
The Business Leader's Guide to
**TRANS
EQUALITY
IN THE US**

TODD SEARS, Founder & CEO, Out Leadership

Dear Leaders,

Out Leadership is proud to continue our vital work advocating for the equal rights of transgender people around the world. Today, we're thrilled to launch this second edition of The Business Leader's Guide to Trans Equality in the US in tandem with our inaugural Trans & Nonbinary Leadership Summit.

In 2018, Out Leadership created the first and largest global corporate statement in support of transgender uniting 330 companies and 11 nonprofit partners to oppose legal efforts to roll back the rights of transgender people. This coalition, representing more than 2.4 trillion dollars of annual revenue and almost 5 million employees in the United States, leveraged its economic power to underscore the enormous costs of anti-trans discrimination and call for active policymaking to advance equality for transgender, nonbinary, and intersex individuals.

Amid a rapid escalation in anti-trans discrimination in statehouses nationwide, and following hundreds of discussions with senior leaders at our member firms, Out Leadership launched the first edition of The Business Leader's Guide to Trans Equality in the US in 2021. The guide encourages our members to ask questions, educate themselves on critical issues, and work with us to fight discriminatory laws and enact policies that protect all members of the LGBTQ+ community.

Since then, politicians and pundits have unfortunately continued their onslaught against the trans community. In 2023, 49 states introduced over 500 bills attacking the trans community, with 84 ultimately becoming law. In 2024, the numbers continue to skyrocket, with 550 bills introduced and 25 passed by the end of April.

As these attacks continue to deteriorate the political landscape, the private sector must act as the bulwark to defend equality, predictability, and fairness. As business leaders, we must defend the productive and innovative business environment that our employees, shareholders, and communities deserve.



In this guide, you can find the data, resources, and talking points you need to continue protecting the rights of transgender people. As business leaders, you have an incredible amount of strength and influence to stand for equality. We encourage you to use it.

A handwritten signature in black ink, appearing to be 'T. Sears' with a stylized flourish.

Todd G. Sears
Founder & CEO

Thank You to Our Partners

This guide was created with support from the following nonprofit partners who are working tirelessly for transgender equality in the United States.



About Out Leadership

Out Leadership is the world's premier global platform for businesses to drive LGBTQ+ equality. We work closely with the world's leading companies to develop extraordinary talent, produce cutting-edge research, advance powerful advocacy, and improve business outcomes.



Out Leadership is a **certified B Corporation**, which means we have voluntarily met the highest standards of verified social and environmental performance, public transparency, and legal accountability to balance profit and purpose.

Join our global movement. If your company is not a member, email info@outleadership.com.

Thank you to Out Leadership Member Companies (as of May 2024).



Executive Summary

This guide was originally created in 2021 to address the overwhelming number of anti-transgender bills proposed across the United States. Receiving an overwhelmingly positive response, it has become one of Out Leadership's most downloaded resources. In this edition, we have updated the guide to provide current data, address common myths around the trans and nonbinary community, and tangible steps that businesses can take to drive trans equality.

Out Leadership has created this guide in collaboration with ten nonprofit partner organizations specifically to help business leaders understand the issues and learn how to make an impact. It is no accident that [550 bills have surfaced in 42 states](#) across the United States in 2024 alone. These attacks are a collective effort by certain anti-LGBTQ+ organizations and political strategists to use a vulnerable population to make families and communities afraid of those who are different for political gain.

What is trans?

The term "transgender" refers to a person whose sex assigned at birth (i.e. the sex assigned by a physician, usually based on external genitalia) does not match their gender identity (i.e., one's psychological sense of their gender).

Some people who are transgender will experience "gender dysphoria," a psychological distress that results from an incongruence between one's sex assigned at birth and one's gender identity. Though gender dysphoria often begins in childhood, some people may not experience it until after puberty or [much later](#).

Many transgender people are prescribed hormones by their doctors to bring their bodies into alignment with their gender identity. Some undergo surgery as well. But not all transgender people can or will take those steps, and a transgender identity is not dependent upon physical appearance or [medical procedures](#). Others understand

their identity to be outside the binary of male or female. Many of those individuals identify as gender nonbinary.

Why now?

What is the current situation?

These bills are not new. What is new is their number and their focus on denying basic rights to trans people – particularly trans youth.

Anti-LGBTQ+ laws have long been weaponized by organizations and politicians to create a culture of fear around a nonexistent problem. From anti-sodomy laws that were still in place less than 20 years ago, to the so-called "bathroom bills," most notably in North Carolina in 2016, that sought to create unfounded fear of men wearing women's clothes to gain access and assault women and girls in bathrooms.

Additionally, over [40 bills](#) have been introduced nationwide to restrict or ban drag shows in the last year, which will limit children from viewing harmless performances and put performers out of work. These laws are created due to another unsubstantiated fear – that drag shows negatively influence children by exposing them to adult themes.

Other laws directly place trans youth in danger by limiting access to medical care. Most recently, Florida passed a series of laws that restrict access to medical care for trans people, which includes hormone therapy and surgery, but also mental health services. Many people in Florida and states that have passed similar laws face the decision to either stop treatment or move to a different state.

A similar narrative is now happening with youth sports. There is no evidence that any, let alone large numbers, of cisgender boys are moving to identify as girls to be more competitive or gain an unfair advantage in sports. ACLU spokesperson Gillian Branstetter said in an interview that Save Women's Sports, an organization advocating for banning transgender athletes from competing in girls' sports, only identified five transgender athletes competing in girls' K-12 sports [teams](#). The truth is that transgender children want to live their lives, free from discrimination, and some just want to play sports with their [friends](#).

Trans Demographics

It is becoming more and more common for Americans in every part of the country to know a family member, friend, or colleague who is transgender or nonbinary. Likewise, parents are increasingly learning that their children might have questions about their gender identities.

As acceptance and visibility of trans people have increased, so has the number of people who are likely to feel comfortable or safe enough to acknowledge that they have questions about their gender identity. As society continues to move toward equality, it makes sense that trans youth feel more confident to tell us who they really are.

“ I think transwomen, and transpeople in general, show everyone that you can define what it means to be a man or a woman on your own terms... moving outside of roles and outside of who and what you're supposed to be to live a more authentic life.”

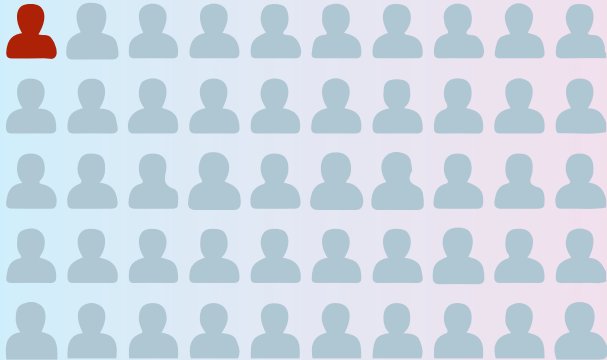
- *Laverne Cox,*
Actress and Activist



The Reality for Trans Folks

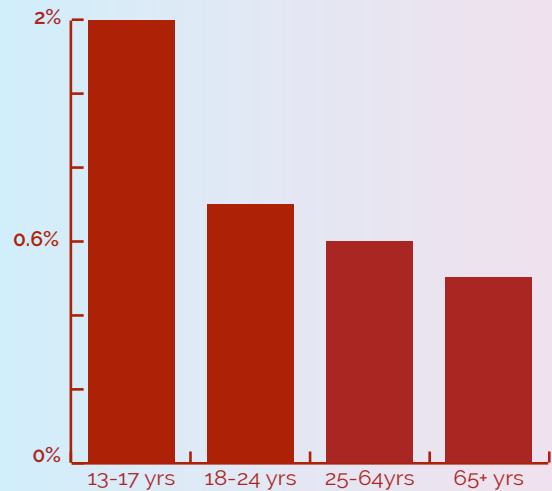
1 in 200 adults identify as transgender

For 13-17 year olds that number goes up to 1 in 50



Source: [The Trevor Project](#)

Percentage of age group identifying as transgender



Source: [The Williams Institute](#)



“With growing trans visibility in the United States, some youth might find it safer to come out and talk about gender exploration.”

