Summary Key Findings

Denied Work

An audit of employment discrimination on the basis of gender identity in South-East Asia.

Audit

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Denied
Work

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Dr Sam Winter, *Curtin University, Western Australia*
Dr Catriona Davis-McCabe, *Curtin University, Western Australia*
Dr Cianán B. Russell, *Asia Pacific Transgender Network*
Dorian Wilde, *Asia Pacific Transgender Network, Malaysia*
Chu Thanh Ha, *Asia Pacific Transgender Network, Vietnam*
'Ami' Peeranee Suparak, *Asia Pacific Transgender Network, Thailand*
Joe Wong, *Asia Pacific Transgender Network, Singapore*

Proposed citation:
Winter, S., Davis-McCabe, C., Russell, C., Wilde, D., Chu, T.H., Suparak, P. and Wong, J. (2018). *Denied Work: An audit of employment discrimination on the basis of gender identity in Asia.* Bangkok: Asia Pacific Transgender Network and United Nations Development Programme.

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Foreword

Transgender people in Asia and the Pacific and worldwide have a strong sense of pride in their identity. Unfortunately, they also share common negative experiences of discrimination. These experiences include invisibility and isolation, and exclusion from families, schools, the formal workforce and the mainstream economy, and recognition as equal citizens. The lived experiences of trans people are reflected in many previous reports.

Discrimination and lack of equal employment opportunities are common experiences of trans people. For some, problems arise while they are already employed, especially when they are trying to engage in a social transition in the workplace. For many however, problems arise at the job hiring stage. Identification documents and educational certificates often 'out' trans people, even when their physical appearance does not. With employers either prejudiced or anxious about the possible reactions of co-workers and customers, trans people don't get hired. In order to avoid unemployment, many trans people find themselves forced to enter casual and low-paid occupations that are not commensurate with their abilities. These jobs can sometimes be exploitative, underpaid and provide no security or long-term livelihood. For many, especially trans women, sex work becomes a way of putting food on the table.

Employment discrimination in trans communities is a human rights and public health issue. Yet, few jurisdictions in the region have effective anti-discrimination legislation to provide protection against discriminatory hiring practices.

As with all of APTN's work, this study was done in consultation with trans community members, with trans people leading the process at every step. This is what makes the work unique and impactful. The methodology of the project was strategically developed to be inclusive - empowering trans individuals by training them as country leads in the project.

This report, "Denied Work: An audit of employment discrimination on the basis of gender identity in South-East Asia" is the first research project on such a scale examining discrimination against trans people seeking employment in the region. As evidenced by the report, trans people experience significant barriers to even obtain interviews for jobs compared to similarly qualified cisgender applicants. This study is indicative of discrimination faced by trans people at the initial stages of job application. There needs to be continued research and dialogue on employment discrimination of trans people.

A heartfelt thanks to our country research assistants, Peeranee Suparak (Ami), Thailand, Chu Thanh Ha, Vietnam, Dorian Wilde, Malaysia and Singapore who have been pivotal in gathering the data for each of the countries. We also extend our gratitude to Edmund Settle, United Nations Development Programme (UNDP) and Sam Winter and Catriona Davis-McCabe, Curtin University for their financial and technical support in this project and to the community members and organisations that have provided insights and guidance in the development of the study.

Lastly, the strength and heart of this study lies in the diverse partnerships involved. We look forward to this report being utilised to break fundamental barriers, foster collaborations and spark greater dialogue surrounding workplace discrimination and policy changes to advance social protections and the livelihood of trans people.

Joe Wong
Executive Director
Asia Pacific Transgender Network

Transgender people constitute one of the most marginalized populations in the world, especially in the Asia-Pacific region. They face stigma, discrimination and violence at all stages of life including lack of access to education, employment and health services, and lack of legal gender recognition. Human rights violations against transgender people represent fundamental challenges to the achievement of the 2030 Agenda for Sustainable Development's commitment of 'leaving no one behind'.

