

Alison Ash Fogarty and Lily Zheng, *Gender Ambiguity in the Workplace: Transgender and Gender-Diverse Discrimination* (2018).

Anyone familiar with the issues facing transgender individuals in America knows that trans people face disproportionate levels of violence and discrimination. But advocates' access to reliable evidence regarding the problems trans people face in the workplace is still sorely lacking.

In *Gender Ambiguity in the Workplace: Transgender and Gender-Diverse Discrimination* (2018), Alison Ash Fogarty and Lily Zheng provide detailed data about the experiences of transgender and gender nonconforming ("TGNC") people working in the San Francisco Bay Area.

Drawing from narrative interviews conducted during a 2008 study led by Fogarty, *Gender Ambiguity* provides detailed summaries and quotations describing the experiences of TGNC Bay Area residents.¹ Rather than just leaving readers with a sense of righteous indignation at the horrible discrimination documented, however, Fogarty and Zheng put forth concrete solutions for making our workplaces more inclusive. The solutions section presents policy avenues for employers ranging from those "unwilling"² to be inclusive of TGNC employees to "inclusion in progress."³ Even the most progressive organizations could learn something new from *Gender Ambiguity* and be able to improve their institutional support for TGNC employees.

Zheng, who graduated from Stanford University with a B.A. in Social Psychology in 2017 and a M.A. in Sociology in 2018, sat down with me to discuss *Gender Ambiguity*, her new business, and issues facing the TGNC community in the Bay Area.

Ari Jones ("Jones"): So, I have a few questions, but let me just start by asking, what is your current job title? What are you doing right now?

Lily Zheng ("Zheng"): Currently I am a diversity and inclusion consultant working with organizations around the Bay Area, nonprofits and for-profits to turn positive intentions into positive impact. I like that line.

I do like organizational consulting, strategy consulting, I speak at events, hold workshops on gender and trans topics, and general diversity and inclusion topics. So, that's kind of my full-time job right now as a consultant. I am also working on my second book *The Ethical Sellout*, which comes out, hopefully, next September!

Jones: Are you working on that with the same co-author?

¹ Alison Ash Fogarty and Lily Zheng, *Gender Ambiguity in the Workplace: Transgender and Gender-Diverse Discrimination* at 19 (2018).

² *Id.* at 147.

³ *Id.* at 152.

Zheng: No, this is a different co-author. Dr. Hansen from Stanford, and for the second book I'm going to be the first author. I am taking more of a lead position on the second book and it's been an adventure! Yeah, so I guess I would say my primary job is a consultant and speaker, and then on the side I do pro bono projects for local LGBTQ non-profits and write this book [*The Ethical Sellout*].

Jones: Awesome! And how did you get involved with this book?

Zheng: I saw – very mundane – I saw an email, in my freshman year of undergrad . . . and it was looking for research assistants, so I signed onto the project. At that point, the project had finished collecting interviews. It was a dissertation run by [Dr. Fogarty](#), my co-author, and we were basically starting all of data analysis. For the first couple years I did qualitative data analysis, through NVivo, of all the interviews. We, you know, coded it all and were like, *this shows that like* (I don't know) *cis people freak out when trans people talk about gender nonconformity* or something. We would kind of flag like every single potential point. It was a very bottom-up, grounded theory analysis sort of approach . . .

I did that for a few years and then I became the head research assistant and started directing other research assistants to do more work. And then I eventually helped with some of the high-level analysis of the data and then [Dr. Fogarty] finished her dissertation . . . At that point in time she started her small business and kind of took a break from the book, and so I gently encouraged her to publish it and she said—she was honest—and she said she was like, *I'm focusing on my business right now* . . . So I took the lead to publish the book.

I added a few extra chapters. I rewrote the entire thing to make it more generalized or more applicable to a general audience, because it was a dissertation . . . [That] took the greater part of a year and then we went through the publishing process with ABC-CLIO. It was a recommendation from a friend of ours who is also trans and published a book through them. And the book was published in April of this year [2018].

Jones: It's really interesting to see that arc from how it begins as an academic project to actually being able to come out. I'm glad you were on the project and able to push forward on getting it published because I think it's really important work.

Zheng: Me too! I agree.