*Nic Rider, PHD,
University of Minnesota*

Trans Youth

According to the [Williams Institute](#), more than 500 anti-LGBTQ+ bills were introduced in state legislatures in 2023 – more than half targeted trans youth. Additionally, over 90% of trans youth live in states that have proposed or passed laws [restricting their rights](#).

Restricted healthcare for trans youth: These bills seek to criminalize the provision of best-practice, gender-affirming care (medical procedures, access to hormones, etc.) for transgender and nonbinary youth. In some cases, these bills seek to classify parents who provide gender-affirming care to their children as [child abusers](#).

Anti-trans athlete bills: These bills seek to ban transgender athletes, especially women and girls, from playing on school sports teams that correspond with their gender identity (though some states prohibit all trans youth from participating on teams consistent with their [gender identity](#)).

School-based restrictions: These laws aim to limit or ban the discussion of gender identity in schools, criminalize teachers who don't tell parents if a student shares they are trans or LGBTQ+ more broadly, and/or limit access to books and other content that includes characters or descriptions of trans or nonbinary [individuals](#).

These bills, both when proposed and, especially, when passed, have a direct impact on the mental well-being of trans and nonbinary youth and their families around the country. These bills increase the likelihood that trans youth will face discrimination in schools and limit their ability to obtain or continue receiving life-saving gender-affirming healthcare. As a result, they face stigmatization and social isolation, which contributes to poor mental health outcomes for trans and nonbinary youth. In 2023, The Trevor Project found that nearly two in three LGBTQ+ young people said that their mental health was made worse by hearing about upcoming anti-LGBTQ+ policies and [legislation](#).

But there is hope. . .

The Trevor Project found that transgender and nonbinary youth with access to affirming homes and schools reported lower rates of attempting suicide compared to those who did not. Additionally, transgender and nonbinary young people who are affirmed in their gender identity are consistently less likely to [attempt suicide](#).

Trans Youth Need Our Attention & Advocacy


**More than
1 in 2**

trans and non-binary youth seriously considered suicide in the past year

40%

reported being physically threatened or harmed in their lifetime

1 in 3


trans youth reported being a victim of sexual violence in the past year

27%

trans youth felt unsafe going to school in the previous 30 days

2 in 3


LGBTQ+ Youth named that hearing about new anti LGBTQ+ legislation made their mental health worse

But there is hope...

Transgender and non-binary youth with at least one gender-affirming space had 25% reduced odds of attempting suicide in the past year.

Also Youth whose:

- People in their life respected their pronouns
- had access to gender affirming care
- had affirming spaces in their life

Are less likely to have attempted or considered suicide in the last year.

Allyship has huge impact!

Source: [The Trevor Project](#)

Call Me by My Name

When referring to others, we often use a pronoun based on assumptions about someone's gender identity driven by their appearance or name. These assumptions can be incorrect and harmful.

Using correct pronouns can help create an inclusive environment in which transgender and nonbinary people can feel visible and respected. This signals to all employees an overall inclusive approach to gender identity. Other pronouns, such as Ze/Hir, can also be used and will more likely be added as our language evolves. It is crucial to be aware, listen, and use the terms that people use for themselves.

They/them has been used in the singular, for hundreds of years, with examples from Shakespeare, the Brontë Sisters, and many others.

"There's not a man I meet but doth salute me As if I were their well-acquainted friend" -Shakespeare, Comedy of Errors, 4.3.1-3

What if I make a mistake?

Misgendering a person by using an incorrect pronoun can be harmful, as it can trigger feelings of anxiety, depression, and alienation from society, or expose trans individuals to unsafe situations. The best way to address a mistake is to apologize, correct yourself, and move forward using the correct pronoun.

The National Institutes for Health (NIH) has found that using someone's correct pronouns and name drastically decreases that person's thoughts of suicide, depression, and anxiety – this is especially true for trans [youth](#).

“It’s not our differences that divide us, it’s our inability to recognize, accept and celebrate those differences.”

- Audre Lorde



Defining Gender

Gender identity is not the same thing as sexual orientation. While the diversity of the LGBTQ+ community is inclusive of both gender and sexual orientation diversity, gender identity and sexual orientation are independent identities lived and expressed in different ways.

Cisgender/Cis

Someone who exclusively identifies as their sex assigned at birth. (Note: The term cisgender is not indicative of how someone appears given society's expectations of gender, sexual orientation, hormonal makeup, physical anatomy, or how one is perceived in daily life.)

Gender-fluid

A person who has a changing ("fluid") gender identity and/or presentation, and does not identify with a single fixed gender. This is its own identity, not the lack of one. Gender-fluid individuals may present as feminine, masculine, or androgynous.

Gender Identity

One's internal experience of one's gender (i.e. of being a man, woman, neither, or both). Everyone has a gender identity. For transgender people, their sex assigned at birth and their gender identity are not necessarily the same.

Intersex

A person whose chromosomal, hormonal, and/or anatomical sex characteristics fall outside the conventional classifications of male or female. There are many examples such as Klinefelter Syndrome, Androgen Insensitivity Syndrome, and Congenital Adrenal Hyperplasia. Parents and medical professionals usually coercively assign intersex infants a sex and have, in the past, been medically permitted to perform surgical operations to conform the infant's genitalia to that assignment. This practice is defined by Human Rights Watch as genital mutilation without patient consent and must be stopped. Out Leadership continues to support Human Rights Watch and other organizations in ending this practice. The term intersex is not interchangeable with or a synonym for transgender (although some intersex people do identify as transgender). Experts estimate that up to 1.7% of the global population are born with intersex [traits](#).

Nonbinary

A preferred umbrella term for all genders other than female/male or woman/man, which is used as an adjective. Not all nonbinary people identify as trans and not all trans people identify as nonbinary. Nonbinary can also be used as an umbrella term encompassing identities such as agender, bigender, genderqueer, or gender-fluid. According to Pew, 0.6% of the total US population and 2% of US adults aged 18-29 identify as [nonbinary](#).

Sex assigned at birth

The assignment and classification of people as male, female, or intersex at birth, which is often based on physical anatomy.

Transgender

An umbrella term for people whose gender identity and/or expression is different from the cultural/societal expectations based on the sex they were assigned at birth. An individual being transgender does not imply any specific sexual orientation. Therefore, transgender people may identify as straight, gay, lesbian, bisexual, etc. According to Pew, 1.6% of the total US population and 5.1% of US adults aged 18-29 identify as transgender or [nonbinary](#).

Transsexual

Generally considered an outdated term to be avoided unless asked to use the term by someone who identifies as transsexual. The term indicates a difference between one's gender identity and sex assigned at birth. Transsexual often – though not always – implies hormonal/surgical transition from one binary gender (male or female) to the other. Unlike transgender/trans, transsexual is not an umbrella term, as many transgender people do not identify as transsexual.

