

GENERAL MANUAL - POLICY

Effective Date: June, 2012
Reviewed:
Revised:

<p><i>Issued By:-</i> Human Rights & Health Equity Office <i>Approved by:-</i> Senior Leadership</p>
<p><i>Title:-</i> <u>GENDER IDENTITY POLICY</u></p>
<p><i>Policy Number:</i> I-e-30-36</p>

1. Preamble

Mount Sinai Hospital is committed to providing an environment where trans, intersex and two-spirit individuals are welcomed, treated with dignity and respect, and encouraged to be active members of the Hospital community. This policy is to be read in conjunction with the glossary of terms and the Hospital's Diversity and Human Rights Policy to ensure a consistent understanding of definitions and guiding principles.

2. Policy Statements

- Mount Sinai Hospital strives to provide an environment free of discrimination and harassment and to ensure that all members of the Hospital community receive fair and equitable treatment and access to excellent care.
- Mount Sinai Hospital will not tolerate any form of discrimination or harassment towards trans, intersex and two-spirit people.
- This policy was developed in consultation with community representatives, and the Mount Sinai Hospital Human Rights & Health Equity Committee, comprised of senior management team members, union representatives, and employees.
- This policy is consistent with the Hospital's Diversity and Human Rights Policy and the Ontario Human Rights Code.

3. Purpose

To provide guidelines regarding the treatment of all trans, intersex and two-spirit members of the Hospital community to ensure that they are treated with equity, dignity, and respect.

4. Definitions

Under the Ontario Human Rights Code, gender identity and gender expression are protected grounds from discrimination and harassment. This includes transsexual, transgender, genderqueer, two-spirit and intersex persons, cross-dressers, and other people whose gender identity or expression is, or is seen to be, different from their birth-assigned sex.

Gender identity is linked to a person's sense of self, and particularly the sense of being male, female, both, or neither. Some people's gender identity is neither masculine nor feminine and for others, their gender is fluid, rather than fixed on any point along the gender spectrum. A person's gender identity may be different from their birth-assigned sex and is separate from their sexual orientation.

The use of the term 'trans' in this policy includes, but is not limited to transgender, transsexual, genderqueer, gender non-conforming , and gender questioning persons.

The term 'intersex' refers to people whose bodies, reproductive systems, chromosomes and/or hormones are not easily characterized as male or female. Most intersex people identify as either male or female, but not all intersex people identify with the sex they were assigned at birth, and some choose to identify themselves as intersex. While intersex and trans people may share some overlapping experiences and perspectives, the terms and issues are not the same. Many intersex persons do not identify as trans, and should not be referred to under the heading of trans unless they request it.

The term 'two-spirit' refers to First Nations and Métis people to describe, from a cultural perspective, people who are known in non-Aboriginal society as either gay, lesbian, bisexual, intersex or trans.

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Please refer to Appendix A for additional definitions.

5. Application of Policy:

- This policy applies to all members of the Hospital community, which includes all employees, health care professionals, students, researchers, interns, volunteers, patients, families, visitors, advisory groups, public community-based partners, affiliated research institutes and associations, suppliers, contractors, and other health care and business partners with Mount Sinai Hospital.
- This policy applies to all activities which take place at the Hospital, as well as to Hospital-related activities which occur elsewhere, including but not limited to business undertakings, teaching or training programs, research initiatives, community projects, partnership activities, social functions, fundraising events, and activities involving access to the Hospital's computer or communications systems.

6. Policy Implementation

The Hospital's implementation plan under this policy is comprised of the following three (3) areas:

- A. Rights and Responsibilities
- B. Education
- C. Review of Policies and Procedures

A. Rights and Responsibilities

The following clarifies the roles and responsibilities for all staff in implementing this policy:

Rights of Members of the Hospital Community

- i. **All members of the Hospital Community have a right to:**
 - Be identified and referred to as the gender they identify with;
 - Be free from discrimination, harassment and violence;
 - Be communicated with in a respectful manner;
 - Be treated in a supportive, respectful and equitable manner; and
 - Bring a complaint under the Diversity and Human Rights Policy without fear of reprisal.
 - Dress in accordance with their self-identified gender.
- ii. **In addition to the above rights, all MSH Employees have a right to:**
 - Have their personnel records (including all internal and external directories, email addresses and business cards) changed at their request if they are undergoing or have undergone a transition process.