Jones: I was struck by—I mean, I was struck by a lot of things in the book as a trans-identified nonbinary person, a lot of it really rang true and it was really interesting to see other people's experiences . . .

There was a part in the introduction about the draining of individuals who might be most impacted by the work . . . also having to take the lead and do this overhaul kind of work.

So I'd like to start by asking as an academic, a professional, and as another member of the trans community, how have you sustained yourself while working so closely on trying to change hearts and minds or policies?

Zheng: That’s a good question, I love that question. I think it’s really about chosen family and setting good professional boundaries for myself. I think, at the beginning, I didn’t have any boundaries and just went into this work thinking that I have a duty to serve my community and so, if this is the access point that, you know, I can do good work, then I should just stay in this point and do good work, and work pretty much endlessly because this is the thing that I can do. And over time I’ve understood that I am the most effective for my community if I take a step back and think about what I’m doing, why I’m doing it, and what the long-term plan is. You know, long-term burnout is not particularly effective, and I learned that the hard way through my student activism at Stanford . . .

I’m working with a homeless shelter network now in the South Bay, so it’s a really difficult environment to be in because I’m seeing trans people, the *most* marginalized of our community and I’m interacting with them and that—that’s hard. The way that I dealt with that is by building a network of people who I trust that are also doing the work, so that when things feel tough for me I can give myself a reason to take a break because I know that there are people besides me doing the work.

That’s been *the* most important thing because feeling like you’re the only one who can make a difference is, one, lonely, and two, unsustainable because you develop a savior complex where you think that, because no one else can do the work, you have to do the work all the time and that’s not good.

Jones: Thank you, that’s really helpful . . . I’m going to jump into a few questions I had about the study and I totally know that you came onto it after the interviews had already been conducted. I’m just curious about some of your thoughts.

I think, as I was reading through, that there were no black participants, is that correct?

Zheng: Correct.

Jones: What thoughts do you have about the racial makeup of the participants?

Zheng: I absolutely think that the diversity of the participants is one of the largest methodological . . . shortcomings with this research. Given that the vast majority of our participants were white or white passing—I think we had like one Asian American person and like one mixed Jamaican American person—I don’t actually know what that person’s race or ethnicity was because I didn’t actually see them . . .

We have a great diversity of income level, we have a good diversity of educational background, we have great diversity of identity—I think we have good numbers of trans men, and trans women, and enbies⁴ [nonbinary] and genderfluid folks, and I think that’s great.

⁴ Editor’s note: some nonbinary people refer to themselves as “enby,” which is a phonetic spelling of the acronym “NB” for “nonbinary.” The term “enby” is now widely used in LGBTQ circles to refer to people who identify as nonbinary. See Patrick Garvin, *What’s the difference*

However, because I think we didn't or she didn't necessarily target trans people of color, we are very crucially lacking that perspective, and that's something that I've kept in mind as this project has gone forward and as I've written this book. I worry sometimes that the conclusions we make don't in fact generalize but I don't think I'll ever know until I do follow up work with this . . .

That's kind of my honest take on it. I love the research. I think we do have lots diversity in some respects and we don't have lots of diversity in other respects . . .

Also, I think, and I'm not absolutely certain about this, I think that the postings or the calls for interviews were posted in community centers that may or may not have had a large trans women of color population. This is a chronic problem. Most of the community resources for trans people are either distrusted or not used—or some other combination—by trans people of color. And most of the trans people of color in my life are very wary of and detached from institutions, organizations, nonprofits, etc. because of negative community history with these organizations.

I can totally understand that the convenience of using organizations like these as a bridge to find interviewees would kind of insert some of this, if you will, bias into who we get as interviewees. And then of course, the snowball sampling. The mostly white trans people we talked to are going to be less likely to know black and brown trans people. I think we can speculate about a whole number of factors.

If I could change one thing, I would have loved to near the end of the interview process, identify that “Hey, everyone's white,” and then do some targeted outreach to black and brown trans folks in the community. They're definitely there and I know many of them. For example, TGIJP in San Francisco has tons of black and brown trans folks and the Trans Employment Program, also in San Francisco . . . So that's what I would do the second time around, but the original interviews were actually collected in 2008, that's ten years ago now.