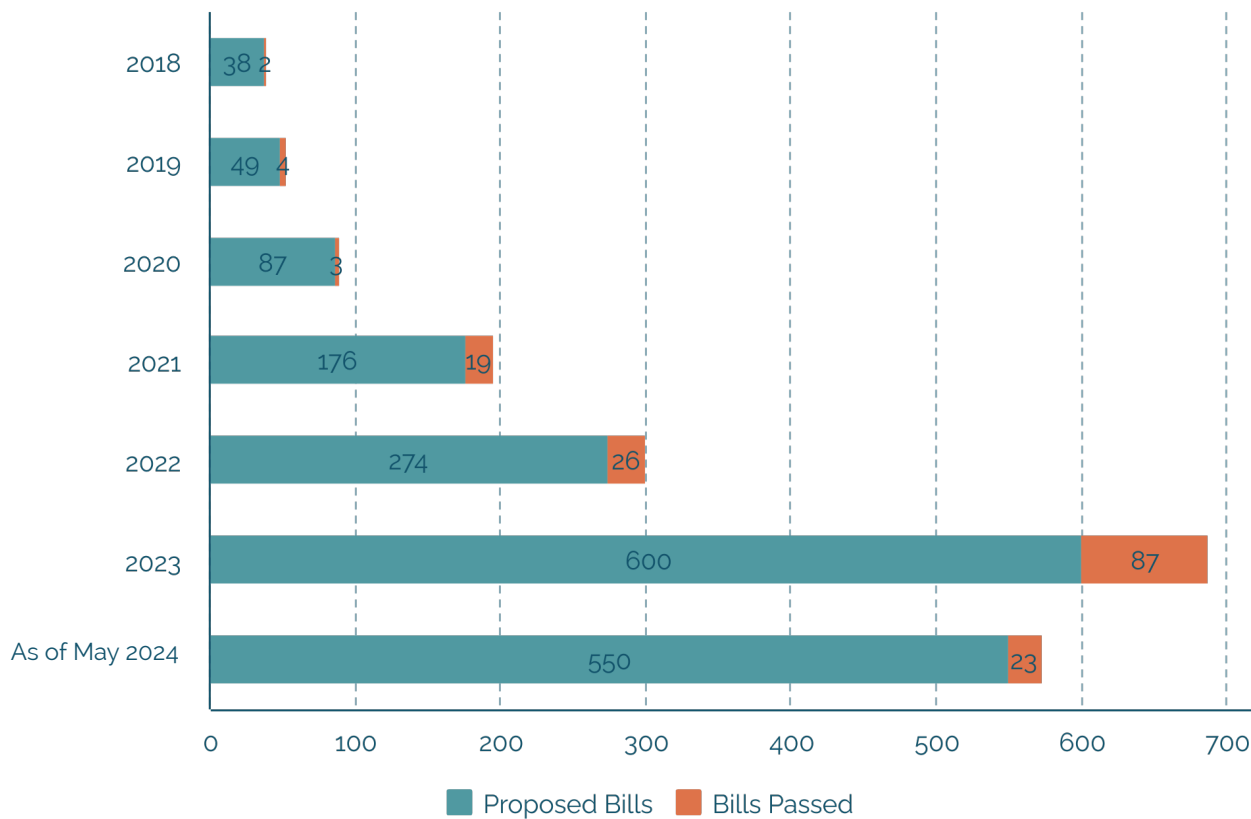
The Anti-LGBTQ+ Legislative Landscape

There have been a record number of bills targeting transgender people in the 2024 legislative session. The status of these bills is being tracked by several organizations. To see an up-to-date list please visit the live ACLU tracker listed [here](#). (Note that these are only state-level bills and do not account for the countless county, board of education, and city policies in regions across the US).

While legislative attacks on trans people (particularly trans youth) are not new, the national escalation of these bills is notable. According to the Trevor Project, "while

proponents of these bills try to give the impression of a national, grassroots movement to "protect women's sports," the truth is these bills are part of a coordinated strategy by anti-LGBTQ+ organizations, including the Alliance Defending Freedom, Family Policy Institute, and Heritage Foundation. They call their campaign "Promise to America's Children," and have set up a website where anti-LGBTQ+ lawmakers can download draft legislation to introduce.