One of the main contexts where transgender people face discrimination is at employment settings. Employment discrimination faced by transgender people affect their socio-economic status, political and civic participation, and contribute to social exclusion. Addressing employment discrimination is therefore important to achieving Sustainable Development Goals (SDGs), including gender equality (SDG 5), decent work (SDG 8), reducing inequalities (SDG 10), and peace, justice and strong institutions (SDG 16).

This report looks into employment discrimination faced by transgender people while seeking employment in four countries in South-East Asia – Malaysia, Singapore, Thailand and Viet Nam. The findings of the study provide direct evidence of discrimination against transgender people in job hiring practices in the region by analyzing quantitative data drawn from primary research.

For this study, the United Nations Development Programmme (UNDP) partnered with civil society and academic stakeholders – Asia Pacific Transgender Network (APTN) and Curtin University to carry out this ground-breaking research. UNDP recognizes the importance of multi-stakeholder partnership to effectively engage in sustainable development and remains committed on working with different stakeholders towards improving employment conditions of transgender people.

The UNDP Strategic Plan 2018–2021, which aims to help countries achieve the 2030 Agenda for Sustainable Development, observes that vulnerable groups such as transgender people are marginalized by structural barriers and discriminatory norms and practices, and affirms that reducing gender inequalities and empowering them are vital to achieving the SDGs. It is within the context of this plan that this report is aimed at improving human rights of transgender people by informing legal, policy and social changes that contribute to better employment conditions for them.

Jaco Cilliers
Chief: Regional Policy and Programme for Asia and the Pacific
UNDP Bangkok Regional Hub

Acknowledgements

This report, *Denied Work: An audit of employment discrimination on the basis of gender identity in South-East Asia*, is the result of a project jointly developed by UNDP, APTN and researchers at Curtin University to examine employment discrimination against trans people during the job recruitment process.

The authors of this report are Sam Winter, Catriona Davis-McCabe, Cianán Russell, Dorian Wilde, Chu Thanh Ha, Peeranee 'Ami' Suparak, and Joe Wong.

A technical review was provided by Vivek Divan and Angel Treesa Roni. Andy Quan and Edmund Settle, Policy Advisor, UNDP Bangkok Regional Hub edited the report.

Many thanks to the following organizations: Thai Transgender Alliance, SEED Malaysia, Transgender SG, Project X, The T Project, Sayoni, Pelangi Pride Centre and Ooga Chaga. Thanks too to community members who helped organize and/or participated in initial discussions in each country: Jetsada 'Note' Taesombat, Gisele, Mimi, Nisha, Dina, Minerva, Jose, Zal, Ash, Averyn Thng, Christopher Khor, Davian Aw, Evan John Lam, Ivy Lim, Jade, Jane Lum, Jocelyn, June Chua, Rain Khoo Shan Menon, Zhan Chiam and many others. Special thanks are also due to Dr Robert Kane, Senior Lecturer in the School of Psychology, and Dr Jun Chih, Lecturer in the School of Public Health, both at Curtin University. The study was approved by Curtin University's Human Research Ethics Committee.

The research project employed research assistants in each country and was collaboratively administered by APTN and Curtin University in Perth, Australia. For APTN, Joe Wong, Executive Director, and Cianán Russell, Human Rights and Advocacy Officer, managed the implementation of the project.

The development of the report was managed by Edmund Settle, Policy Advisor for HIV, Human Rights and Governance, and Katri Kivioja, Programme Specialist, UNDP Bangkok Regional Hub. UNDP Thailand and UNDP Viet Nam provided a technical review and comments to the report.

UNDP supported this project through the Being LGBTI in Asia programme. Being LGBTI in Asia is a regional programme aimed at addressing inequality, violence and discrimination on the basis of sexual orientation, gender identity or intersex status, and promotes universal access to health and social services. The programme is supported by UNDP, the Embassy of Sweden in Bangkok, the U.S. Agency for International Development, the Australian Department of Foreign Affairs and Trade and Faith in Love Foundation (Hong Kong).