Jones: Yeah, that's really interesting. Okay, jumping into some more abstract questions. What is one thing you wish that cis people understood? If you could wave a magic wand and have there be a deep understanding of something, what would that be?

Zheng: Oh so I'm torn—can I say two things?

Jones: Mhm!

Zheng: One, gender is socially constructed and sex is socially constructed. That's very big, that's a very big deal. And two, that gender—that the spectrum or, I don't know, the 3D sphere, or whatever visualization we want to use for gendered experiences is one that includes cis people as well as trans people, and that cis people's experiences of gender is just one common variation along the same axis or spectrum or whatever as trans people's experience of gender. I want cis

between “enby,” “NB,” and “non-binary”?, The LGBTQ+ Experiment (14 Nov. 2018), <https://perma.cc/PAW7-6QCV>.

people to be able to recognize that trans people may have experiences that sound or feel very different, but they are variations on a theme. Right?

Cis people strive for authenticity as well; cis people also face pressures to change their gender expression. Cis people also face policing of their gender identities, just in a different way. To challenge the exoticizing lens that we put on trans people I almost always ask cis people things like . . . when did you first know you are your gender?

That's a strength that everyone has. Or, have you ever felt like your gender identity or gender expression was different from what people were forcing on you? It turns out almost every cis person can say *Yes, I've had an experience like that*. So that's one of the biggest things near and dear to my heart. I want cis people to understand that they have access to gender too, right? Trans people aren't the only people that get to have cool gender identities and gender expressions.

For once I think cis people should actually get that too. There's no reason why they should restrict themselves from expressing their identities and gender expressions in ways that they want.

Jones: Wonderful! On a more concrete level, I think one of the interesting takeaways of the study is the way that male or masculine presentation sort of interacts with male privilege. And I'm curious, what is your opinion—how can trans men or trans masculine individuals use their privilege to help trans women and more trans feminine individuals?

Zheng: That's a great question. I think for trans men and trans masculine people, I would say the most effective thing they can do is to understand the ways in which their masculinity is privileged and use that masculinity in non-toxic ways to break down the gender binary and the gender hierarchy, which trans men and trans masculine people can do very well if they occupy privileged positions, and use their privileged positions to hold the door open for not only binary appearing and conforming trans men and trans women, but also gender nonconforming folks in general, enbies, people that "don't pass."

I think trans men, because of the privilege that they have, are in a unique position to advocate for the trans community. Now, the challenge is that, as a flip side of that privilege, many trans men, who pass at least, have the ability to go stealth and fully or almost fully realize the benefits of patriarchy and the benefits of toxic masculinity. I see, unfortunately, a lot of toxic trans men that kind of are reveling in the experience of manhood. Unfortunately, I wish society didn't validate that kind of manhood, but it does.

I see trans men acting in extremely toxic ways, in abusive ways, and violent ways, in unhealthy ways, and it's a negative feedback loop because they are validated for that expression of masculinity. Not only does it not help the trans community, I would say it actually actively hurts the trans community because it reinforces toxic ideas about gender, and reproduces violence and difference and yeah—bad things.

Jones: Yeah, totally makes sense. For individuals, and even like yourself who are working with any sort of client in a service-focused sort of position . . . how do you think advocates, individuals working with clients, can balance being true to themselves and also providing safe and supportive spaces for their clients?

Zheng: Hmm, can you clarify that question a little bit? Can you give me like an example?

Jones: Sure. Personally I work with a lot of monolingual Spanish speakers, many of whom are very new to the country, to the United States, and I often struggle with how to integrate my own identity. When we're talking, Spanish is a very gendered language, and they might want to address me as female or use female adjectives. I struggle with how to both be true to myself and make sure that I'm not like silencing my identity, but also wanting to not put them on edge, not wanting to like confront my clients because their needs come first.

Zheng: So real. This is actually very relevant in my second book, *The Ethical Sellout*, because so many people talk about these types of conflicts, right? Between two values of theirs, and in this case, it sounds like serving these marginalized communities and also being authentic, which as an aside, is like the most common conflict in *The Ethical Sellout*, so you should check out that book when it comes out!

So, my own thoughts on this: the kind of convenient answer is everyone has their own strategy that works well for them . . . and you're going to have to find out what works for you. The more specific answer would be—what a lot of people, myself included, choose to resolve that conflict is to get good at code switching and to understand that sometimes when we can't have our cake and eat it too, but that doesn't mean we can't meet all of our needs.

