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# Gender Impeded: The Lived Experiences of Transgenders at The Workplace

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#### Abstract

This article examines the lived experiences of Malaysian transgender persons at the workplace. Drawing on focus group discussions with transgenders working in a broad range of sectors in Malaysia, we illustrate the challenges they face in relation to discrimination and lack of inclusiveness at work. Discrimination at work can take several forms. Ozereen (2014) states that it can be formal and/or interpersonal. Contrary to previous reports, we find that transgender persons are accepted in Malaysian organisations to some extent. The 'assumption' therefore fundamentally affects the chances of LGBT persons getting hired, as well as their chances for career progression (Mize 2016). In continuation, we find that they remain subjected to specific forms of discriminatory practices and continue to experience a climate non-inclusiveness which fundamentally impede the full expression of their chosen gender identity at the workplace. However, in the case of Malaysia, there is no recognition of transgender at the workplace as regards their chosen gender identity. Transgender remain categorised as per their gender assigned at birth. This is only to be expected since organisations operating in Malaysia are subjected to and bound by the nation's laws and regulations. Therefore, unless the nation's laws are amended to recognise a third gender, or in allowing individuals to change their gender, there will not be any changes in terms of gender recognition at the workplace.

Keywords: Transgender Employment, Doing Gender, Gender Performativity, Discrimination, Inclusiveness, Malaysia Organisations

#### **INTRODUCTION**

In recent years, Hollywood celebrities, models and activists have come out as transgender (Rossi 2020). While in 2018, the lingerie brand Victoria's Secret faced backlash from community leaders and consumers alike for refusing to hire transgender persons as their fashion models (Real 2018). These instances may give the impression that transgenders are now increasingly accepted, but that is not the case. In general transgender persons are still stigmatised and continue to face challenges in integrating into mainstream society (Mize 2016). It is said that bias against sexual minorities - such as transgender persons - is one of the last frontiers in unravelling prejudices in our modern society (Ozeren 2014). One domain where these prejudices have a significant impact on the lives of transgenders is employment. The right to employment is so fundamental that it is enshrined in the Universal Declaration of Human Rights 1948 (UDHR). Article 23 of UDHR mandates just and favourable conditions of work, without any discrimination and equal pay for each and every individual (UN 1948). Aside from the obvious pecuniary benefits, employment can potentially boost mental and emotional well-being of a person as well (Waters and Moore 2002; Gardner et al. 2015). This latter aspect of employment is particularly salient for transgender persons, as they are found to suffer from higher than average levels of anxiety due to a low self-esteem (Bouman et al. 2017). Nonetheless, workplace discrimination against transgender persons remains pervasive in many parts of the world (ILO 2015). Much information and insight is required to implement policies and practices that would produce better labour market outcomes for this marginalised group (King and Cortina 2010). However, the academic literature pertaining to transgenders in work and organisational settings is still in its nascent stages (Li et al. 2020; Thanem and Wallenberg 2016). The

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dearth of insights is even more striking in the context of Asian countries such as Malaysia (Equal Rights Trust and Tenaganita 2012). Where societal norms are still very much steeped in Abrahamic traditions (Malaysia is a predominantly Muslim country) that dictate a strict non-negotiable male/female gender binary as being heavenly ordained, effectively rendering discourse on transgenders taboo.

In view of the above, this study sets out the explore the lived experiences of Malaysian transgenders in the workplace. Here we use the term 'transgender' to mean "anyone who does not feel comfortable in the gender role they were attributed at birth, or who has a gender identity at odds with the labels 'man' or 'woman' credited to them by formal authorities" (Jeanes and Janes 2021). We further adopt the term 'transgender' as an umbrella term that encompasses individuals who may identify as 'transexuals', 'transvestites' and 'gender-queers'. By way of focus group discussions with transgender persons employed in locally-owned as well as multinational firms operating in Malaysia, we explore and attempt to understand the challenges that transgender persons experience at work. In particular we seek to illustrate issues concerning work related discrimination that the participants experience and issues concerning their perception of inclusivity at the workplace.

