

Socio-Economic Problems of Transgender in Workplace


HRM
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ABSTRACT

Transgender is also a part of the society and they have equal right to everything in the world that is available to all other persons. The presence of such transgender is not new, but their presence is there from the time immemorial as could be seen from several scripts, probably because the nature requires such a class to maintain the equilibrium. The most important aspect we have to think is the discrimination. The discrimination based on their class and gender makes the transgender community one of the most disempowered group in Indian Society. In the light of the Constitutional guarantees provided, there is no reason why Transgender Community should not get their basic rights, which included Right to Personal Liberty, Dignity, Freedom of Expression, Right to Education and Empowerment, Right against Violence, discrimination and exploitation. This paper will review the history of the term, and focus on how it has been used in a variety of contexts, including health care and specifically within HIV prevention and treatment to describe not only identities but risk factors; within mental health as a condition and to describe sets of behaviors; and socio-politically both within the communities and the larger society.

INTRODUCTION

The term transgender is generally used to describe those who transgress social gender norms. Transgender is often used as an umbrella term to signify individuals who defy rigid, binary gender constructions and who expresses or present a breaking and blurring of culturally prevalent stereotypically gender roles. It includes pre-operative, post-operative and non-operative transsexual people who strongly identify with gender opposite to their biological sex (UNDP India Report, 2010). There are a number of social justice issues that are common to transgender people everywhere in the world. Social justice organizations working on transgender issues address the following types of problems:

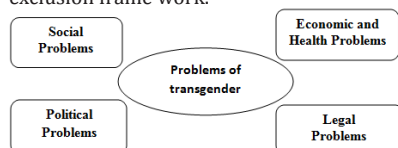
1. Private, domestic and state-sponsored violence, particularly among youth
2. Governmental and private discrimination in basic human needs
3. Governmental refusal to recognize gender identity in identity documents
4. Inability to use appropriate gender-segregated facilities
5. Governmental refusal to recognize gender identity in regard to marriage
6. Inequality in adjudication of refugee asylum petitions

OBJECTIVE OF STUDY

- To know the causes and implications of socio-economic problems of transgender.
- To educate employers about problems faced by transgender at work place.
- To Find out the life style pattern of transgender

PROBLEMS OF TRANSGENDER IN SOCIETY

Problems faced by transgender can be explained using social exclusion frame work.



Social Problems

Family members often do not support transgender. A variety of problems that include verbal and physical abuse, isolation and rejection, denial of family property are faced by transgender in family. Society often stigmatises and discriminate transgender based on their sexuality or gender identity. Social stigma includes being looked down upon, labeling and negative/generalised attitude towards such as sex work or sex solicitors.

The other fields where this community feels neglected are inheritance of property or adoption of a child. They are often pushed to the periphery as a social out caste and many may land up begging and dance. This is by all means human trafficking.

They even engage themselves as sex workers for survival.

There is need for social acceptance of transgender group. For instances, there is no space available for them, say in hospital wards. The authorities do not admit them in women's ward because women do not feel comfortable or free in their presence and in men's ward they face sexual abuse. Besides there are no separate toilet facilities for transgender people.

Economic and health problems

Most of the transgender people are school dropouts. Similarly, gays and bisexuals especially after voluntary or involuntary disclosure of their sexuality face a lot of stigma and discrimination in schools. Lack of adequate education and lack of employment opportunities, they are forced into sex work and begging. While some transgender manage to sustain their job inspite of stigma and discrimination in workplace, most of them resign their jobs without tolerating stigma and discrimination. A variety of multiple-level factors such as lack of adequate education, lack of employment opportunities, and lack of familial support put the male-born sexual minorities at risk of contracting HIV. Similarly, sexual and reproductive health needs are often not adequately addressed. In particular, most transgender person does not get adequate state's support (except TamilNadu) for sex transition surgeries such as hormone administration, emasculation, and breast augmentation surgery.

This explored the impact of discrimination and stigma on health care access for rural and urban transgender individuals. The research was conducted using with self-identified transgender individuals in the society. Four major themes emerged in these discussions: (1) transgender individuals feel that health care providers' attitudes and behavior towards them belie a lack of personal respect and believe that their health care is compromised as a result; (2) transition health care is impeded by physicians and health insurance companies who do not recognize gender transition as medically necessary; (3) anti-trans discrimination in both rural and urban communities lead trans individuals to expect similar treatment from health care providers; (4) and participants prioritized the need to increase the number of health care professionals who are well educated on transgender health concerns, and the importance of advocacy and social support in facilitating health care access. This study concluded that medical education and other professional health care training must be improved to address health care needs of transgender individuals. Health research is lacking in key areas of transgender health, including the implementation of a medical curriculum that successfully incorporates transgender health care, and inadequate funding opportunities for transgender health research. Finally, anti-trans attitudes of health care providers can and should be addressed from within the health care profession through education, community advocacy for transgender rights, and the passage of trans-inclusive anti-discrimination laws