And so, what I do when I work with clients that don't understand me or that I don't think would be approving of my gender identity, or my sexual orientation, or all of the rest of my identities, is I center myself in what is needed in the moment and I serve my clients. If me being authentic would compromise my clients' ability to get the services or the resources or the information that they need, then I will err on the side of my clients, and recognize that by doing so I am hurting myself a little bit, and that that needs to be resolved.

It's not sustainable if I say my clients' success or comfort comes before my authenticity, I'm just going to err on the side of my clients all the time and just do that because you are starving yourself, right? You are cutting off something that you need, and that's not a long-term solution. I would say, something that feels healthier and something that I've done, is to say, *In this moment, my clients need this, and I'm going to provide this for them*, but I am now lacking authenticity. I need to supplement that by working extra outside of the client context to validate my identity . . . Whether that's hanging out with more trans people, whether that's going to more trans events, whether that's being more "out" in other spaces.

There has to be some equilibrium, so that your sense of self and your values aren't compromised . . . I think, if your dedication to your clients is the thing that matters most, then you can validate and meet that need, as long as you also stay self-aware and take extra steps to take care of yourself afterward. Now if the calculus is different and you end up deciding that your

authenticity is more important, then maybe that's actually a good impetus to think about switching careers, or think about switching the way you do your work . . .

Jones: Right. Thank you I think that's great. Something to think about! I will continue thinking . . .

This is something I grapple with, and I think towards the end of the book there's a discussion of—it's in the "Unwilling Organization" section of the solutions. I think there are some ideas about this, but I'm curious to hear your opinion. Do you think that employers see transness as a burden and if so, why?

I think for me personally, as someone like coming from the queer community, and I went to a very queer school, I just don't personally understand it. I thought, maybe in doing your work, you've seen more of the insider's perspective on that.

Zheng: Yeah, there's kind of a chicken and egg problem in that the clients that see gender as a burden, or that see trans people as a burden, are not the clients that tend to reach out to me just because they don't think that they have a problem. That's the first thing. However, I have dealt with clients that have, maybe, softer or weaker versions of the belief that trans people are a burden, and I would say *yeah*, many clients do have these beliefs.

It springs from a number of places. One, I think the most common environment where clients would see trans people as a burden are clients that don't really view gender as a salient characteristic in the workplace. They might actually view themselves as progressive and say, *I don't see gender, I don't care about gender, this doesn't matter, I treat everyone the same no matter what*. What trans people do that might make cis people uncomfortable is: trans people are often, if not insistent, very self-aware of gender, right? Gender is very salient to many trans people. And so, in a workplace that either actively avoids thinking about gender or thinks about gender in problematic ways, trans people are a threat . . .

Oftentimes the first trans person in a workplace, whether or not they want to, becomes the canary in the coal mine, and then employers are angry that there is in fact a canary in the coal mine because they didn't want that. Things worked "fine" before the trans person came in and started revealing all the problems at the organization . . .

One of the only ways I think to resolve it, that folks can move toward, is recognizing that identity is important in the workplace... You need to be identity-aware, right? You can't look away from identity . . . And, going back to the idea that I said in the beginning about how cis people have gender too, I think privileged people are used to identity conversations only being about marginalized folks—for good reason—but giving them (and very cautiously) giving them a way into a conversation. Like, I think white people need to be talking about whiteness. I think men need to be talking about masculinity. I think rich people need to be talking about class.

The way in which we [currently] make all these things visible contributes to the idea that people who talk about it are a burden, or people who talk about it are a problem. If everyone talked about it, then it would be a lot harder to say that people who talk about gender are a problem

because everyone's talking about it. I think that should be the direction that many workplaces that want to get better at this go.

Jones: Yeah, I love it! Totally agree.

Jumping down to something more sort of solution focused. I want to commend you and Allison on taking so much time in the book to focus on solutions.

Zheng: That was my additional chapter!

Jones: Of course, it completely makes sense with your work now that you actually get to work actually implementing those [solutions].

Zheng: I get to actually implement them, yeah!