In doing so, we are informed by the 'doing gender' (West and Zimmerman 1987) and 'gender performativity' (Butler 1990) approaches to gender. According to Brickell (2003) these two approaches have long been used in combination in gender studies. Both the doing gender and gender performativity approaches are similar inasmuch as they posit that gender is a social - rather than biological or anatomical - construct. According to West and Zimmerman 'gender' is constructed through psychological, cultural and social means (1987). Therefore, 'doing gender' is to engage in behaviour at the risk of gender assessment by others. In doing gender, the individual transforms "an ascribed status, to an achieved status, moving masculinity and femininity from natural, essential properties of individuals to interactional, social properties of a system of relationship" (West and Zimmerman 2009, 114). Butler (1990) also argues that gender is an achieved status. Only she conceptualises gender as a performance in relation to others and which is achieved through the repetition and enactment of these activities. These 'performed acts' are then given meaning by social norms, as to the constitution of gender. In Butler's view, only "bodily gestures, movements and styles constitute the illusion of an abiding gendered self"; other than that gender has no ontological status (Lloyd 1999).

Drawing on the data gathered from our focus group discussions, we present the lived experiences of Malaysian transgenders working in several different industries. Overall, we find that although transgenders are tolerated – and in some cases even accepted - in the workforce for who they are, they are still subject to specific forms of discriminatory practices and endure a climate of non-inclusiveness which fundamentally impede the expression of their chosen gender identities at the workplace.

### Discrimination And Inclusiveness at The Workplace

In view of globalisation and increasing levels of migration, the interest on how best to manage workforce diversity in organisations continues to grow (Podsiadlowski et al. 2013; Dwertmann, Nishii, and van Knippenberg 2016). Typically, diversity is conceptualised as referring to differences between individuals on any attribute that may lead to the perception that another person is different from self (Van Knippenberg and Schippers 2007). On a more granular level however, diversity can be distinguished between surface-level and deep-level characteristics (Hebl and Avery 2013). Surface-level characteristics are those that are apparent, such as race, gender, and age. As is expected, surface-level characteristics are deduced rather easily and accurately. On the other hand, deep-level characteristics such as attitudes, opinions, and values, take time and repeated interaction to be apparent. These characteristics may change over time, and are deduced through verbal and nonverbal behavioural patterns. Surface-level and deep-level characteristics need not be congruent (Phillips and Loyd 2006). For example, two females of the same race and age may hold different opinions on abortion rights.

The rationale for workforce diversity is two-fold. From an economic perspective, Guillaume et al. (2013) contend that promoting workforce diversity is of strategic value for the organisation as it leads to improved stakeholder outcomes. King and Cortina (2010) meanwhile, propose that organisations should encourage workforce diversity towards creating social justice to make up for inadequate laws and regulations. In general, workforce diversity is reported to produce mostly positive outcomes. These include increased levels of innovation, better decision making and enhanced organisational performance (Mor Barak et al. 2016; Hebl and

Avery 2013). In recent years there has been some progress in fostering workforce diversity in organisations around the world. Both anti-discrimination laws and affirmative action policies have gone a long way in enabling marginalised individuals secure employment that would have previously not been possible (Mor Barak 2015). Nonetheless, prevailing social inequalities and perceived differences due to normative assumptions against marginalised individuals persist (Podsiadlowski et al. 2013). As a result, it is reported that such individuals still endure discrimination at work (King et al. 2012; Dwertmann, Nishii, and van Knippenberg 2016; Dhanani, Beus, and Joseph 2018).

Discrimination at work can take several forms. Ozereen (2014) states that it can be formal and/or interpersonal. Formal discrimination is typically overt behaviours that explicitly exclude individuals on the basis of their group membership from workplace and organisational opportunities. These may include being paid lower wages than a colleague of equal standing, or being denied a promotion. Interpersonal discrimination on the other hand is less overt. It consists of verbal or non-verbal behaviours, such as dismissive language and avoiding eye-contact. Types of discrimination at work can also be categorised from a temporal perspective, ranging from preemployment to during-employment respectively (Dwertmann, Nishii, and van Knippenberg 2016). The first concerns access discrimination, where an individual is denied employment for being a member of some historically/culturally marginalised group. The second concerns treatment discrimination, which refers to how fairly the individual is treated once hired.

