunity: Where is there an opportunity to build a pipeline?

## Slide 17 Building a Foundation of Trust

- Culture: Inclusive service and Safe space
- Program: With Opportunities and Outcomes
- Validators: Including Staff, Partners, and Stories

## Slide 18 Title Slide: Themes and Focus Group Findings

## Slide 19 Discrimination and Inclusivity

- What is Inclusivity?
  - SHRM defines inclusion as “the achievement of a work environment in which all individuals are treated fairly and respectfully, have equal access to opportunities and resources, and can contribute fully to the organization’s success.”
- 46% of people polled by a 2018 Human Rights Campaign survey stated they are still not open about their LGBTQIA+ status
  - Even with new focus on LGBTQIA+ rights, people still feel like they will face discrimination if they disclose their sexual preference or identity
- Going beyond compliance
  - “We do not discriminate against...” vs “we encourage you to apply if...”

*[Picture of a sad stick figure saying, “I feel like I always have to remind people about my preferred pronoun and name.”]*

## Slide 20 Legal Advocacy

- Only 20 state have laws that prohibit discrimination based on gender identity and sexual orientation. California is one of them.
- Recent legislation affecting system impacted trans people in workforce development:
  - AB 1006 Fair Chance Act (effective January 1, 2018)
  - SB 396 Transgender Work Opportunity Act (effective January 1, 2018 in California)
  - AB 1825 Sexual Harassment Management Training

- There are around 1 million LGBT immigrants in America and 30% are undocumented which placed them at a greater risk of exploitation and lack of protection.

*[Picture of an angry stick figure saying, "When I get denied a job, I never know if it is because of my criminal background or gender, or both."]*

## Slide 21 Government Identification

- In order to gain employment, people need documentation. This is a barrier for many people returning home from prison, and can be even more complex for Trans individuals.
  - 33% of transitioned people have not updated their ID records
  - 41% of people live without an ID that matches their gender identity
- Probation, parole or a criminal record is one additional barrier Trans people face when changing their name and/or gender.
- When gender norms, self-identification, and government identification do not align, Trans job seekers face even further discrimination.

*[Picture of a frustrated stick figure saying, "You are asking me to check a box, but the box that I identify with is not on the application."]*

## Slide 22 Importance of Employment Services

- Trans people often lack employment experience to assist them in obtaining employment once released from incarceration.
  - Unemployment is twice the rate of the population as a whole
- Once employed, it is common for Trans people to experience physical abuse, sexual assault, harassment and discrimination.
  - More than three-fourths of employees have experienced discrimination
- Because of these experiences, Trans people often find themselves being sexually exploited and living in poverty.
  - 29% of Trans people live in poverty, 20% participate in underground economy and at least 12% in sex work

*[Picture of a crying stick figure saying, "What can we do? We have to do what we have to do to survive."]*

## Slide 23 and 24 Best Practices in Case Management

- Familiarize yourself with the community including issues they face and appropriate terminology.
- People are who they say they are.
  - Trust that someone's decision to present themselves as a gender diverse is not made lightly or without due consideration
  - When you're not sure about someone's identity, stick to the person's first name or use "they"

- “They are here for an appointment” or “Angela is here for an appointment”
  - If their ID/legal name doesn’t match their presentation, ask their name and make note of it for others to use
- If you make a mistake, acknowledge the mistake – apologize – be honest about your familiarity.
  - “pronouns are new to me but I am working at getting better”
  - Ensure that after the mistake, you use the correct pronoun
- Ensure privacy
  - Treat Trans people’s identity as a private and confidential (some Trans people are not out) not doing so is a violation of HIPPA
- Don’t ask inappropriate questions
  - Never ask about body parts, surgical status, or who trans people date
- Don’t assume that someone who is gender diverse is also lesbian, gay, bisexual, or straight.
  - Sex and gender are different and we should not make assumptions about people’s identities

## Slides 25 and 26 Best Practices for Building a Gender Inclusive Program

- Make sure that gender identity and sexual orientation are included when developing your strategies and policies.
  - This will set the foundation for an inclusive culture
- Make sure training is ongoing and provided to all staff.
- Ensure your case management systems capture preferred name and pronouns.
- Have an inclusive facility
  - Have all gender bathroom, visibly post nondiscrimination language, and images from the LGBTQ community
  - No one has the right to prevent someone from using the bathroom
    - CA law state that people are able to use the bathroom that is in alignment with their gender identity – period.
- When referring clients to partner organizations, make sure that they are inclusive and that your clients will be treated well.
  - This can be accomplished with a phone call: “We work with many gender diverse clients. Do you feel equipped to work with this population? If not, I can help connect you to some resources (references listed below)”
- Add pronouns to your email signatures
  - Doing this marks a real culture shift within your agency and lets everyone know that diversity and inclusion are part of your DNA
- Hire trans and gender diverse people!
  - All the tips in the world won’t help you become inclusive until you hire gender diverse people
- TransCanWork is here to help!

## Slide 27 References

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