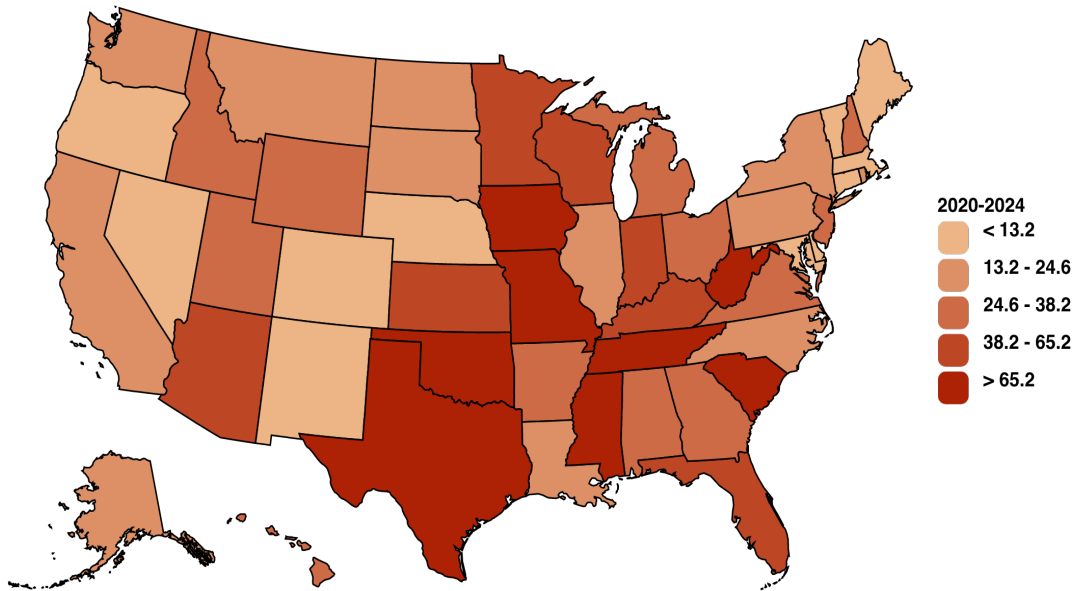
Anti-trans bills since 2018



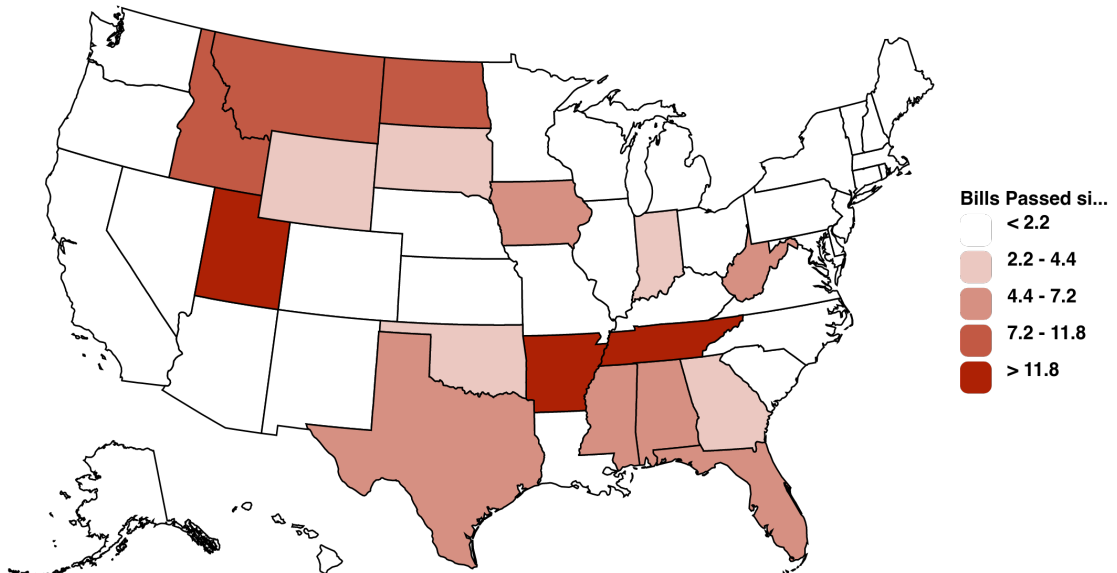
Source: [ACLU](#)

The sharp rise in anti-LGBTQ+ bills being introduced and passed across the U.S. has a negative impact on the mental health, physical safety, and cultural safety for LGBTQ+ people, especially trans people, in those states.

Bills proposed since 2020 attacking the community

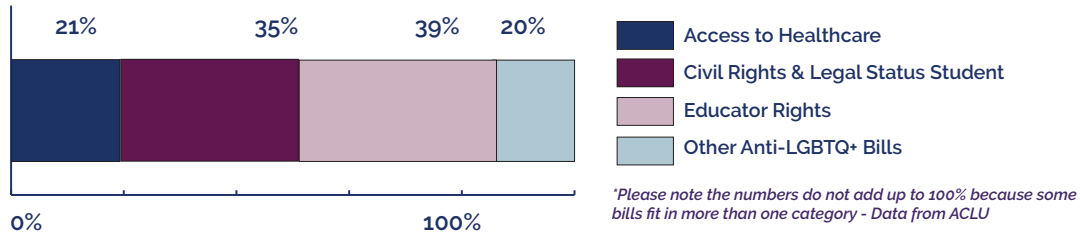


Bills enacted



Maps sourced from [ACLU](#) current and historical data

Bills by focus area*



What do these new bills claim?

Of the more than 550 bills proposed in the current legislative session, the majority fall within three categories:

Medical access for trans youth

Many of the bills aim to make it illegal for trans youth to receive the medical care necessary to support their gender identities and attempt to criminalize health providers and parents for providing gender-affirming care and treatments.

Why is this wrong?

There is consensus among medical organizations and providers (see full list in "What Do Medical Professionals Have to Say?") that transgender adults and youth should have access to appropriate medical care, free from discrimination.

The American Association of Pediatrics (AAP) supports a "gender-affirmative care model" and have previously released a statement strongly opposing the current bills aimed at denying rights and medical care to transgender youth – a stance that was reaffirmed in [2023](#).

From that statement:

"Several state legislatures have introduced bills that would prohibit gender-affirming care for gender-diverse and transgender youth and forbid transgender youth from participating on sports teams according to their gender identity. These bills are dangerous. If left unchallenged, there will be transgender teens in certain zip codes who will be unable to access basic medical care, and pediatricians in certain zip codes who would be criminalized for providing medical care. And, transgender youth would be denied the ability to participate in sports according to their gender identity.

The American Academy of Pediatrics recommends that youth who identify as transgender have access to comprehensive, gender-affirming, and developmentally appropriate health care that is provided in a safe and inclusive clinical space. We also recommend that playing on sports teams helps youth develop self-esteem, correlates positively with overall mental health, and appears to have a protective effect against [suicide](#)."

“I want to make sure that people understand that, behind this national conversation around transgender rights, there are real people who hurt when they’re mocked, who hurt when they’re discriminated against, and who just want to be treated with dignity and respect.”

- Sarah McBride,
Delaware State Senator



What Do Medical Professionals Say?

Organizations that work with youth around the country released a statement strongly supporting the rights of trans youth to receive appropriate health and medical care in a safe and non-discriminatory setting.

"As organizations committed to serving the best interests of all youth, we are deeply alarmed at the torrent of bills introduced in state legislatures around the country this year that would directly harm transgender people, and particularly transgender youth.

These appalling proposals would compromise the safety and well-being of the young people we all have the duty and obligation to support and protect. All of our nation's children deserve equal protection and treatment when accessing health care, and when attending school.

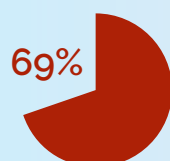
These anti-transgender bills promote discrimination and do harm to students, their families, and their [communities](#)."

Signed by:

American Association of Child and Adolescent Psychiatry
American Association of Colleges for Teacher Education
American Association of School Librarians
American Counseling Association
American Public Health Association
American School Counselor Association
American School Health Association
Association of Title IX Administrators
Child Welfare League of America
Mental Health America
National Association for College Admission Counseling
National Association of School Nurses
National Association of School Psychologists
National Association of Secondary School Principals
National Association of Social Workers
National Education Association
Society of Pediatric Nurses
School Social Work Association of America
Social Work Association of America

Sports and Trans Youth

The Facts:



of **13-17 year olds** play organized sports

+

but only **17%** of trans youth play individual or team sports

=

less than **3 in 1000** U.S. students & no evidence that their participation impacts other students' athletic success

Children just want to play sports with their friends

Source: [Forum on Child and Family Statistics](#)

The majority of bills aimed at trans youth focus on banning trans girls and young women from participating in girls' and women's sports. These bills claim that the physiological differences between males and females hurt cis-gender girls and young women.

Why is this wrong?

There are a number of reasons why this argument is flawed and frames the issue in a way that doesn't take into account the full range of issues and research into trans girls' participation in sports. There is no evidence that trans youth's inclusion in sports negatively impacts other student's access or [success](#).

The NCAA, the national organization that controls collegiate sports in the U.S. believes that transgender people should be allowed to play on teams and in sports that align with their gender identity. Their comprehensive policy paper debunks these claims point by point and shows that the claim of an "unfair competitive advantage" is not accurate and not an [issue](#).

Research has shown that participating in sports promotes positive mental health outcomes for all youth. LGBTQ+ youth who participated in sports reported nearly 20% lower rates of depressive symptoms compared to those who did not, and more than a quarter of transgender and nonbinary youth (27%) who participated in sports reported their grades as being mostly A's compared to 19% [who did not](#).

While some lawmakers seek to make trans youth and sports a big issue, it actually isn't. The number of trans youth trying to compete in sports is very small, and in the cases where trans girls and women are competing, they aren't winning everything, as proponents of the bills seem to believe they would. In a recent study funded by the Olympic committee, they found no consistent or notable advantage for transgender women over [cisgender women](#).

Only 12 trans Division I NCAA athletes play out of hundreds of thousands of athletes (190,000 on average each [year](#)). The prevalence of anti-trans sports bills far exceeds the actual participation of trans athletes in youth sports, demonstrating that lawmakers supporting these bills are propagating a cultural controversy over any pervasive issue.



Debunking Myths

In their unpacking of the conversation around transgender rights, Out Leadership, the Human Rights Campaign (HRC), and the ACLU debunk common myths and misinformation that target the trans and nonbinary [community](#).