Responsibilities of Members of the Hospital Community

- iii. **Mount Sinai Hospital:**
 - Provide all patients and employees with the right to be identified, referred to and addressed as the gender they identify with.
 - Request and disclose a patient's birth-sex, genital status and/or reproductive organs physiology only when directly related to their care.

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- Meet the needs of trans, intersex and two-spirit patients as required by Hospital policy and legislation and provide them with safety, privacy and confidentiality when receiving Hospital services.
 - Interact respectfully and consistently with all members of the Hospital community.
 - Continue to develop knowledge and skills in human rights and health equity.
 - Collect and use data to improve and ensure equitable services for trans, intersex and two-spirit members of the MSH community.
- iv. **Human Rights & Health Equity Office:**
- Provide support, training and education opportunities to employees.
 - Advise managers and employees when needed.
 - Receive and address complaints.
- v. **Managers:**
- Enforce measures and procedures identified in this policy.
 - Ensure safety and equitable treatment of trans, intersex and two-spirit members of the Hospital community.
 - Respond to allegations of harassment or discrimination as outlined in the Diversity and Human Rights Policy.
- vi. **Employees, Volunteers, Students, Physicians:**
- Ensure the maximum degree of privacy and confidentiality of information regarding patients' gender identity and trans status.
 - Understand and comply with the measures and procedures identified in this policy.
 - Participate in Hospital education and training programs to be able to respond appropriately to trans, intersex and two-spirit people.
 - Treat everyone in the workplace with dignity and in a manner that is respectful and free of discrimination and harassment.
 - Respond to allegations of harassment or discrimination as outlined in the Diversity and Human Rights Policy.
- vii. **Admitting Department:**
- Ensure trans, intersex and two-spirit patients are assigned a room according to the gender they identify with.
 - Review and update the choices offered to patients in identifying their gender identity.

B. Education

The Hospital will support training and development initiatives on gender identity to ensure that all staff under their direction develop the skills and competencies in the area of gender identity and understand their rights and obligations in meeting the Hospital's objectives under this policy.

C. Review of Policies and Procedures

To ensure the inclusion of trans, intersex and two-spirit people throughout the Hospital, a review will be implemented of relevant policies and procedures. In addition, the following protocols are in place:

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i. Bed Assignments

Patients shall be given the appropriate bed accommodation options (e.g. private room, or semi-private room; male or female designated room) when being admitted to the Hospital. If their request for a private room is not possible, the patient's safety needs to be ensured by placing them closer to the nursing station.

ii. Washroom Access

All in-patients have access to washrooms in their room. For all other patrons of the Hospital, they have the following options:

- **Gendered washrooms:** Traditional men-only and women-only washrooms are located throughout the Hospital. Individuals may use the washroom of the gender with which they identify. Self-identity and the individual's personal safety are the only criteria to determine which washroom a person uses.
- **All-gender washrooms:** These washrooms are optimal to provide access to any member of the Hospital community regardless of gender identity. Any person may use these facilities.

iii. Locker Room Access

Male and female locker rooms are located on Level Two of the Hospital. Individuals may use the locker room of the gender with which they identify. Self-identity and the individual's personal safety are the only criteria to determine which locker room a person uses.

iv. Intake Forms

Admitting will provide options for identification that include trans, intersex and two-spirit people. Check with the Human Rights & Health Equity Office for up to date terminology.

7. Complaints

Complaints about this policy will be addressed through the Hospital's Diversity and Human Rights Policy.

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APPENDIX A: Glossary of Terms related to gender identity

Birth-assigned sex: Refers to the sex people are assigned at birth and most likely raised as. This term is used instead of “biological sex”.

Cisgender: A term used to describe people whose gender identity matches their birth-assigned sex.

Cross-dresser: A person who wears clothing that is traditionally or stereotypically worn by another gender in their culture and may vary in how completely they cross-dress, from one article of clothing to fully cross-dressing.

Drag queen/drag king: a person who assumes the dress and mannerisms of the opposite sex for performance purposes. A drag queen is usually a man performing as a woman; a drag king is usually a woman performing as a man.

Gender is a social construct that is defined in various ways and could include any or all of the following categories: physical anatomy (or sex organs), secondary sex characteristics that develop at and after puberty, behaviour and conduct, sense of self, and clothing.

