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Transgender and their Workplace Discrimination

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ABSTRACT

Transgender people still experience a great deal of prejudice in the workplace, even in spite of increased awareness and legal protections. Discrimination can occur in a variety of ways, including as unjust termination, unequal compensation, and harassment. Such prejudice can have serious repercussions, including increased rates of substance misuse, mental health problems, and suicide among transgender people. The present condition of transgender workplace discrimination is reviewed in this paper, along with its prevalence, effects, and legal frameworks. Additionally, it emphasizes the significance of establishing welcoming environments that recognize and support transgender workers and offers suggestions on how businesses can combat discrimination and advance equality.

Keywords: *Transgender, Discrimination and Job opportunities.*

Due to genetic changes, humans are born with the classifications of male and female. However, there is a third gender known as transgender, which is defined as someone who does not fit into either of the two sexes. Transgender people may experience natural changes in their appearance or behavior. They may also face challenges such as unemployment, physical or mental abuse, social inequality, etc.

(A) Objectives

- To investigate transgender people's experiences at work.
- To determine the obstacles and difficulties transgender people encounter at work
- To investigate how prejudice affects mental health and overall wellbeing.

(B) Definition

People who identify as transgender are defined as having a gender other than the one that was assigned to them at birth; transgender people, which includes transmen, transwomen, and people with intersex variants, are also known as cross-gender people. In summary, "trans" refers to someone who is transgender and serves as a blanket to bring people of all genders together.

The term "transgender" was first used in the middle of the 20th century. The term

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transgenderism was first used by Columbia University psychologist John F. Oliven in his reference book *Sexual Hygiene and Pathology* in 1965. The term "transgenderism" were first used by Christine Jørgensen and Virginia Prince. Harry Benjamin, an endocrinologist who pioneered sex reassignment surgery, was another authority on the subject. Christine Jørgensen is the most well-known person to have undergone sex reassignment surgery; she was a fervent supporter of transgender people's rights.

Employment, healthcare, and education are just a few of the privileges that transgender persons have the Indian Constitution's Articles 14, 15, 16, and 21 guarantee equal rights and protection to transgender people.

Though there are laws to protect them and laws to prevent gender-based discrimination, such as the Transgender Protection Act of 2019, which has the primary goals of protecting their rights and providing welfare measures, transgender people frequently face many challenges in the workplace and when trying to obtain job opportunities.

There are rules against gender-based discrimination in the workplace in several states and municipalities. It is illegal to terminate or refuse to hire someone based alone on their gender, and neither a government nor a private company would refuse to hire transgender people.

Due to gender-based discrimination, many transgender people have changed careers. Those who remain in the workforce frequently earn less than their cisgender counterparts, making it difficult for them to make ends meet. In addition, they frequently face harassment from coworkers, managers, and other employees. According to research, 50% of transgender people reported experiencing harassment or violence at work, and 75% of them reported experiencing prejudice. The prevalence of mental health problems is significantly higher among individuals who experienced job discrimination.

The effects of discrimination

- Effects on mental health (such as rates of anxiety, depression, and suicide).
- The financial fallout (such as unemployment and poverty).
- Social repercussions (such as social exclusion and a lack of support).

The National Transgender Portal: The Ministry of Social Justice and Empowerment is a nationwide platform that offers transgender certificates or identification cards to help people identify themselves in society. It also explains how to apply for these documents online from any location in India.

If any transgender individuals submit this application, the district authorities must provide a

certificate to them within 30 days of the application being received.

National Legal Service Authority vs Union of India: It is one of the landmark Judgement, in this case transgenders are declared as third gender and they are entitled to receive all rights which are provided under the constitution of India.

Employers must implement policies and procedures to help transgender employees in order to create a safe workplace. Transgender job discrimination is a serious issue that affects the well-being and career advancement of transgender individuals.

REFERENCES

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