Gender Affirming Care

Myth: Surgery is a top priority for all transgender people.

Fact: Medical transitions are completely individual decisions.

Numerous individuals who are transgender receive hormone prescriptions from their healthcare providers to align their bodies with their gender identity. While some also opt for surgical procedures, it's important to note that not every transgender person pursues or is able to pursue these options. One's transgender identity is not contingent upon physical alterations or medical interventions.

According to Shane Snowdon, former Director of Health & Aging at the HRC Foundation, "Whether people have surgeries is totally an individual decision. There's no 'right' way to do a [transition](#)."

Myth: Puberty blockers are 'experimental treatments' or permanent or dangerous.

Fact: Gender-affirming healthcare leads to better health outcomes.

The American Academy of Pediatrics (AAP) advocates for puberty-blocking medications, which are reversible. They're prescribed not only for transgender youth but also for cisgender children with precocious puberty.

Supportive families and affirming medical care contribute to positive health outcomes, facilitating academic success, relationship-building, and future planning. Conversely, family rejection or non-affirming interventions, especially impactful for children of color, lead to stigma and marginalization, linked to high rates of anxiety, depression, suicide, school dropout, poverty, and [violence](#).

“I know from experience with my patients that it can be extremely harmful for a transgender young person to be excluded from the team consistent with their gender identity.”

- Dr Deanna Adkins
Duke University



Participation in Athletics

Myth: The participation of trans athletes hurts cis women.

Fact: Including trans athletes benefits everyone.

This myth invites gender policing of any woman who is deemed “too masculine” or “too good” at their sport and reinforces stereotypes about women being weak and needing protection.

The inclusion of trans athletes promotes values of non-discrimination and inclusion, while banning some girls from sports undermines cohesion and the benefits that are intended to be derived from sports.

As longtime coach and sports policy expert Helen Carroll explains, efforts to exclude subsets of girls from sports “can undermine team unity and also encourage divisiveness by policing who is ‘really’ a girl.”

Furthermore, excluding trans athletes “condones, reinforces, and affirms the transgender students’ social status as outsiders or misfits who deserve the hostility they experience from peers,” as stated by Dr. Adkins of Duke University.

Myth: Gender is identifiable through singular biological characteristics at birth and is binary.

Fact: Trans girls are girls. Trans boys are boys.

There is no one way for women’s bodies to be. All women, including trans women and intersex women, have a range of physical characteristics.

“A person’s sex is made up of multiple biological characteristics and they may not all align as typically male or female in a given person,” says Dr. Safer of Icahn School of Medicine at Mount Sinai.

Many people who are not trans can have hormone levels outside of the range considered typical of a cis person of their assigned sex. As some organizations push for testosterone-level testing for female athletes, experts are united that this is both unnecessary and inaccurate. A 2024 study financed by the International Olympic Committee found that “transgender female athletes showed greater handgrip strength — an indicator of overall muscle strength — but lower jumping ability, lung function and

relative cardiovascular fitness compared with women whose gender was assigned female at birth.” As such, “precautionary bans and sport eligibility exclusions” that assume transgender athletes have a disproportionate advantage on women’s sports teams are not based on sport-specific [research](#).

“Men usually have higher levels of testosterone in the blood than women, but not always, since hormone levels in the blood depend on a lot of different factors such as age, health conditions, other medications, menstrual cycle, and stress,”

- Dr. Sheree Bekker, an applied health scientist at the University of Bath.

Myth: Trans athletes’ physiological characteristics provide an unfair advantage over cis athletes.

Fact: Trans athletes do not have an unfair advantage in sports.

In fact, the opposite is true. Trans people undergo social and physical transitions to align their gender identity with their gender presentation. Any participation in sports thereafter is ancillary.

Trans people exist due to natural phenomena and their transness is an innate characteristic of their [physiology](#). In this way, transness can be viewed as just one of the very natural variation amongst humans that make athletic competitions interesting -- not unlike the length of an athlete’s arms, her ability to tolerate pain, or their sense of fearlessness.

The complaints about these two trans athletes (out of the thousands who are competing) omit the overwhelming majority of trans youth who have not outperformed their cisgender peers and therefore have experienced what might be construed as an unfair advantage in any measurable capacity.

Trans Visibility and Occupying Space

Myth: Identifying as trans is a new phenomenon.

Fact: Trans people have always existed.

Transgender identities have existed throughout history and across various cultures. Historical records and cultural artifacts dating back centuries depict individuals who defied traditional gender norms and roles.

Moreover, contemporary medical and psychological understandings of gender identity have evolved over time, leading to greater recognition and acceptance of transgender individuals. The recent visibility of transgender people in mainstream media and advocacy efforts has also contributed to a broader awareness of transgender identities.

Myth: "Bad actors" will take advantage of laws that allow transgender people to use restrooms and other spaces consistent with their gender identity to prey on women.

Fact: There is no evidence suggesting that allowing transgender people to utilize spaces consistent with their gender identity poses a safety risk.

For decades, transgender individuals have used facilities corresponding to their gender identity without incident, supported by laws in 21 states and over 170 cities/counties prohibiting gender identity discrimination in various domains. Evidence disproves safety concerns associated with these laws, endorsed by over 300 domestic violence and sexual assault prevention organizations advocating for transgender inclusion.

Opponents' unfounded safety arguments echo past stereotypes used against gay and Black communities, illustrating a troubling pattern of recycled falsehoods targeting marginalized groups, now directed at transgender [individuals](#).

Existing laws against assault and harassment already protect women, children, or other vulnerable people from inappropriate behavior, regardless of the gender identity of the perpetrator.

Myth: Trans rights will lead to people pretending to be women to gain a "diversity advantage."

Fact: Diversity initiatives foster inclusive environments that benefit everyone.

Transgender individuals often confront significant discrimination and barriers in various aspects of life, and openly identifying as transgender can expose them to social stigma and prejudice. The idea that someone would exploit transgender identity for perceived benefits

overlooks the genuine risks and struggles experienced by transgender individuals.

Workplace and academic diversity initiatives aim to foster inclusive environments that value individuals from diverse backgrounds, including gender identity. These efforts are not about providing special treatment but rather promoting equality and representation. False claims of transgender identity for personal gain undermine the integrity of diversity initiatives and perpetuate harmful stereotypes about transgender individuals. Promoting understanding and support for transgender rights is crucial for creating a more inclusive and equitable society for all.

Furthermore, our legal system already prohibits any attempt by a cisgender person to deceptively obtain opportunities afforded to the opposite sex by posing as a trans person – such deceit is simply fraud. Like most rights available in the United States – such as the right to marry, to vote, to seek asylum, or to engage in commerce – we do not outlaw the privileges of those processes simply because we are concerned some bad actors may fraudulently abuse those rights.

The same is true for the right of trans people to live freely and openly as themselves.

Myth: Exposure to drag queens is confusing and harmful to children.

Fact: Drag queen performances foster inclusivity and acceptance.

Drag performance is an art form celebrated in various cultures and entertainment scenes, often showcasing creativity and diversity. These performances are not inherently harmful to children; in fact, they can be educational and promote acceptance of different identities and expressions.

Critics of drag queens performing for children often raise concerns about inappropriate content or the impact on children's development.

