



SUBJECT:	Accommodation on the Basis of Gender Expression or Gender Identity	Page 1 of 4	
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POLICY

Hellenic Home is committed to having policies and practices that recognize and embrace diversity in our operations and to providing accommodation to the point of undue hardship, when necessary, to those who request it with respect to his or her gender identity and gender expression, while, at the same time, respecting the employee's right to privacy.

PURPOSE

The purpose of this Statement of Policy and Procedure is to:

1. Promote recognition of the inherent dignity and worth of all people without regard their gender identity or gender expression.
2. Provide for equal rights and opportunities without discrimination and harassment because of gender identity and gender expression.
3. Create a climate of understanding and mutual respect, so that trans people feel they belong in the community and can contribute to it.
4. Accommodate the needs of an employee, client or customer, to the point of undue hardship, with respect to gender identity or gender expression, when so requested by the employee, client or customer.

SCOPE

This policy and its related procedures apply to all employees of Hellenic Home.

RESPONSIBILITY

1. An employee is responsible for informing his/her supervisor if a workplace policy or practice conflicts with his/her gender identity or gender

- expression and explain how the policy or practice conflicts with such expression. The employee may request an accommodation, if necessary. An employee who makes a request for accommodation is also responsible for working with the supervisor to find a reasonable accommodation, dealing in good faith and being reasonable and realistic in such requests.
2. It is the supervisor's responsibility to ensure that no employee suffers discrimination or harassment based on gender identity or gender expression and to receive and respond to an employee's request for accommodation on the basis of gender identity and gender expression in a timely manner. Supervisors will assess the request for accommodation and work with the employee to find a reasonable accommodation that balances the employee's needs and Hellenic Home's requirements while assessing cost and health and safety risks. Supervisors are required to deal in good faith and consider reasonable alternatives, on a case-by-case basis.
 3. The Director of Human Resources or a designated nominee is responsible for:
 - (a) the review and amendment, as necessary, of policies and procedures which may have a direct or indirect discriminatory effect on employees on the basis of gender identity or gender expression.
 - (b) assisting an employee with a transition plan to address different issues that may arise in the workplace such as the revision of personnel and personal records, ID photos, etc., as necessary, as a result of a change in the employee's gender identity or gender expression; and
 - (c) arranging for appropriate training and education of employees in the workplace to ensure that no employee, client or customer experiences disrespect or harassment because of his or her gender identity, gender expression or trans status.

DEFINITIONS

"Gender identity" is each person's internal and individual experience of gender. It is their sense of being a woman, a man, both, neither, or anywhere along the gender spectrum. A person's gender identity may be the same as or different from their birth assigned sex. Gender identity is fundamentally different from a person's sexual orientation.

"Gender expression" is how a person publicly presents their gender. This can include behaviour and outward appearance such as dress, hair, make-up, body language and voice. A person's chosen name and pronoun are also common ways of expressing gender.

“Trans or transgender” is an umbrella term referring to people with diverse gender identities and expressions that differ from stereotypical gender norms. It includes but is not limited to people who identify as transgender, trans woman (male-to-female), trans man (female-to-male), transsexual, cross-dresser, gender non-conforming, gender variant or gender queer.

“Discrimination” happens when a person experiences negative treatment or impact, intentional or not, because of their gender identity or gender expression. It can be direct and obvious or subtle and hidden, but harmful just the same. It can also happen on a bigger systemic level such as organizational rules or policies that look neutral but end up excluding trans people. Friends, family or others who face discrimination because of their association with a trans person are also protected.

“Harassment” is a form of discrimination. It can include sexually explicit or other inappropriate comments, questions, jokes, name-calling, images, email and social media, transphobic, homophobic or other bullying, sexual advances, touching and other unwelcome and ongoing behaviour that insults, demeans, harms or threatens a person in some way. Assault or other violent behaviour is also a criminal matter. Trans people and other persons can experience harassing behaviour because of their gender identity or expression (gender-based harassment) and/or their sex (sexual harassment).

PROCEDURE

1. Upon request and with the consent of a trans employee or one who is undergoing a process to become transgender, Hellenic Home shall work with the employee to develop a transition plan to address different issues that may arise in the workplace, such as changing the employee’s name in personnel records and personal files, washroom use and, to determine and implement a communication strategy to educate co-workers. However, such education and communication shall only be to the extent the employee is comfortable with.
2. An employee requesting accommodation on the basis of gender identity or gender expression shall do so in writing, as soon as possible after the specific need arises.
The request shall include the circumstances and requirements which necessitate the need for an accommodation and the nature of the accommodation requested. The request must be submitted to the employee’s immediate supervisor.
3. The employee’s supervisor shall, within a reasonable time after receiving the request, work with the employee to reach an accommodation that is reasonable in the circumstances, while maintaining the dignity of the employee and in accordance with applicable laws.
4. Hellenic Home will endeavour to ensure that all employees have reasonable access to washroom or change room facilities that meet their

gender identity preference and at the same time respects the needs and comfort level of all employees.

5. (a) An employee undergoing the transgender process shall advise the Human Resources Department of any change to his or her name and gender identity for the purposes of extended health and benefit coverage as soon as possible after the change has occurred.

(b) The Human Resources Department shall ensure that the employee's personnel and personal records are updated accordingly and, where necessary, new photo identification is issued to show an accurate likeness and name of the employee.

6. Hellenic Home will maintain an employee's right to privacy and will only disclose information about the employee's gender identity and gender expression for the purposes of educating employees, and only with the full participation and consent of the employee.
7. Harassment of an employee based on his/her gender identity or gender expression is strictly prohibited. Refer to Workplace Harassment Policy for more information.

CROSS REFERENCE

Workplace Harassment Policy
Employment Principles
Recruitment and Selection
Dress Code

REFERENCES

Ontario Human Rights Code