Jones: I've been following closely some of the changes in California, and I think that you presented some suggestions around nondiscrimination policies, so I'm curious if you have any other policy changes you'd like to see related to these issues that would make things—maybe not easier, but to provide the legal backing for individuals who are facing maybe discrimination or uncomfortable workplaces? Or other issues!

Zheng: Nondiscrimination is a big deal and I'm glad that we have it. Better accommodations are also something that many cities are working on at the moment. For example, mandating gender-inclusive bathrooms in every building, or every floor, every office—that'd be really cool, I haven't seen that yet! . . . Many companies are starting to do that. I think that's awesome and that's great. That's a step in the right direction.

Now for more creative policy suggestions, and this is something that I've been working on personally. I have a client at Stanford right now that's interested in creating a trans-inclusion policy that goes beyond being like a standard transition policy.⁵ I'm sure you're aware that many companies have a transition policy that's extremely binary.

Jones: Right.

Zheng: Very much like, if you were formerly a cis man, now decide that you are a trans woman, here are all the steps you can go through to be treated like a cis woman in the workplace, and vice versa, right? They help many people.

However, I think these policies are non-inclusive or even harmful to people that: A) don't know where they want to go, they just want to transition, but they really don't know where they want to go; B) don't have a quick timeline for transition or want to explore; C) have a gender

⁵ A transition policy refers to an organization's policy regarding how an employee can transition to presenting and affirming their gender identity and expression. See Transgender Law Center, *Model Transgender Employment Policy: Negotiating for Inclusive Workplaces* (2013), <https://perma.cc/9SHX-KHNY>.

expression or gender identity that is nonbinary or gender nonconforming, or at the very least, not on the two poles of the spectrum; or D) the fact that they want to go multiple places. Maybe you want to look more femme, maybe you want to look more this, maybe you want to look more masc . . . I haven't seen anything that creates space for this.

I'm trying to create, to my knowledge, the first policy that is inclusive of this for this client at Stanford right now and it's really challenging, not the least bit because we need to create a policy that is also for cis people, right? The ideal workplace is one where everyone regardless of whether they identify as cis or trans, feels comfortable coming to work in the gender expression and with the gender identity that feels authentic and valid to them . . .

What if Joe from Accounting decides to come to work in a dress because it makes him feel good, and everyone thinks Joe's transitioning, but in fact Joe from Accounting just really likes dresses? Like, how do you deal with that?

I think these are the questions that we have to be asking because this is only going to be happening more and more in the future. We're getting more and more gender nonconforming, and more and more, I guess, liberal? Or free? Or whatever word you want to use, with our gender identities and gender expressions at work. We need to have policies that prepare for that.

Jones: I love it . . . I completely agree. I have not personally had to see that type of policy because I didn't transition in a place where there was a policy or like something to look at like that, but I certainly have had intimations from individuals who are HR-adjacent who seemed very confused about anything outside a binary . . . So that's great.

In doing the work, was there anything that really surprised you? Anything that really struck you as you were working on this project? I know it was for several years, so maybe something that sticks with you now?

Zheng: As an academic, or as a former academic, I'm not much of an academic now, I think I nerd out over the little things. The "butch ceiling" is such a cool concept . . . If you're perceived as a butch cis woman in the workplace, the more masculine you present, the better you get treated because you're seen as approaching masculinity.

However, if you pass a certain threshold, at which point you no longer are reliably perceived as a masculine woman, and may start to be perceived as a man, you lose all that privilege and people respond not only by treating you *not* well, but by being actively hostile and violent towards you. It's like a flip of a switch. You just get a little too masculine and people get really, really upset. That just fascinates me. That's like super, super interesting.

Jones: I totally agree.

Zheng: Now one of the other things that we talked about in the book that I think is less surprising, but it did contribute to the literature because there has been nothing written about this before, is um—how familiar are you with the concept of "doing gender?"

Jones: I had heard of it before, and I thought the overview in your book was pretty helpful.

Zheng: Yeah, it's a pretty seminal body of work, I think by West and Zimmerman?⁶ . . . For the longest time, people were talking about doing masculinity and doing femininity. Like, redoing masculinity, undoing masculinity. All the types of doing; so many articles [on this topic].