Although cisgender males and females from marginalised groups are not exempt from work related discrimination, discrimination against members of the LGBT community - not least transgenders - are even more pronounced. A study conducted by the International Labour Organization (ILO) in several countries across the world, uncovered systemic work-related discrimination of LGBT persons on the basis of their sexual orientation and/or gender identity (ILO 2015). In general, the respondents report of having to endure formal and interpersonal types of discrimination, as well being denied access to employment and being treated unfairly. Transgender persons in particular, were found to experience the most severe forms of workplace discrimination extending to basic rights such as being denied the use of lavatories appropriate to their gender, freedom to dress as they wish and the inability to secure identification documents that reflect their name and gender. Similar reports of work-related discrimination against the LGBT community is found in the academic literature. Specifically, LGBT persons are assumed to be of lower competence and less employable (Gorsuch 2019; Priola et al. 2014). This 'assumption' therefore fundamentally affects the chances of LGBT persons getting hired, as well as their chances for career progression (Mize 2016). To a greater extent, transgender persons report of harassment and bullying, and a general sense of being marginalised in the workplace (Schilt and Connell 2007; Thanem and Wallenberg 2016). Overall, LGBT persons are reported of having to "navigate a complex mix of personal, sexual, social, interpersonal, and intrapersonal issues as they establish, develop and maintain their careers" (Ozeren 2014, 1204).

The composition of a diverse workforce in and by itself is not sufficient. For diversity management to truly yield positive outcomes, there must be a climate of inclusivity in the workplace (Jonsen et al. 2013). Inclusivity refers to "the individual's sense of being a part of the organisational system in both the formal processes, such as access to information and decision-making channels, and the informal processes, such as 'water cooler' and lunch meetings where information and decisions informally take place" (Mor Barak et al. 2016, 308-9). However, Hebl and Avery (2013) claim that the opposite is true in many organisations today, where employees perceive a general sense of being excluded instead. As was discussed above, this appears to be case with transgender employees. Not only do they face formal discrimination at work, they are further stigmatised and marginalised for being members of a sexual minority group. In a climate rife with discrimination, perceptions of inclusivity for transgender persons is not feasible (Priola et al. 2014). Nor can there be a perception of inclusiveness when transgender employees are expected to give up their unique characteristics and "blend-in" with the rest (Mor Barak 2015). From an organisational perspective, a climate of exclusion results in an inefficient use of human capital (Jonsen et al. 2013). While for the employee, it results in loss of job satisfaction and motivation (Shore et al. 2009). Therefore a successful diversity strategy must address the underlying assumptions towards creating an inclusive work environment that embraces diversity and integrates differences (Guillaume et al. 2013).

The discrimination and exclusion experienced at work by LGBT persons is predicated on the interplay of power and control based on the assumption of heteronormativity (Marchia and Sommer 2019; Jun 2010; Allen and Mendez 2018). Essentially, heteronormativity is "the view that institutionalised heterosexuality constitutes the standard for legitimate and prescriptive sociosexual arrangements" (Ingraham 1994, 204). Discourse on heteronormativity can be traced back to Foucalt (1978) writings on the oppression of homosexuals, which was subsequently expanded by other authors to include issues of sexuality and gender. Oswald et al. (2005, 144) conceptualise heteronormativity as an ideological composite of three inter-related and analytical binaries. Namely, the gender binary, the sexuality binary, and the family binary. They further elaborate that heteronormativity deems each of these three binaries to represent an unambiguous and stable boundaries in that an individual is located at one pole or the other exclusively. For example, the gender binary "separates" between real males (cisgender) and real females (cisgender). It is argued here that heteronormativity is particularly complicated for transgender persons as in doing gender, these individuals create ambiguity and diminish the boundaries which sustain the heteronormative binaries. Heteronormativity calls for any individual not on either side of the binary to be 'sanctioned' or 'marginalised' by the society at large as they are considered 'gender deviants' (Li et al. 2020; Javaid 2018). In that regard then, heteronormativity functions as a form of social policing (Marchia and Sommer 2019). Specifically to reinforce the dominant heterosexual power hierarchy. Javaid (2018) goes as far as to claim that heteronormativity underpins all social action. Incidentally, Butler (1990) refers to a similar structural constraint which prevents the expression of gender, called the heterosexual matrix. In her view, the heterosexual matrix (much like heteronormativity) is a social schema which privileges masculinity through the configuration of gender in binary and hierarchical terms (Tyler and Cohen 2010). In the domain of employment, heteronormativity (or heterosexual matrix) is enforced by way of formal (governmental, institutional and organisational polices) as well as informal (socio-cultural practices) that favour heterosexuality (King and Cortina 2010; Jun 2010; Priola et al. 2014). In which case, any attempt to minimise - if not reverse altogether - the discrimination experienced by transgender persons at work and additionally foster a sense of inclusivity must first look to remove existing heteronormative barriers and structures that are in place.

