

FACT SHEET THREE

TRANS &  
GENDER  
DIVERSE

EMPLOYMENT  
& RECRUITMENT  
CHALLENGES



As soon as I show someone my ID, I instantly get dead-named... I don't put my dead-name down anywhere, but as soon as they see it on my ID, that's it.

These fact sheets are part of Pride in Diversity's ongoing commitment to support trans and gender diverse people seeking employment and have been generously sponsored by BHP.

**Identity denied:  
Navigating name/document changes  
with gender information collection  
and privacy in applications**

**When gender identity and documentation collide**

This is the third in the series of fact sheets around recruitment and employment for people who have a trans and/or a gender diverse experience, which focusses on the barriers they face. This series has been made possible by generous support from BHP.

While much work has been done to support trans and gender diverse people within the workplace over the last years, there is still much to do. Organisations have the opportunity to address some difficult challenges which trans and/or gender diverse people face securing meaningful work aligned with their skills and experience. This is predominately due to the significant challenges faced during the initial stages of the application and recruitment process.

In this fact sheet we look at the findings of a study conducted by **Curtin University** in Western Australia regarding these early application/recruitment challenges. Curtin University is ranked in the top one per cent of universities worldwide in the highly regarded Academic Ranking of World Universities (ARWU) 2022. This study has been supplemented by data from the landmark Pride in Diversity Australian Workplace Equality Index Employee Survey which had close to 45,000 respondents and is one of the most respected surveys of its type globally. Notes on how to address these challenges are provided by the team at Pride in Diversity.

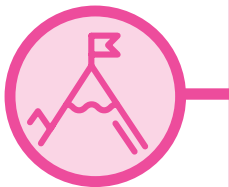
# 62.9%

of those advising they have a gender diverse experience in 2022 identify as neither man nor woman

# 9.2%

"I faced barriers with reference checks with former colleagues where I was known by another name or gender."

— AWEI Survey 2023



# 15.2%

of trans and gender diverse applicants identified **background/criminal checks as a barrier** because they were known by another name or gender.

— AWEI Survey 2023

## Trans and gender diverse people continue to experience significant issues in employment and the recruitment process.

Despite progress towards inclusion and diversity in the workplace, the reality remains that trans and gender diverse individuals face daunting barriers to employment, beginning with the recruitment process. **54% of trans and gender diverse employees feared being discriminated against because of their gender identity**, as set out in data sourced from the 2022 Australian Workplace Equality Index Employee Survey.

Research outcomes from the Curtin University study revealed that the key five challenges which trans and gender diverse people say they face in Australia are:

- **Silent Discrimination** – Stalled or discontinued recruitment processes once the applicant discloses their gender diverse experience, or instances where the employer ceases any contact with the applicant after disclosure in an interview.
- **Level of understanding** – The need for applicants to explain gender identity in an interview, in instances where employers are seen to expect or prefer cis gendered employees.
- **Identity Denied** – Challenges posed by name changes and affirming gender.
- **Safety in Systems** – Systems or process that collect or disclose gender information.
- **Binary view** – The ability to “pass” impacting acceptance.

## Challenge 3: Documents, Systems, and Identity

### Applying for any role will almost always require job applicants to provide their personal identity data referenced by official documents.

The data employers seek provides significant challenges for trans and gender diverse applicants because official documents will almost always provide information on the gender of the applicant.

Key official documents that disclose a person's identity include:

- Birth Certificate
- Passport
- Drivers Licence

In many cases, these official documents reflect the identity of people who have a trans and/or gender diverse experience prior to their affirmation of their gender.

If a job applicant does not have or has been unable to obtain updated documents, then this poses challenges for the trans or gender diverse applicants in confirming their affirmed identity their and leads to a risk of misgendering.



**Similarly, if the application process offers limited identity options, those applying for a role in an organisation who have a gender diverse experience may turn away before lodging an application at all.**

**50.6%**

of all gender diverse respondents is reporting that there is acknowledgement of gender diversity beyond the binary descriptions of man or male, woman or female.  
— AWEI Survey 2023

**Similarly, if the application process offers limited identity options, those applying for a role in an organisation who have a gender diverse experience may turn away before lodging an application at all.**

Over 90% of respondents advised that there was no contact person available to support queries specifically applying to Trans and Gender Diverse applicants (2022 AWEI). This has improved to 86% in 2023 reporting.