Political Problems

Sexual minorities do not assume significant role in any state's position or political parties although there are many sexual minorities with adequate political and governance knowledge and interest. Although transgender contested local body election with social responsibility, they were not adequately recognized by public. Despite discrimination and marginalization, a transgender person is emerging as successful personalities, thereby proving their potential. There are instances of transgender persons occupying positions of political power. For example – Shapnam Mousi became Member of Parliament from Sahogpur in Madhya Pradesh in 2000, Kamla Jaan was elected as Mayor of Ketni in the same year. These odd instances have not significantly empowered the large community. Such people cannot do things which others do such as to find mainstream job, to vote, etc. In 1994 transgender persons got the voting right, but the task of issuing them Voter Identity Cards got caught up in the male or female question. Several of them were denied cards with their sexual category of their choice.

Legal Problems

- Sec. 377 that criminalizes adult consensual homosexual relationship in private
- Human and civil rights violation (especially for transgender)
- Lack of recognition for marriage

To generate awareness of the transgender is viewed and understood as a culture, community and a movement.

After constitutional amendment, right to education has become fundamental right and all steps should be taken by the government to ensure proper education to them and in this respect proper legislation is to be made like other countries. Under the Federal Law, discrimination or harassment directed at transgender or gender transformed students may violate the equal protection clause of the Constitution. All students have Federal Constitutional right to equal protection under the law and this means that the schools have a duty to protect transgender students from harassment on an equal basis with other students. If the management fails to respond the harassment directed at transgender, then that will amount to violating equal protection clause.

PROBLEMS FACED BY TRANSGENDER IN WORK PLACE

- Verbal abuse
- Physical abuse
- Sexual abuse
- Lack of adequate knowledge about sexual minorities
- Lack of freedom to expression
- Not providing importance to ideas, experience, and expertise of sexual minorities
- Lack of meaningful involvement of communities
- Stress, depression, and other mental health issues

SUGGESTIVE POLICIES AT WORK PLACE WITH SPECIFIC REFERENCE TO TRANSGENDER

Preference or reservation in recruitment

- o Just like other traditionally marginalized communities such as women, adequately skilled transgender meeting the employers' minimum requirements shall be preferred to other employees ('non-community employees'). It is also suggestive to have some percentage of reservation for sexual minorities in jobs.

Anti-sexual harassment policy

- o Sexual violence against sexual minorities at work place shall be addressed by having separate anti-sexual harassment policy or including specifications about sexual minorities in case already such policy exist in organizations for women.

Anti-discrimination policy

- o Policy to address discriminatory attitude of co-workers based on sexuality or gender identity is needed

Maternity and paternity leave

- o It can be seen in the most organizations that women staff offered this leave after child birth for some (three) months to take care of child. As sexual minorities may not get into the institution of marriage (heterosexual marriage) and male-female transgender presently do not have ability to give birth to child, three month maternity leave shall be provided to them in case they adopt child.

Medical leave

- o Pre-operative transsexual undergoing Sex reassignment surgery (SRS) shall be given a considerable period of leave depending upon type of SRS (breast augmentation, emasculation)
- o Monthly 1 day leave for HIV affected person under assisted reproductive technologies

Dress code

- o The organization shall develop exclusive dress code for transgender person after consulting with those specific groups of sexual minorities.

Probation period

- o Traditionally marginalized sexual minorities only in recent past getting into (NGO) jobs. It is nature for one to expect relatively more time for sexual minorities than other employees ('non-community employees who presumably more skilled and talented due to conducive environment) to prove themselves. Some researchers suggested that probation period for sexual minorities shall be double that of others.

Support spaces

- o Marital counseling for male-born sexual minorities who are in dilemma to marry
- o Stress burn-out mechanisms.

CONCLUSION

Some of the key problems which need consideration and appropriate action are access to essential services, education, health and resources. These problems can be well addressed by implementing some progressive measures such as

- To sensitize the society with regard to their identity.
- Support of civil society organization to advocate for their cause and efforts like advocate for land/shelter, creation of separate public toilets, hospital wards, recognition of their right to vote as citizens, reservation of seats in elections, etc.
- Support of Media – both print and electronic, to highlight their status and plight rather than portraying them in poor light.
- Extend financial support for Community Based Organizations run by transgender communities.
- Avoiding of verbal abuses against the transgender in Cinemas and Television Serials.

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