These claims are ahistorical and unfounded. From the amphitheaters of ancient Greece to the stages of Shakespeare, men have been dressing as women for benign purposes for millennia. In the modern era, drag performances have drawn near-universal acclaim in cultural classics like *Mrs. Doubtfire* and *The Birdcage* and in beloved characters such as Tyler Perry's *Madea* and Paul O'Grady's *Lily Savage*. RuPaul's *Drag Race*, the eponymous TV show of perhaps the most famous drag queen in the world, has won a record-setting 24 Primetime Emmy Awards.

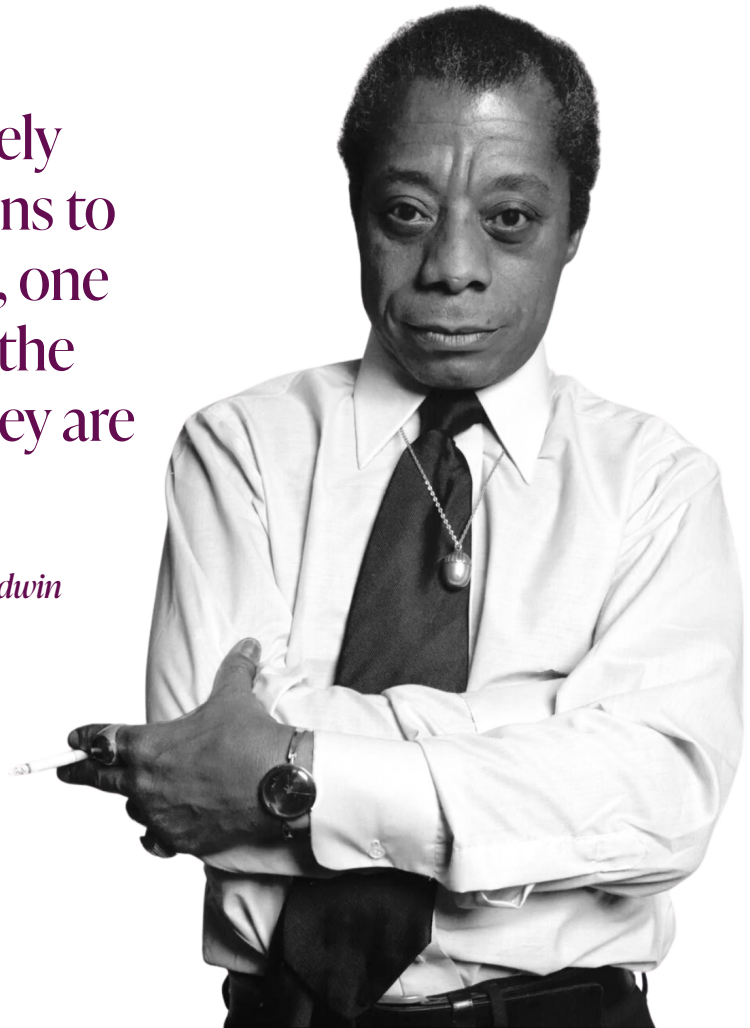
Just like movies or video games, the suitability of any specific drag performance for children varies on the content of the performance, the maturity of the child, and the personal preferences of the family. Drag queen story hours, for example, typically involve age-appropriate storytelling and messages of inclusivity and acceptance. These events can provide children with exposure to diversity and help foster empathy and understanding.

Furthermore – drag by its very definition – generally requires a basic level of modesty from its performers not found in aesthetically similar forms of entertainment like burlesque or even the theatre.

As politicians do not levy the same level of scrutiny on movies, television, music, or video games shown to children, it is evident that concerns with drag are not related to its content but are the result of its association with the LGBTQ+ community.

“The paradox of education is precisely this – that one begins to become conscious, one begins to examine the society in which they are being educated.”

- James Baldwin



Timeline of Major Trans and LGBTQ+ Court Cases

<p>1977</p> <p>Transgender woman wins right to compete in women's tennis competition</p>	<p>1993</p> <p>Don't Ask Don't Tell policy issued, allowing LGBTQ+ people to serve in the military as long as they hide their identities</p>
<p>1997</p> <p>Brandon Teena murdered. Family allowed to sue police for "atrocious" conduct</p>	<p>2011</p> <p>Federal appeals court ruled that the firing of a transgender woman was unconstitutional</p>
<p>2012</p> <p>Anti-transgender discrimination found to be a type of sex discrimination and therefore illegal under Title VII of the Civil Rights Act of 1964 — a decision that set a standard for the agency across the country and in other litigation</p>	<p>2015</p> <p>U.S. Supreme Court grants same-sex marriage rights</p>
<p>2018</p> <p>Trump attempts to ban transgender people from serving in the military</p>	<p>2018</p> <p>Courts find transgender military ban to likely be unconstitutional and ordered that it not be allowed to go into effect</p>
<p>2019</p> <p>A revised version of the transgender military ban is approved and goes into effect</p>	<p>2020</p> <p>U.S. Supreme Court finds that transgender people cannot be fired for being transgender</p>
<p>2021</p> <p>Over 130 anti-trans bills proposed in state legislatures across the U.S.</p>	<p>2023</p> <p>A record 500 anti-LGBTQ+ bills proposed in state legislatures across the U.S., seeking to impact access to healthcare, student athletics, the military, incarceration, and education</p>
<p>2024</p> <p>U.S. Supreme Court considers two major cases on the constitutionality of gender-affirming care for transgender people under 18 and the participation of transgender girls in youth sports teams</p>	

Corporate Commitment to Equality

In 2018, Out Leadership convened more than 300 companies and 11 nonprofit partners to sign the Business Statement for Transgender Equality which was the first time that the private sector had collectively and publicly supported the rights of trans people.

The companies that signed the statement represented almost 5 million employees in the U.S.; generated a collective annual revenue of more than \$2.4 trillion; and drew from a broad range of industries, including financial services, consumer products, and technology.

[The Business Statement for Transgender Equality](#) was launched on November 2, 2018, at Nasdaq, bringing the conversation around equality for trans people to the forefront of the corporate world for the first time.

The continuing attacks on transgender people, especially transgender youth, underscores the importance of an ongoing commitment from the business community to fight unjust laws and policies that specifically target these already marginalized groups.

If your company has yet to sign this commitment, email info@outleadership.com to become a signatory.

BUSINESS STATEMENT FOR TRANSGENDER EQUALITY LAUNCHED - NOV 2, 2018

Responding to a rising tide of legislative and administrative attempts to further marginalize transgender, gender non-conforming, and intersex people we are continuing to commit to leveraging the power of the private sector to furthering human rights.

We, Out Leadership and all of the organizations who have contributed to this guide, stand with the millions of people in America who identify as transgender, gender nonbinary, or intersex, and call for all such people to be treated with the respect and dignity everyone deserves.

We oppose any administrative and legislative efforts to erase transgender protections through reinterpretation of existing laws and regulations. We also fundamentally oppose any policy or regulation that violates the privacy rights of those that identify as transgender, gender nonbinary, or intersex.

In the last two decades, dozens of federal courts have affirmed the rights and identities of transgender people. Cognizant of growing medical and scientific consensus, courts have

recognized that policies that force people into a binary gender definition determined by birth anatomy fail to reflect the complex realities of gender identity and human biology.

Recognizing that diversity and inclusion are good for business, and that discrimination imposes enormous productivity costs (and exerts undue burdens), hundreds of companies, including the undersigned, have continued to expand inclusion for transgender people across corporate America. Currently, more than 80 percent of the Fortune 500 have clear gender identity [protections](#); two-thirds have transgender-inclusive healthcare [coverage](#); hundreds have LGBTQ+ and Allies business resource groups and internal training efforts.