I think our book, for the first time, talks about the concept called “doing ambiguity” and we are really starting to see that lots of nonbinary people are succeeding at performing a nonbinary identity by intentionally doing ambiguity. This has broad implications for the movement and for the community, right? I've seen many people make posts that say things like, *You don't have to look ambiguous to be nonbinary!* and I think that's awesome. However, in the public view, there is starting to be a growing awareness of nonbinary people that is bolstered by this idea of doing ambiguity.

People actually have a fair amount of understanding for folks that successfully “pass” as nonbinary, and that's such a bizarre concept, right? Before, passing has only been used to refer to cis femininity and cis masculinity, but the idea that you can pass as enby, I think is fascinating and really interesting in our research.

Jones: I really appreciate the extension of the idea of doing masculinity and doing femininity to doing ambiguity because of a connection you made earlier in the book about the way that the “born in the wrong body” narrative is seen as something worthy of empathy or pity, and so choice and intentional whatever is not seen as inherently worthy of that. For me, the connection—the idea that everyone is doing gender, everyone is *doing* actively—and you sort of touched on this already as well today—is empowering and is helpful in combatting some of the *lack* of empathy.

Zheng: Yeah, I really like it. It's a big challenge in my work because I work with many generations of trans people and I've had to take a step back and understand that sometimes I'm actually silencing people. Because, if I'm being completely honest, I think that there's no such thing as a transgender gene . . . I don't believe any of the studies that say that there's a biological component to being trans because they all interview trans people like who have already transitioned. There's no longitudinal study, right? It's all correlation implies causation, which I think is super spurious. And they say things like, *since at all these trans people have brains that look more like this, therefore you know there must be some biological basis to being trans.*

I think it's the other way around. I think identifying as trans and going through transition actively changes your brain chemistry and the way your brain works. But again, I can't prove that because we don't have longitudinal studies. . . .

Even though it's my belief that there's no such thing as “born in the wrong body” because our conception of gender—like when you're one year old you don't have a conception of gender. I would say like a lot of those gendered beliefs are stemming from, you know, having or being

⁶ See Candace West and Don H. Zimmerman, *Gender and Society*, Vol. 1, No. 2. 125-151 (Jun. 1987) <https://perma.cc/F6UY-VDS3>.

denied gender nonconformity from a young age. Then later, when you arrive at a gender identity that works for you, kind of retconning your past and interpreting things in a way that makes sense with the narrative. That's what I believe.

Now, as a public figure and a consultant, I've gotten *so* much flak for saying that, and I'm realizing that in fact it's kind of violent to say that because a lot of people, for better or worse, have built their entire identities, life stories, and everything around the idea that they were born in the wrong body. And so I've gotten many trans people who very bluntly told me that I am invalidating them and I'm being transphobic and I've had to take that and listen to that, and take it seriously . . .

I interact with so many of these people and we just need to meet them where they are, and to understand where they're coming from. As an academic, it's still something that I struggle with because, am I allowed to say that that experience is invalid? I don't think so. I really don't think so. As a practitioner, it's violent to invalidate someone's experience. As an academic, I wonder sometimes, right? I wonder if there are these broader sociological, social-psychological factors that are impacting how people identify. It's just a hard boundary. It's a hard line.

Jones: Yeah, definitely, and I appreciate you naming it because I do think it's something that a lot of people are interacting with . . . For myself at least as an enby person, coming into participating in a larger trans community that obviously exists way before and way beyond me, and sort of having to grapple with that.

I have one sort of last question . . . Are there any trans leaders or creators that you want to name that you think others should be looking out for? Or anyone that's exciting to you?

Zheng: One is [Jennicet Gutiérrez](#). She does a lot of Latinx organizing for undocumented queer and trans folks, which is a big deal. Of course, folks know about Laverne Cox and Janet Mock, but you know, those are the big two!

[Eli Erlick](#) is a good friend of mine and does great work. She's the founder of [Trans Student Educational Resources](#) and does a lot of support work for trans students. I really appreciate what they do . . . a book recently came out, a trans 101 book came out that's actually written by a trans person . . . [Lee Airton, PhD](#) , , ,

Trans people doing fun things in general I think is crucial because I don't think we should be expecting all trans people to be spokespeople for the community.

Jones: Definitely! I think that's a great place to end it.

Thank you so much for your time! I really appreciate your perspective on so much of this and I think that it will be very well received by our community.