Finally, thanks to the Robert Carr civil society Networks Fund for their support of this research project.

Acronyms

APTN
Asia Pacific Transgender Network

CEDAW
Convention on the Elimination of All Forms of Discrimination Against Women

HIV
Human Immunodeficiency Virus

HRW
Human Rights Watch

ICD
International Classification of Diseases

ILGA
International Lesbian, Gay, Bisexual, Trans and Intersex Association

ILO
International Labour Organization

LGBTI
Lesbian, Gay, Bisexual, Transgender and Intersex

NGO
Non-Governmental Organization

OHR
Office of Human Rights

SOGI
Sexual Orientation and Gender Identity

STI
Sexually Transmitted Infection

TGEU
Transgender Europe

UNDP
United Nations Development Programme

UNESCO
United Nations Educational, Scientific and Cultural Organization

UPR
Universal Periodic Review

USAID
United States Agency for International Development

Terminology

The terminology used around gender identity, gender expression, sexual orientation and sex characteristics is complex. The terminology is sometimes contested as individuals and communities interpret it in different ways or seek to use it to promote particular ideas. Terminology is shaped by cultural and various other factors. Thus, the definitions below are a guide to how these expressions are used and referred to in this report but are not definitive and may change with time.

The key words used in this report are 'transgender', 'trans woman', 'trans man', 'cisgender' and 'use name'. The term 'transgender' (or simply 'trans') is used as an adjective describing persons who identify with a gender other than the one that matches the sex they have been assigned (usually at birth). The English term 'trans women' is used to describe transfeminine people, 'trans men' to describe transmasculine people and the broader phrase 'trans people' to describe these groups collectively.

In using these terms, it is acknowledged that there are more local terms often used in the countries involved. The term 'cisgender' (or simply 'cis') is used to describe individuals who identify with the gender that matches the sex they were originally assigned (again usually at or shortly after birth). The term 'use name' refers to the name used by a trans person to be consistent with their gender identity, which is different from their legal name.

The two-word phrase 'trans person' is used in this report rather than the one-word compound noun 'transperson'. The same is true for related terms such as 'trans man' and 'trans woman'. The two-word format is used with the adjective 'trans' to recognize that trans people are people with an attribute (they are transgender), rather than using the noun 'transperson', which could indicate that a 'transperson' is fundamentally different than other people.

Cisgender (or 'cis'): A term used to describe a person whose gender identity matches their sex assigned at birth. It is the opposite term, or antonym, to transgender.

Gender expression: A person's way of communicating gender externally, for example, androgyny, masculinity and/or femininity. This is done through physical appearance (including clothing, hairstyle, and the use of cosmetics), mannerisms, ways of speaking, and behavioral patterns when interacting with others.

Gender identity: A person's internal sense of being a man, a woman, a third or some alternative gender, a combination of genders or no gender. Everyone has a gender identity. A person's gender identity may not correspond with their sex assigned at birth. This report acknowledges that people employ different terms to describe their gender identity or expression. In Asia, there is a long history of culturally specific terms for diverse gender identities or expressions. These include kathoey in Thailand and mak nyah in Malaysia. Typically, these terms describe people who were assigned a male sex at birth but whose gender identity or expression does not match the assigned sex.

Gender marker: How a person's gender is recorded on official documents. Gender markers usually include the designations of Male (M) and Female (M) as well as gendered name titles in the forms of Ms., Mrs. and Mr.

Gender non-conforming: This term is used to describe trans people who identify in a way other than male or female.

Intersex/sex characteristics: Intersex is an umbrella term used to describe people born with sex characteristics (such as genitals, gonads or chromosome patterns) that do not fit typical binary notions of male or female bodies.

LGBT and LGBTI: Lesbian, gay, bisexual, transgender and intersex. The terms 'LGBT' and 'LGBTI' are increasingly used by community-based organizations in Asia and the Pacific. While different sexual orientations, gender identities and intersex variations should not necessarily be grouped together at all times, it can be helpful to group issues affecting LGBTI populations together for the purposes of advocacy and solidarity, while acknowledging that there are significant differences between the issues and priorities of each of these populations. However, it is equally important that when referring to the specific needs of one group that the group is mentioned explicitly.