Transgender people are our beloved family members and friends, and our valued team members. What harms transgender people harms our companies.

We call for respect and transparency in policy-making and for equality under the law for transgender people.

Out Leadership & Our Partner Organizations Convened 330 Companies to Support Transgender Rights

143Social	Equitas Health Institute	Photography	SmithGroup, Inc.
Accenture	Ernst & Young LLP	Marsh	Solstice
ADP	Eversheds Sutherland (US) LLP	Measure + Fit	Splendid Colors
ADP France	Experian	Mediadata Solutions	Storganise Ltd
Agilian	Experiential Everything	Medidata Solutions	SYNAXIS Meetings & Events, Inc.
Airbnb	EY	mello bel	Table XI
All Good Dog Food	FCB	Merlin Entertainments	Telstra
Amazon	Fifth Third Bank	Michigan Aerospace Corporation	Tesla Inc.
Aspen Skiing Company	Five Stride Skate Shop	MINDBODY, Inc.	The Brave Heart
athenahealth, Inc	Fox Grove Homes, LLC	monroe.com	Foundation of Pittsburgh
Atthis Arts	Freshfields Bruckhaus Deringer	Morgane Oger Foundation	The Personal Stories Project
Bain & Company	FullContact	Nasty Pig	The Transgender
Ballard Spahr LLP	Funders for LGBTQ Issues	National Diversity Council	Resource Center of Long Island
Bayer	Gender Confirmation	Newsela	The Weekly Issue/EL
Bell Ripper PLLC	GitLab	NJDOT	Semanario Inc.
Belly Girl Films, Inc.	GoDaddy	Nuance	ThoughtWorks
Big Cartel	Gleason Chiropractic	OHSU	Transformation Journeys
Bloomberg LP	Greater Seattle Business Association	OppenheimerFunds, Inc.	Worldwide
BNP Paribas	Hawaii Health & Harm Reduction Health	Oracle	Transgender Network
Booz Allen Hamilton	Heart and Soul Counseling	Out in Tech	Switzerland (TGNS)
BumbleApps	Heather Marie Photographs	Portland LGBTQ Chamber of Commerce	Transgender Veterans Support Group-Virginia
Cargill	HP	Peace on the Prairie	Treehouse
Chelsea Animal Hospital	iHug	Progressive Insurance	Trillium Creative Solutions
Ciesablend	Innocenti Jones PLLC	Provincetown Magazine	TVision Insights
Cision	Interana, Inc	PSFK	Under 1 Sky Village Foundation
Cloudreach	Intersport Group	Pure	Wells Fargo
Clutch	Jellyvision	Purism, SPC	Western Digital
CNA Financial Corporation	Johnson & Johnson	PwC	Wilbanks Partners LLC
Cohere	Juniper Networks	PwC LLP	Williams Business Services LLC
Compost Queens LLC	Karma+	Relay Resources	windata GmbH & Co.KG
Deloitte	Kua'ana Project	Rep Cap	Wonderful and Wild
Deutsche Gesellschaft	Levi Strauss & Co	Riot Games	Workshop 3D
Digital Impact & Domino's	LGBT Great	S&P Global	Yelp, Inc.
Easy Expunctions	Liberty Pediatrics PLLC	SellMax	Zynga
Ecolab, Inc.	Life Transitions	Shire	
EcoPlanet		Siemens	
Edelman		Slalom	
EJP Events LLC			
Elastic			
Epicodus			
Equality Institute			

Is your company a signatory?

The Business Case for Equality

The business community has long known that discrimination is bad for business, which is why business continues to be a driving force for equality.

With the increasing size of the LGBTQ+ marketplace and what Out Leadership has coined "The Ally Marketplace," there is strong demand from stakeholders for organizations to show their values through advocacy on a variety of social issues, including [trans rights](#). (Read more about the Ally Marketplace in our research [AllyUP](#))

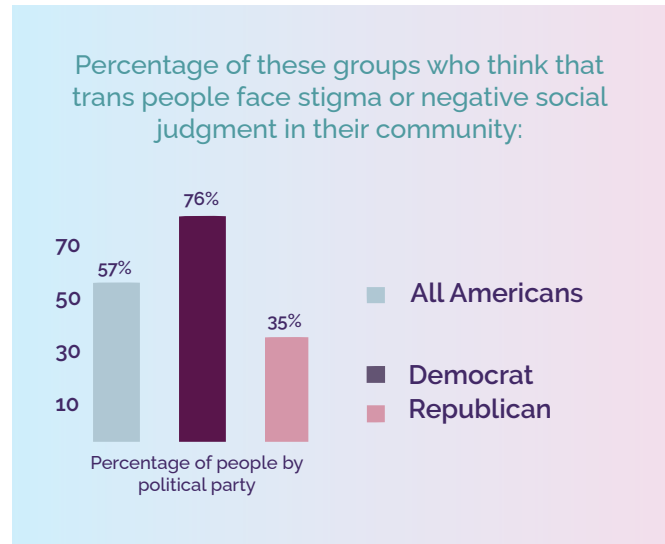
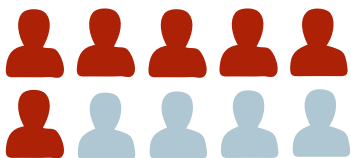


Why diversity and inclusion are good for business:

- Recruit and retain top talent in a competitive market
- Generate innovative ideas by drawing on a greater breadth of perspectives, characteristics, and lived experiences
- Attract and better serve a diverse customer base
- Increase productivity among employees who experience their workplace as a place where they are valued and respected.

The evolution of trans acceptance and inclusion:

Similar to the broader acceptance of LGBTQ+ equality in society, views towards equality for transgender people have also shifted rapidly, with six in ten Americans saying that they are more supportive of transgender rights now than [five years ago](#).



Source: [Pew Research Center](#)

The onslaught of anti-transgender bills being proposed contradicts recent polling that shows that a majority of Americans support transgender rights, with 64% of Americans saying they favor or strongly favor protecting trans people from discrimination in jobs, housing, and public spaces according to [the Pew Research center](#).

Given that consumers are increasingly caring about transgender equality, it's imperative that organizations take steps to ensure they are supporting their staff, having reflective internal policies, and communicating their support in the community at large.

What You and Your Company Can Do:

We call on you to use the power of your voice as a business leader to oppose any administrative and legislative efforts to erase transgender protections through the introduction of new legislation or the reinterpretation of existing laws and regulations. We also fundamentally oppose any policy or regulation that violates the privacy rights of those that identify as transgender, gender nonbinary, or intersex.