# Malaysia in Context

Malaysia is an upper middle-income Southeast Asian nation with a population of 32.7 million people comprising three major ethnic groups (Mahidin 2019). Although Islam is the predominant religion, other religions such as Buddhism, Hinduism and Christianity are widely practiced as well. Over the years, the Malaysian government has been somewhat committed to promoting gender inclusivity by way of education parity, employment opportunities and requisite policies (Othman and Othman 2015). However, there are no specific laws that uphold gender rights except for the general provision under Article 8(2) of the Malaysian Federal Constitution which states that "there shall be no discrimination based on gender except as expressly authorised by the Constitution" (Bhatt 2006). It must be noted at this point that the term "gender" was only incorporated in the said article as a basis for non-discrimination in 2001; six years after Malaysia ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 1979 (of which at present Malaysia is still not a signatory). In any case, it is argued that the existing policies and guidelines are insufficient in truly promoting gender equality (Samy, Mahdi, and Mat Rusok 2021). Not surprisingly, gender inequality persists. Goh (2014) reports of "subtle preferential treatment for males over females in political, religious and sociocultural quadrants, often culminating in the subordination of females". Similarly there are other reports of Malaysian females experiencing various forms of discrimination at work (Nagaraj et al. 2014; Othman and Othman 2015; Samy, Mahdi, and Mat Rusok 2021).

Issues of inclusivity and equality for transgender persons in Malaysia are even more dire. The root of the problem lies in recognition, or rather the lack thereof. There are two parallel justice systems in the country: the Civil Court System for the whole Federation, and the Syariah (Islamic Law) Court System in each of the states. Both legal systems do not recognise transgenders (Wan Haniff et al. 2021). In the past, the civil courts have rejected the application of individuals who have had gender reassignment surgery to change their gender status on their national registration identity cards (Thambapilllay 2007). While under the Syariah law (which applies only on Muslims in matters of family law and religious observances), male-to-female gender reassignment is held permissible strictly for patients diagnosed with disorders of sex development (DSD) only (Zainuddin and Mahdy 2017). As yet there is no ruling on cross-dressing gender reassignment with the same diagnosis. To a lesser degree perhaps but equally telling, the act of cross-dressing has resulted in serious repercussions for the individuals and incurred odium from certain quarters (Hairudin and Qamar Siddique Bhatti 2018). Meanwhile, several transgender persons have also been subjected to persecution for highlighting the plight of the Malaysian transgender community (Sa'dan, Awang, and Rahman 2018). If anything these incidents demonstrate that Malaysia is still a long way from acknowledging the rights of transgenders. For the most part, transitioning to another gender other than the one assigned at birth is still perceived as morally wrong, if not perverse (Majid 2015). That in turn leads Goh and Kananatu (2019) to contend that transgender persons in Malaysia are perceived as non-entities who are irrelevant and inconsequential since they do not fit into the morally sanctioned concept of gender and sexuality. This appears to be the predicament of transgender persons in several other countries in the region as well (Al Mamun, Heyden, and Yasser 2016)

Although there are no official statistics pertaining to the extent of transgender persons' participation in the Malaysian economic sector, there are reports of transgender persons facing various forms of discrimination at work (Equal Rights Trust and Tenaganita 2012). In general, transgender persons are found to be particularly vulnerable at work due to their stigmatised identity (Goh and Kananatu 2019). Gibson et al. (2016) further report that transgenders in Malaysia face difficulties not only in securing employment but in sustaining continued employment thereafter. In any case, exclusion - full or partial - of minority groups such as transgenders may amount to the underutilisation of the nation's human capital potential (Lepak and Snell 1999). Currently the World Bank ranks Malaysia 55th out of 157 countries in terms of human capital mobilisation and recommends improvements in the nation's human capital agenda (World Bank 2020). It is argued here that such improvements must invariably begin with basic issues of workforce diversity and inclusivity, including for individuals who may not fit neatly into the traditional male/female binary notion of gender. The transgendersupportive policies and guidelines introduced thereafter must be grounded on the underlying assumptions and the structural stigma surrounding transgender persons within the context of employment (Pasek, Filip-Crawford, and Cook 2017). For that purpose, it is said that more research is required to build an understanding about the interpersonal aspects of gender expression at work (King and Cortina 2010). West and Zimmerman (2009) suggest that exploring the lived experiences of actual transgenders in a given context will help in that regard. Accordingly, this study sets out to explore the lived experiences of Malaysian transgender persons at the workplace.