The terms SOGI, SOGIE and SOGIESC are often used as a way of describing minority groups without making assumptions about how they identify. SOGIESC stands for sexual orientation, gender identity and expression, and sex characteristics, and used to be inclusive of intersex individuals. However, because the reports on SOGI referred to in this report are not inclusive of intersex individuals, it is accurate to use the acronym SOGI and not SOGIESC.

Non-binary: A term used for gender identities that are not exclusively masculine or feminine and are outside of the gender binary. The term is synonymous with 'gender non-conforming', as used in this report.

Sex: This term refers to the biological characteristics typically used to categorize people as either male or female (see definition of 'intersex').

Sex assigned at birth: The sex to which a person is assigned at, or soon after, birth. This assignment may

not accord with a person's own sense of gender identity as they age. Most people's gender identity coincides with their sex assigned at birth. However, for transgender people, their gender identity is different from their sex assigned at birth.

Sexual orientation: A term referring to a person's emotional, affectional and sexual attraction to, and intimate and sexual relations with, other individuals. A person may be attracted to people of the same gender (homosexual/gay/lesbian), to people of a different gender (heterosexual) or more than one gender (bisexual or pansexual).

Transgender (or 'trans'): An umbrella term used to describe a person whose gender identity is different from their assigned sex at birth.

Transgender woman (or 'trans woman'): A term used to refer to a transgender person who identifies as female (i.e. a person whose sex was assigned male at birth who identifies as female).

Transgender man (or 'trans man'): A term used to refer to a transgender person who identifies as male (i.e. a person whose sex was assigned female at birth but who identifies as male).

Transition: The process many, but not all, transgender people undergo to live 'authentically' in their gender identity. This process may involve altering their gender expression (such as name, clothing and hairstyle). Transitioning may also involve biomedical and surgical interventions (gender-affirming healthcare) that align the individual's body more closely with their gender identity.

Use name: The name used by a trans person to be consistent with their gender identity, which is different from their legal name.

Summary & Key Findings

Four South-East Asian countries – Malaysia, Singapore, Thailand and Viet Nam – were explored for evidence of discrimination against trans people applying for jobs in research in 2016 and 2017. In all four countries, discrimination against trans men and trans women was examined separately. Discrimination was examined in four job sectors in Malaysia, Thailand and Viet Nam and in three job sectors in Singapore.

The research methodology used was 'correspondence auditing'.[1] This allowed for a randomized experimental design, which could provide direct evidence of any discrimination against trans people in job hiring practices in the real world. It involved sending pairs of resumes in response to entry-level job advertisements to examine how signals of gender identity ('cis' or 'trans') affect the likelihood of receiving a positive response to a job application.

During an extensive pilot phase in each country, pairs of resumes were carefully piloted, and matched for qualifications and experience in order to ensure equivalent attractiveness in the job market. Subsequently, in the main part of the study, each resume in a pair was assigned a gender identity marker—either 'trans' or 'cis'—at random. Applicants were marked as 'trans' in two ways: first, by way of explicit gender identification inconsistent with the legal sex indicated, and second, by way of a use name inconsistent with the legal name. Applicants were marked as cis by way of gender ('male' or 'female' only) and legal name (no use name indicated). Consistent with common practice in applying for jobs in Singapore and Thailand, resumes also included a photo, with the photo chosen to match gender identity. Applicants were marked as cisgender by way of a simple designation as 'female' or 'male', with a name and photo.

Over the course of the study, 3,000 jobs were targeted: 800 each in Malaysia, Thailand and Viet Nam, and 600 in Singapore. Clear evidence of discrimination based on gender identity was found in all countries, with trans people overall significantly less likely to receive a positive response (including being invited to an interview) than their cis counterparts.

The key findings from this study are as follows.