1. Create visibility:

- A. Uplift the **voices** of transgender people within your organization
- B. Encourage **company leadership** to be visible and vocal allies
- C. Ensure that **signage**, titles, policy language and physical spaces (e.g. bathrooms, gyms) are inclusive and safe for transgender and nonbinary employees

2. Educate:

- A. Educate yourself and others within your organization through **training** programs and discussion
- B. Model **inclusive language**, greetings and pronoun use and give employees the tools and education to do the same

3. Advocate:

- A. Use your **economic power** to advocate for trans rights in places you do business
- B. Find **local organizations** to partner with to uplift the stories and voices of trans youth and families

Action Steps

- ✓ Sign the Out Leadership Business Statement for Transgender Equality
- ✓ Sign the Business Statement on Anti-LGBTQ State Legislation from Out Leadership partners HRC and Freedom for All Americans
- ✓ Ask your state business coalitions to draft letters opposing specific pieces of legislation
- ✓ Deploy your government relations teams to oppose these anti-trans bills. Ask them to communicate directly with lawmakers and governors. Stop contributions or threaten to stop contributions to lawmakers who support these anti-trans bills.
- ✓ Contemplate business decisions that reflect your values, including not hosting conferences or events in states where these laws pass and making those decisions known

What You and Your Company Can Do:

Being an Active Ally to Trans Colleagues

- **Normalize Pronoun Sharing:** When introducing yourself, mention your pronouns and offer that others share their pronouns if they are comfortable doing so. This fosters a safe space and demonstrates support for the trans community.
- **Respect Preferred Pronouns:** If you use someone's incorrect pronouns, simply correct yourself and move forward. Also be sure that you use someone's preferred pronouns even when they are not present.
- **Respect Privacy:** Refrain from outing someone as trans without their consent. Respecting their privacy is vital for their safety and well-being.
- **Avoid Invasive Questions:** Do not ask about someone's dead name or genitalia, as these are personal and intrusive inquiries.
- **Include Trans Voices:** Ensure trans individuals are included in conversations about the LGBTQ+ community. Intersectionality matters.
- **Condemn Transphobia:** Speak out against transphobia and support trans individuals in uncomfortable situations. Silence condones discrimination.
- **Offer Gentle Reminders:** If someone misgenders a colleague, kindly remind them of the correct pronouns without making it a big deal. Compassion and gentle correction can be powerful tools.

“In this climate, we need a community of trailblazing leaders and a network of influential allies to secure our standing and fight for even greater inclusion.”

- Mila Jam,
Senior Adviser for
Trans Initiatives,
Out Leadership,
Recording Artist



Resources from Out Leadership's Partners

GenderCool

[Resources for parents/guardians/relatives of transgender and nonbinary children](#)

GLAAD

[Accelerating Acceptance 2023](#)

GLSEN

[Supporting Trans and GNC Students](#)

Human Rights Campaign (HRC)

[Equality Rising: LGBTQ+ Workers and the Road Ahead](#)
[Gender Diversity in the Workplace: A Transgender & Non-binary Toolkit for Employers](#)

Lambda Legal

[Defending Transgender and Nonbinary Rights: Discriminatory Laws and What You Can Do](#)

NYU School of Law

[Trans Inclusion at a Time of Backlash](#)

PFLAG

[Transgender Resources](#)

The Trevor Project

[2023 U.S. National Survey on the Mental Health of LGBTQ Young People](#)

Trans New York

[Transgender Non-Conforming \(TGNC\) Corporate Training](#)

Transgender Law Center

[Regional Reports: The Roots of Anti-Trans Violence](#)

U.S. Trans Survey

[2022 U.S. Trans Survey](#)

Williams Institute

[How Many Adults and Youth Identify as Transgender in the United States?](#)

[Prevalence of Substance Use and Mental Health Problems among Transgender and Cisgender US Adults](#)

[Prohibiting Gender-Affirming Medical Care for Youth](#)

[States Have Become More Polarized on Transgender Civil Rights](#)

[The Impact of 2023 Legislation on Transgender Youth](#)



Out Leadership Research

This piece of research is one of many published by Out Leadership. To learn more, here are resources that exist for you and your company to drive Return on Equality™:

Board Diversity

Out Leadership has created and led the global conversation around LGBTQ+ inclusion on corporate boards. We convene senior leaders, provide tools, resources and research for leaders to drive change in LGBTQ+ representation & disclosure on boards, and to amplify the need for dramatically increased board-level diversity.



Allyship

Allyship amongst business leaders has an enormous role to play in LGBTQ+ inclusion. Out Leadership has led the way in cultivating visible allies at all levels of businesses, and providing resources to companies proving the value and power of allyship.



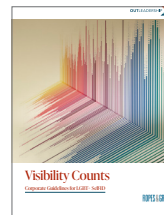
Next Gen Talent

Attracting and retaining talent is one of the most important problems facing companies today. Companies that focus on LGBTQ+ inclusion are better placed to attract talent than those that are not. It's a competitive advantage every company should explore.



Self-ID

Creating an inclusive working environment starts with understanding your company's LGBTQ+ community. Self-ID is a new way to recognize and celebrate diversity, and create a valuable data set companies can use to guide talent development, increase productivity, and prove to clients that they're being served by inclusive teams.



Gender Equality

Globally, women and nonbinary leaders are less visible, less connected, and less supported than men. The transgender community especially faces unique challenges. Out Leadership connects, celebrates, and elevates women and nonbinary business leaders, and equips companies with comprehensive toolkits to advocate for gender equality.



Out Leadership Research

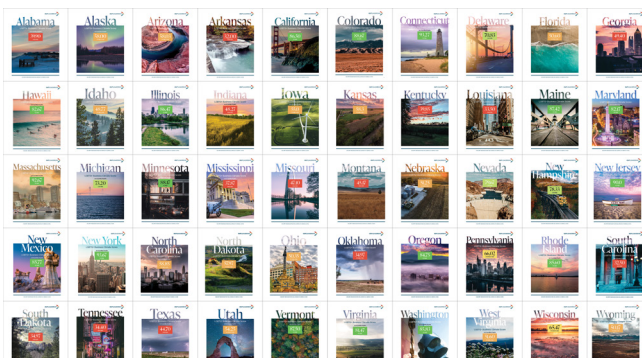
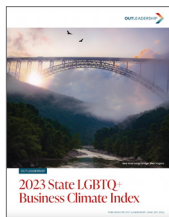
Policy Best Practices

Out Leadership has crafted policies and tools that companies can use to drive LGBTQ+ equality and actionable change, ranging from OL-iQ, the world's first global LGBTQ+ inclusion Self-iD diagnostic tool, to guidelines for LGBTQ+ inclusion on corporate boards, to how to make the trans community feel seen and included.



State LGBTQ+ Business Climate index

Business leaders must understand the state of LGBTQ+ equality in every place they do business. Out Leadership's US State CEO Briefs, and Business Climate Index are essential tools to help business leaders understand the climate for LGBTQ+ individuals in every US State.



Global CEO Business Briefs

These 25 country CEO briefs ensure that business leaders are aware of the laws and other regulations that impact LGBTQ+ people in country, so leaders can make informed decisions about doing business there.



Harvard Business Review

Published in May 2024 in Harvard Business Review, Out Leadership Founder & CEO Todd Sears joined Dr. Sylvia Ann Hewlett to advocate: "Why Companies Must Recommit to the Fight for LGBTQ+ Rights".



Project Team

Todd Sears	Founder & CEO
Marco Martinot	Chief Growth & Financial Officer
Jane Barry-Moran	Managing Director, Programs & Research
Michael Paterson	Managing Director, Marketing, Communications, & Creative
Cameron Wu	Manager, Programs & Research
Leo Scheck	Manager, Digital Media & Communications

Special Thanks to the Teams at:

GenderCool
Glaad
Glsen
HRC
Lambda Legal
PFLAG
National Center for Transgender Equality
Transgender Law Center
TransNewYork
The Trevor Project
Williams Institute

Disclaimer:

Out Leadership has made all efforts to ensure that the information contained within this guide is accurate and up to date as of May 22, 2024. This guide is provided for educational and informational purposes only, and should not be construed as legal advice. The information is not guaranteed to be correct, complete or current. If you would like to suggest an edit to this guide, please contact info@outleadership.com.

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