### RESEARCH METHOD

Data for this study was collected by way of focus group discussions. Accordingly, two focus group sessions were conducted several days apart. Eight participants took part in the first session, while the second session comprised of seven participants. Each of the sessions lasted around 1 hour and 15 minutes and 1 hour 10 minutes respectively. All of the participants were from Kuala Lumpur and its neighbouring suburbs. Their ages ranged from 25 to 43 years old. The participants work in a broad range of industries including retail, education, IT and consultancy. Of the fifteen participants, six identified as trans-women, while three identified as transmen. The other six were still in transition and moving between different genders for fear of coming out. In sourcing for our participants, we adopted a purposive sampling strategy (Robinson 2014). Table 1 below provides a brief description of all the participants.

Participants	Gender (as identified by participant)	Designation/Industry
#1	Transwoman	Administrator
#2	Transwoman	Senior account executive
#3	Transgender	Retail
#4	Transgender	Global support executive
#5	Female	Teacher
#6	Transwoman	Assistant quantity surveyor
#7	Female	Software Engineer
#8	Female	Blogger
#9	Transwoman	Data analyst
#10	Transgender	Caseworker

Table 1: Focus group participants

#11	Female	Entrepreneur
#12	Male	Retail
#13	Trans-man	Retail
#14	Transgender	Retail
#15	Male	Waiter

Source: Prepared by the Author

As the subject matter being studied is still relatively taboo in Malaysia, initially we faced some challenges in terms of accessibility to transgender persons. Therefore, we sourced for our participants through local nongovernmental organisations serving the local transgender community as well as several contacts. Once the prospective participants were identified, we proceeded to invite them to participate.

In conducting the focus groups sessions, we were informed and guided by the procedures and protocols recommended by Barbour and Morgan (2017) as well as Putcha and Potter (2004). At the outset of both sessions, the participants were assured of anonymity and briefed on the objectives of the research. They were then requested to sign a form to signify their consent to participate. The first author acted as the moderator during both focus group sessions. The topics of discussion centred on the aim of this study to explore the lived experiences of transgender persons at the workplace. For that purpose, we used a semi-structured topic guide to explore experiences relating to formal and/or interpersonal discrimination (Ozeren 2014) and access and/or treatment discrimination (Dwertmann, Nishii, and van Knippenberg 2016), as well as the composition and climate of inclusiveness (Hebl and Avery 2013). The participants were further encouraged to share recommendations on how best to create better workplace experiences for transgender persons. When necessary, the moderator used questions and probes to elicit elaboration and illustration of the matters raised by the participants. Both focus group sessions were digitally recorded and thereafter transcribed verbatim.

Barbour (2014, 313) informs that there is no 'one-size-fits-all' approach to analysing focus group data. Instead approaches to analysis and research aims are closely linked. In focus group research involving disadvantaged or marginalised groups – such as transgenders in this instance – the emphasis can be on practical insights (Vincent et al. 2006). Moreover, in view of the phenomenological aspect of studying lived experiences of participants, Creswell (2013) recommends a description of "what and how" the participants experienced the phenomenon being researched and thereafter followed by a composite description of the essence (structural) of the experiences, which represents the culminating aspect of a phenomenon. Taking these recommendations into consideration, the analysis proceeded by identifying the experiences of the participants in relation to the aims of this study. Namely, experiences relating to workplace discrimination (formal/interpersonal; access/treatment) and inclusiveness (composition/climate). Following that, the analysis proceeded to conceptualise the essence of the phenomenon of Malaysian transgenders' lived experiences at the workplace framed within the perspectives of 'doing gender' (West and Zimmerman 1987) as well as 'gender performativity' (Butler 1990).

#### **FINDINGS**

#### **Doing Gender**

For the participants, doing gender appears to be a constant struggle between expressing themselves and suppressing themselves. When asked what it means to be a transgender, one participant responded: "Being myself'. Several other participants agreed with that statement as well. Another participant offered to elaborate:

"I am the gender that is in my head, not what lies between my legs."

While another participant offered the following explanation:

"I cannot live my life any differently...my instincts are that of a female."

The participants expressed the same sentiments in doing gender at the workplace. According to one participant:

"Just being myself really. The tag (office name tag) is just for convenience."