I. Trans people face discrimination when seeking employment in the South-East Asian countries studied. Alarmingly, this occurs even before the interview stage. Trans people are overall significantly less likely than cisgender people to receive a positive response to a job application.

II. Across all job sectors targeted, and both genders examined in the study (male and female), the cis applicants overall received an average 50.6 percent[2] more positive responses to job applications than trans applicants. They were 54.5 percent more likely to be invited to an interview. This was despite the resumes being rigorously tested to ensure equivalent attractiveness in the job market.

III. Overall, a cis woman was 59.6 percent more likely to receive a positive response to a job application than a trans woman. She was 64.2 percent more likely to be invited to an interview. A cis man was 40.8 percent more likely to receive a positive response to a job application than a trans man, and 44.4 percent more likely to receive an invitation for an interview.

IV. Discrimination was evident in each country studied. Overall, our data indicated that the worst discrimination against trans people was in Singapore, with trans women and trans men affected to a similar extent. Cis applicants there were 81.5 percent more likely than trans applicants to get a positive response (76.5 percent more likely for cis women and 90 percent for cis men), and 107.2 percent more likely to get invited to interview, more than double (112.5 percent for cis women and 100 percent for cis men).

V. Viet Nam was not far behind. Cis applicants were 70.1 percent more likely than trans applicants to get a positive response (68.3 percent more likely for cis women and 71.9 percent for cis men), and 45.8 percent more likely to be invited to an interview (54.4 percent for cis women and 38 percent for cis men).

VI. In Malaysia, cis applicants were 50 percent more likely than trans applicants to get a positive response (64 percent more likely for cis women and 37.5 percent cis men), and 66.1 percent more likely to be invited to an interview (72.4 percent for cis women and 60.6 percent for cis men).

VII. In Thailand, cis applicants were 24.1 percent more likely than trans applicants to get a positive response (42.2 percent more likely for cis women and 5.6 percent for cis men), and 33.1 percent more likely to get invited to an interview (44.9 percent for cis women and 20.3 percent for cis men).

VIII. The study examined the experience of men and women in a number of job sectors in each country. It was possible to make 30 comparisons between trans and cis applicants in terms of the frequencies with which they were invited to interview. Evidence of discrimination was found against trans people in 27 out of these 30 comparisons. The only exceptions to this general finding were for trans men. Those trans men who were Thai accountancy graduates, Malaysian psychology graduates, or Singaporean school leavers were all as likely as or more likely than their cis counterparts to be invited to an interview.

IX. Raw data underlined the scale of missed opportunities. While the job market was challenging for all applicants, the 1500 cis applications yielded 790 positive responses, of which 507 were invitations to interview. By contrast, the corresponding trans applications resulted in only 530 positive responses, of which only 333 were invitations to interview. There were, therefore, 174 lost interview opportunities (104 for trans women, and 70 for trans men).