Gender Expression: How a person communicates or ‘expresses’ their gender identity to others, often through behaviour, physical appearance (clothes, etc.) or by emphasizing, deemphasizing or changing physical characteristics.

Gender Identity is the gender that a person identifies as or how they perceive themselves and may be different than their birth-assigned sex. Gender identity is linked to a person’s sense of self, and the sense of being male, female, both or neither. Common gender identities are transsexual, transgender, genderqueer, cisgender, two-spirit and intersex persons, cross-dressers, or other people whose gender identity or expression is, or is seen to be, different from their birth-assigned sex.

Gender non-conforming/variant: Individuals whose expressions of their gender do not conform to the dominant gender norms of masculinity and femininity (e.g. a tomboy).

Genderqueer: A term used by individuals whose gender identity does not conform to a binary understanding of gender limited to the categories of man or woman, male or female.

Gender questioning: Someone who is not sure about their gender identity and is thinking about exploring various possibilities. People who are questioning their gender identity might be wondering whether they identify as a boy, a girl or another gender. They might also be experimenting with different genders.

Gender spectrum goes beyond a binary understanding of gender with only two rigidly fixed options of male or female, but instead encompasses an understanding that gender occurs across a continuum of possibilities.

FtM: An abbreviation for a female-to-male trans person. A person who was assigned female at birth but has a male gender identity. FtM may sometimes identify as a transman or man.

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Intersex refers to people whose bodies, reproductive systems, chromosomes and/or hormones are not easily characterized as male or female. This might include a woman with XY chromosomes or a man with ovaries instead of testes. Intersex characteristics occur in one out of every 1500 births. Many intersex people undergo surgery in infancy, and many grow up feeling they have been robbed of an essential part of themselves. Most intersex people identify as either male or female, but not all intersex people identify with the sex they were assigned at birth, and some choose to identify themselves as intersex.

MtF: An abbreviation for a male-to-female trans person. A person who was assigned male at birth but has a female gender identity. MtF might identify as a transwoman or woman.

Sexual Orientation describes the types of intimate emotional and physical relationships we have or who we feel drawn to. Being lesbian, gay, bisexual, two-spirited, or heterosexual are all sexual orientations. Sexual orientation is not to be confused with gender.

Sex-reassignment surgery (SRS) are surgical procedures that change primary sexual characteristics to match an internal sense of gender identity. Female-to-male transsexuals may have penis and chest reconstruction procedures, male to female transsexuals may have vaginal construction, breast enhancement. Not all trans people want surgery, nor do they all want the same set of surgeries, and some cannot afford it.

Trans is an abbreviation, which includes but is not limited to, transgender, transsexual, gender non-conforming, and gender questioning persons. "Trans" can mean transcending beyond, existing between, or crossing over the gender spectrum. It is an umbrella term used to describe individuals who, to varying degrees, do not conform to what society usually defines as a man or a woman.

Transgender is a term that has many definitions. It is frequently used as an umbrella term which includes but is not limited to all people who differ from their assigned gender or the binary gender system, including transsexuals, cross-dressers, genderqueers, drag kings, drag queens, two-spirit people, and others. Some transgender people feel they do not exist within one of the two standard gender categories, but rather exist somewhere between, beyond, or outside of those two genders. The term can also be applied to people who live primarily as the gender "opposite" to that which they were assigned at birth.

Transition is the process of changing sex, including but not limited to hormone replacement therapy, name and gender pronoun change, cross-dressing, and/or surgeries. The transition process is not limited to or conditional on any of these things. There is no checklist or average time for completion and some people may live their whole lives in a state of transition.

Transphobia is the fear or hatred of trans people. This term was created to call attention to the ways that prejudice against trans people are subjected to prejudice, discrimination, harassment and violence. Transphobia exists in gay, lesbian, and bisexual communities, as well as straight communities.

Transsexual: People who were identified at birth as one sex, but who identify themselves differently. They may seek or undergo one or more medical treatments to align their bodies with their internally felt identity, such as hormone therapy, sex-reassignment surgery or other procedures.

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Two-Spirit: Traditionally in Aboriginal cultures, this person was one who had received a gift from the Creator - the privilege of housing both male and female characteristics within their spirit. Today, it is a generic term used mostly by some First Nations and Métis people to describe, from a cultural perspective, people who are known in non-Aboriginal society as either gay, lesbian, bisexual, intersex or trans.