In spite of them expressing themselves however, most of the participants report of various challenges in doing gender. According to the participants, this is mainly due to the social stigma and negative perceptions Gender Impeded: The Lived Experiences of Transgenders at The Workplace

surrounding transgenderism that is prevalent in a relatively conversative society like Malaysia. In that regard, three participants shared their experiences with their family and friends. Two participants mentioned that their friends have stayed away from them since the participants' coming out. Families on the other hand were said to be more accepting. Although, as one participant pointed out, her family members are still very guarded and cautious in their interactions with her. She explained that her family members are particularly unsure about how to address her and interact with her now that she is of a different gender than before. In contrast a couple of other participants claimed that they have had no such problems. That their family members and friends have been very supportive and accepting of their choice to come out as a transgender. One participant specifically, who transitioned from female to male shared that his friends now treat him as "one of the boys" and engage him in male banter. Nonetheless, in general, most of the participants report of having to adapt to their circumstances. To avoid unnecessary attention on themselves, several participants claimed of having to "tone down" their gender expression. As one participant put it:

"I hide everything inside of me, and fake everything outside."

Another participant concurred that there was a need "to hide it", for fear that people will look at her as if she is "weird":

"People won't understand where I'm coming from."

This "toning down" strategy extends to their coming out process as well. Two participants recounted their coming out journey as being a slow and steady process over a period of many years. They explained that is due to their fear of not being accepted. That way they hoped that it will not come as too much of a surprise or shock to their family and friends.

#### Discrimination

Formal/Access discrimination

Most of the participants conceded that they have not experienced discrimination when applying for a job in the past. However, almost all of them have been discriminated against when applying for higher positions in the organisation. A participant who works for a government-linked company stated that "it is impossible to rise up" for a transgender in her organisation. A number of other participants also expressed similar challenges. Specifically that transgender employees are not given the same opportunities for career progression as compared to cisgender employees. One participant pointed out that their gender "suddenly" becomes salient to the employer the moment they are up for promotion:

"Then it's no longer about my competency, but about my gender"

As a result, another participant expressed that her career path has been emotionally challenging. In spite of the negative experiences, several participants were still hopeful that they will get due recognition from their employers if they perform well at their jobs. However one participant's experience stood out in comparison to the rest. Not only has she been promoted by her employer but she has also been given awards in the past for service excellence.

Interpersonal/Treatment discrimination

The first issue that the participants brought up was the stigma surrounding their status as transgenders. A few of them complained of being perceived negatively by their colleagues, especially male colleagues. In that aspect, one participant shared that her male colleagues usually avoid from interacting with her unless absolutely necessary. Several of the participants called out the mocking that they have to endure from other colleagues. One participant added that this has caused continued stress. Meanwhile another participant shared her experience post sex reassignment surgery (SRS), where she had to put up with much mocking from her colleagues when she tried to get her gender changed in her office identification card. Additionally, two other participants pointed out that they experienced lack of empathy from their management as well. One of them gave further stressed that the members of her management team did not take her grievances seriously:

"I was sexually harassed in the male toilet once. So I lodged a complaint. But HR didn't want to do anything about

Some of the other participants mentioned that they too perceive that the management does not pay as much attention to their grievances as they do other employees.

A major issue concerning interpersonal/treatment discrimination that appear to be shared by many participants is concerning their office attire. Most participants expressed that they do not have the freedom to dress as they wished for fear of being mocked or teased, or worse, reprimanded by their boss:

"I keep my hair at shoulder length and follow the dress code for males"

In order to adapt, one participant explained that she goes to great lengths:

"I have to disguise myself. So I wear and behave like a man."

Similarly, another participant mentioned having to don a wig (to hide her long hair) and wear male clothes (formal/office wear) to work to blend-in and avoid being teased. In contrast however, one participant maintained that she wore feminine clothes to her interview, and continues to do so since after being hired yet has not experienced any issues in this regard with her management.

### Inclusivity

## Composition

Although earlier most participants had stated that they had not experienced any discrimination during the hiring process, and in spite of the fact that the participants represent a broad range of business categories, several of the participants were of the view that most Malaysian companies do not accept transgenders in their workforce. When asked to elaborate, one participant explained:

"It's mostly limited to the beauty sector, call centres and for brand promoters."

Another participant added that this explains why many transgenders choose to become entrepreneurs. When asked to elaborate as to why they thought transgenders' job opportunities were limited, one participant immediately highlighted a fundamental problem – recognition of transgenders:

"You see in India and Thailand, they recognise a third gender. But here...we don't have it. We should!"