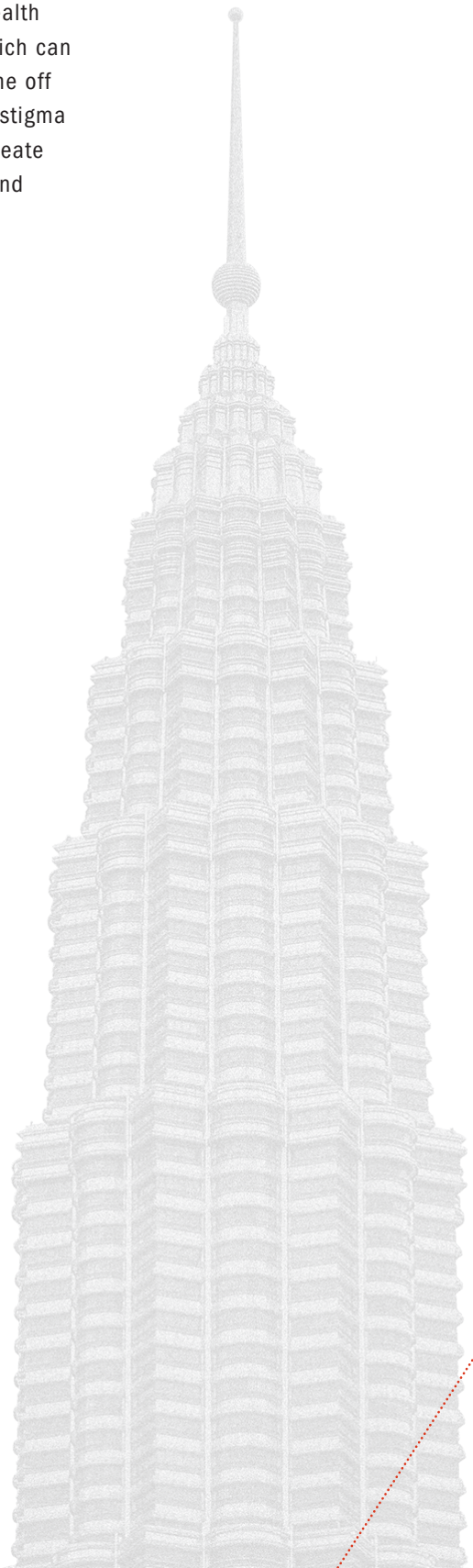
X. It should be noted that the study did not examine what happens beyond the initial application stage. Anecdotal and survey data across the region suggest that trans people encounter further discrimination when they get to an interview, and when they enter employment.[3]

"Over the course of the study, 3,000 jobs were targeted: 800 each in Malaysia, Thailand and Vietnam, and 600 in Singapore. Clear evidence of discrimination based on gender identity was found in all countries."

Previous Research on Trans Employment Discrimination in the Countries Studied

Equal access to employment is not a reality for trans people across much of the world.[4]