Only half (50.6%) of all gender diverse respondents is reporting that there is acknowledgement of gender diversity beyond the binary descriptions of man or male, woman or female. As such, there is still plenty to do considering 62.9% of those advising they have a gender diverse experience in 2022 identify as neither man nor woman, this systemic change is needed. Fortunately, there is improvement in this area as a result of the efforts of many employers to add additional gender options in their data collection.

... “Okay. Yeah so, as soon as I show someone my ID, I instantly get dead-named\*... I don’t put my dead-name down anywhere, but as soon as they see it on my ID, that’s it. My name has been replaced in their head.”

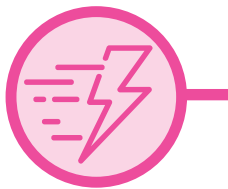
... “Yes, name documentation to HR, for my official name change. They would only change my preferred name or give me a preferred name up until I actually sort of had the legal name change, then I had to sort of provide a certified copy of that to be passed onto super, those sort of things.”

It is important for employers to understand the significant barriers posed by official documentation of trans and gender diverse applicants, and the challenges faced by trans and gender diverse applicants in updating official documents. These include the often significant cost to update documents, Governmental laws that restrict individuals with a trans and gender diverse experience to self-identify or determine their own gender identify.

In fact, one Australian State (NSW) has a law that requires individuals to provide proof of gender affirmation surgery to be eligible to reflect their affirmed gender on official documents. **Awareness of these barriers allows organisations to take active steps to assist in their removal.**

From the Curtin study 1 in 5 respondents confirmed that their identification documentation was not fully up to date when applying for employment and nearly two thirds of participants attempted to appear cisgender on their resumes. This may lead to unwelcome and disturbing questions asked by employers of trans and gender diverse applicants as to why trans and gender diverse applicants continue to mask their identity or experience.

.....  
\* calling (a transgender person) by their birth name when they have changed their name as part of their gender affirmation



## Action Points: Tips for employers



**My on-boarding mentor/  
buddy was an openly gay,  
neurodivergent woman-of-  
colour who was authentically  
herself at work.  
Through her honesty, I  
could see how inclusive the  
team was and I felt safer among  
my colleagues.**

For more information about how we can partner with your organisation call **02 9206 2139** or visit **[prideinclusionprograms.com.au](http://prideinclusionprograms.com.au)**

For copies of the “**Trans and gender diverse people belong in Australian workplaces**” social media tiles contact your PID Relationship Manager.

- 1. Provide a contact person for applicants.** By advising there is a contact person for an applicant with a trans or gender diverse experience to reach out to, allows for an efficient and inclusive process through the application and recruitment stages if there are differences between identity and documentation.
- 2. Be clear about your organization being a trans and gender diverse inclusive employer.** The language that employers use in job advertisements and interviews clearly highlights whether or not they are inclusive. It is not enough to be silent as to whether your organization is an inclusive workplace and welcomes diverse applicants – best practice is that this information should be explicitly stated. Ensure that all recruitment materials such as websites are clear about the values and actions of your organisation.
- 3. Ensure external recruiting agencies that an organization utilises align with your principles as an inclusive employer.** With regular communication and clarification, you can empower all your recruiting channels and touchpoints to implement your values as an inclusive employer. From the start of any recruitment be explicit about your organization’s inclusive values to ensure your organisation has access to the largest pool of applicants including applicants with a trans or gender diverse experience.
- 4. Systems check.** Audit your organisational Human Resource and recruitment systems to put in place language and identity options inclusive of trans and gender diverse applicants When trans and gender diverse applicants for roles in your business can see clearly through explicit statements made by your organization that they are welcome, it is much more likely that they will see themselves as being a welcome, safe and productive member of your team.
- 5. Clear communication.** Be very clear in your communication around asking for identity information/data collection. This means being explicit about the targets your organization has set to achieve in diversity and specifically in trans and gender diverse employment. Whether you are aiming for gender parity, or 40/40/20 - be transparent as to why you are asking for information about gender. It is important for employers to be clear about their goals in seeking information about the gender of applicants as this will invite participation and reduce disengagement by applicants with a trans or gender diverse experience.