The participants were referring to the common practice in Malaysia where there is no allocation for genders on job application forms and human resource records other than male and female. Several participants claimed this gives rise to a sense of "being excluded". In any case, one participant explained that "It makes it complicated". As either way a transgender person would have to account for how or why his/her appearance does not match that of the stated gender in the form. So essentially, the job-seeking process becomes a very complicated issue for both the hiring party as well the transgender applicant.

#### Climate

One issue in this regard was usage of the workplace lavatories, where the participants are not allowed to use gender designated lavatories appropriate to them. For most of the participants, their company policy does not allow it. Two participants added that this causes them humiliation and uneasiness. It further leads to harassment such as the case of the participant who had earlier raised the issue of having experienced sexual harassment from a cisgender male colleague in the lavatory.

In addition, several participants highlighted the absence of mechanisms to accommodate the coming out of transgenders. Particularly in allowing them to make necessary changes in their identification documents such as their names and new gender.

On a lesser note perhaps, several participants raised the issue of having to manage their mannerisms as not to offend others in the workplace. They mentioned that they are careful not to thread on the sensitivities of other colleagues, especially those who are not accepting of their gender. In doing so, they have to adapt themselves. These includes in matters relating to choice of attire and the mode of interaction with others.

#### RECOMMENDATIONS

The participants were asked to share their recommendations on how to make the Malaysian employment practices more transgender friendly. The first issue that was raised was that of recognition. One participant stated that Malaysia should emulate some neighbouring countries in giving recognition to a third gender. In extension to recognising the third gender, several other participants called for the introduction of laws that protect transgenders from discrimination, especially in the workplace. In that regard, one participant again raised the issue of job application forms and other HR related documents that do not provide the option for transgender persons to select the appropriate gender. To add to that, another participant recommended that the option should also be given to employees to change their gender designation or even their names upon coming out. Next was the issue of office dress code and usage of lavatories. Several participants recommended that employers should be more understanding of their (transgenders) situation, in allowing to dress as they choose to, as well as in not preventing transgender employees using the lavatories appropriate to their gender.

Meanwhile, one participant recommended that transgenders themselves have a role to play in enabling change. Her suggestion is that transgender employees should work hard and diligently in ensuring that their work is performed well. She thinks that by doing so, the negative perception that management and colleagues have of transgenders being less able will slowly change for the better. This led another participant to add that more social campaigns too will help in addressing whatever social stigma surrounding transgenders and in the process improve their overall conditions in the employment domain.

### **DISCUSSION: GENDER IMPEDED**

Based on our participants' accounts of discrimination and their perception of inclusivity, we move to conceptualise the lived experiences of Malaysian transgenders at the workplace as having the expression of their gender identity impeded.

Undoubtedly, the most fundamental impediment for Malaysian transgenders in expressing their gender at the workplace is the lack of recognition. The process of becoming a subject, is said to be driven by the desire for recognition (Tyler and Cohen 2008). According to Butler (1993, 226) "recognition precedes and conditions the formation of the subject: recognition is not conferred on a subject, but forms that subject". However, in the case of Malaysia, there is no recognition of transgenders at the workplace as regards their chosen gender identity. Transgenders remain categorised as per their gender assigned at birth. This is only to be expected since organisations operating in Malaysia are subjected to and bound by the nation's laws and regulations. Therefore, unless the nation's laws are amended to recognise a third gender, or in allowing individuals to change their gender, there will not be any changes in terms of gender recognition at the workplace.

Be that as it may, based on our findings, we suggest that there are two key impediments on an organisational level; and therefore within the control of the organisation. The first concerns the office dress-code or attire, and the second is in relation to the use of workplace lavatories.

According to Butler (1990), the body is the medium by which gendered subjectivity is brought into being. Clothes meanwhile, lie at the interface between the body and its social presentation (Twigg and Buse 2013). In so being, clothes signify to the world who and what the person is; not least in the expression of one's gender (Butler 1993). This relationship between a person's clothes and gender extends to workspaces as well (Bjerck 2016; Ashraf, Pianezzi, and Awan 2021). Where there are normative assumptions, expectations even, on how a person of a particular gender should dress (Schilt and Connell 2007). Here in this study, most of the participants report of having no liberty to dress appropriate to their gender expression. Or at the very least, not wanting to, to avoid ridicule from colleagues. In extreme cases, participants reported of resorting to elaborate schemes ("disguising themselves"), to ensure that their attire does not give away their chosen gender identity.

Until recently, lavatories have been a neglected facility in the study of gender diversity at work (Skoglund and Holt 2021). In general people expect their lavatory experience to conform to their gender identity. According to West and Zimmerman (1987) in having them distinguished as being male/female, lavatories reinforce the sex/gender binaries. Accordingly people are found to enforce cisgender notions in using such facilities. In an

experiment conducted by Carter et al. (2019) for example, male participants were found to be embarrassed and uncomfortable when told that the toilet that they used was wrongly labelled as 'ladies'. Here in this study, all of the participants reported to being denied the use of workplace lavatories appropriate to their expressed gender. There seemed to be no exceptions in this regard.

Although both of these impediments, namely office dress-code and usage of lavatories may on the surface level seem inconsequential, that is not the case. Underlying the expression of gender is "the desire to project a coherent and compelling identity, one that is recognised and valorised by others" (Tyler and Cohen 2010, 179). In addition, gender expression "involves a complex of socially guided perceptual, interactional, and micropolitical activities that cast particular pursuits as expressions of masculine and feminine natures" (West and Zimmerman 1987, 126). These activities in turn, require repetition to constitute the person's gender and further gives rise to normative gender-based expectations in their interactions with others (Jackson 2004; Schilt and Connell 2007). In view of that, we argue that the participants in this study are unable to project "a coherent and compelling" gender identity. While they may attempt to express their chosen gender at their workplace to the best of their abilities, in the perception of their colleagues, their clothes and their use of the lavatories seem incoherent to the expression of their identities. This "incoherence" is further consistently repeated throughout the tenure of the transgender with that particular organisation, only further reinforcing it. Essentially therefore, these two 'organisational-level' impediments (more than the rest) serve to negate the authenticity of their gender expression in the perception of others in the workplace (Marchia and Sommer 2019).

### **CONCLUSION**

It has been over sixty years since Dr. Martin Luther King gave his "I have a dream" speech. Perhaps now, in the new millennium it is time to expand Dr. King's dream to include members of transgender groups as well. In the meantime, organisations can play a role to that end. It has been suggested before that organisations represent "the entities of last resort for achieving social objectives of all stripes" (Margolis and Walsh 2011). Indeed elsewhere in the world, many organisations have actively reached out to marginalised groups in the community including transgenders (Berns 2020). According to Deloitte (2020), such organisational practices go a long way in removing social stigma and biases. However, we could not find any Malaysian based organisations which deliberately reached out to discriminate transgender persons for employment purposes. In any event, the lived experiences of transgenders which are presented here in this study, could serve as a guide for Malaysian organisations to institute policy to all gender basis, with a view of making their workplaces more inclusive towards transgender employees. Specifically in removing organisational-level impediments which effectively impede the expression of gender identity at the workplace.

### LIMITATIONS AND FUTURE RESEARCH

This study has several limitations. The first concerns the sample of participants. All of the participants in this study were relatively well educated and worked in white-collar jobs. Furthermore, they reside in the country's major urban area - Kuala Lumpur. Therefore, their lived experiences at work may not represent that of transgender persons who are less educated or live and work in other parts of the country. Especially transgenders based in the north-eastern states of peninsular Malaysia which have been historically – and remain - religiously conservative. Studies could be undertaken to examine whether their lived experiences are significantly different or otherwise from that which is reported here. Secondly, this study had focused exclusively on the perspective of transgender employees at workplace only. Examining the perspective of employers could be useful in understanding the structural challenges that prevent employers from having their transgender employees fully integrated into their workforce in a climate of inclusiveness.

### Data Available on Request Due to Privacy/Ethical Restrictions

The data that support the findings of this study are available on request from the corresponding author. The data are not publicly available due to privacy or ethical restrictions.

**Ethical Approval:** Formal ethical approval has been waived instate this study adhered to the principles of the strict ethical standards. Participation was anonymous, confidential, and voluntary, with informed consent obtained from all participants. There were no biomarkers or tissue samples collected for analysis. Participants had the freedom to withdraw from the study at any point.

Conflict of Interest: Authors declare no conflict of interest.

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<sup>&</sup>lt;sup>i</sup> **Bible** Genesis 1:27: "So God created man in his own image, in the image of God he created him; male and female he created them and **Quran**: Al-Hujurat 49:13: "O mankind, We have created you from a male and a female, and made you into races and tribes."