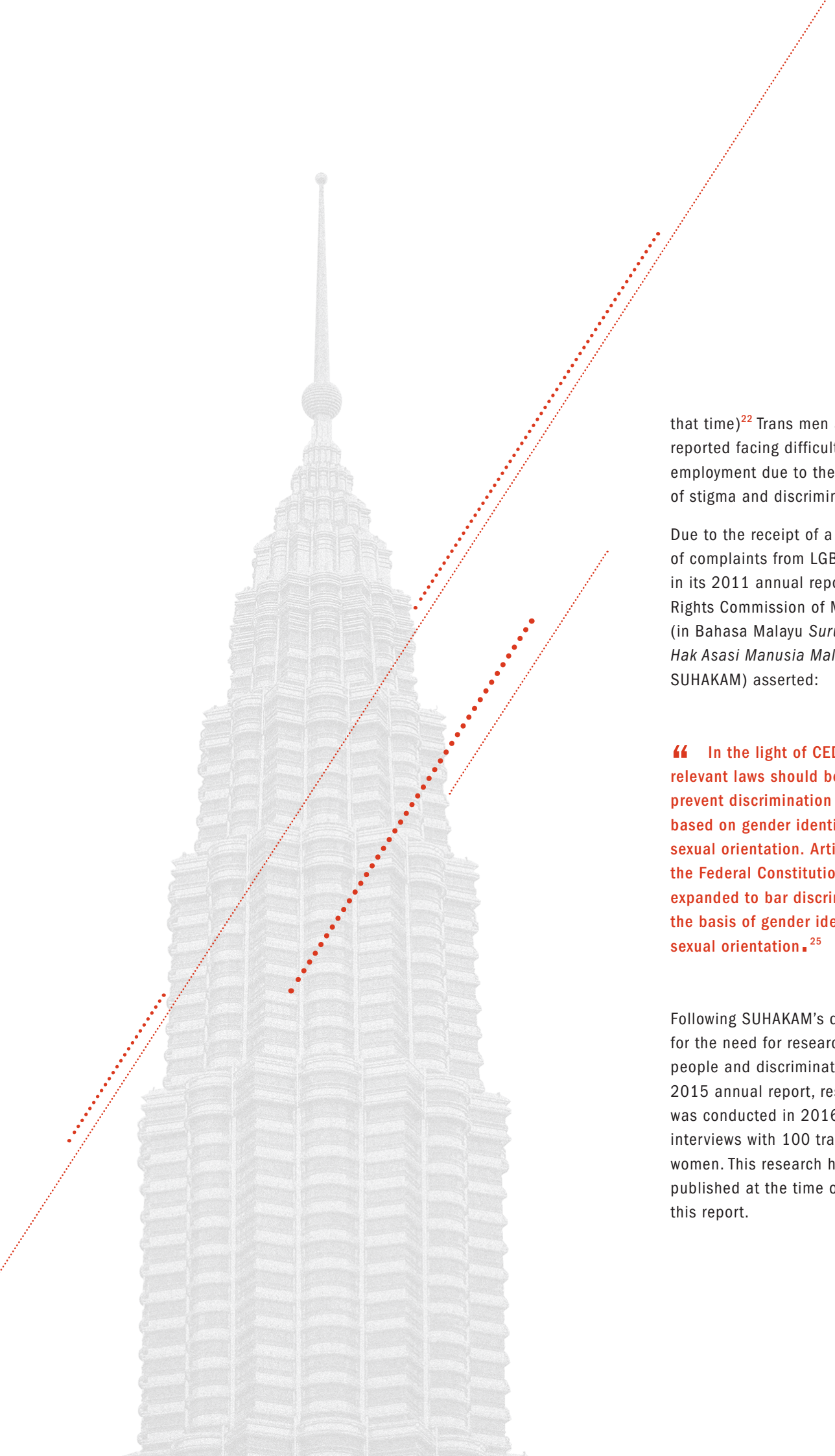
Trans people suffer from limited access to education;[5] inaccurate, limited or stigmatizing legal identity documents;[6] limited access to health care, to adequately trained health care professionals, and to insurance coverage and time off for medical needs, which can lead to work-related issues such as underperformance and increased need for time off or flexibility;[7] unstable home life;[8] inconsistent access to housing;[9] and violence, stigma and discrimination with limited avenues for redress.[10] Collectively, these issues create a situation in which trans people struggle to find and keep gainful employment, and ultimately enter a cycle of oppression and disenfranchisement.



MALAYSIA

Trans people in Malaysia are not legally able to change their identity documents to reflect their self-defined gender, regardless of their stage of transition; be it medical (by way of access to gender-affirming healthcare) or social.[11] Due to this, all trans applicants for employment must 'out'[12] themselves to employers during the application process when providing their name and identity information. This leads to increased exposure to harassment and degrading treatment for applicants.[13] Furthermore, state-enacted Islamic laws in all 13 Malaysian states (some of which are contained in state Syariah law and apply only to Muslims, while others are part of the state criminal law) explicitly criminalize the gender expressions of trans women and, in 5 states, trans men. Gender-affirmation surgeries are haram (forbidden).[14] This means that, for many trans people, presenting themselves in their gender identity for the purpose of employment means risking legal consequences such as fine, arrest and detention.[15] The situation is so dire that at least one trans Malaysian has been granted asylum in another country based on the discrimination and harassment that trans people face.[16]

Malaysian research to date on trans people's access to employment has been limited to self-reported data from samples too small for statistical analysis, or to personal testimonies.[17,18,19,20] In these testimonies, Malaysian trans people have indicated significant personal challenges in completing their education as well as getting and keeping legal employment, with many resorting to sex work when other avenues fail.[21] A 2001 study of 507 Malaysian trans women described over 60 percent as indicating they earned less than RM500 per month (approximately US$132 at



that time)[22] Trans men also have reported facing difficulty in securing employment due to their experiences of stigma and discrimination.[23]

Due to the receipt of a large number of complaints from LGBT individuals, in its 2011 annual report, the Human Rights Commission of Malaysia (in Bahasa Malayu *Suruhanjaya Hak Asasi Manusia Malaysia* or SUHAKAM) asserted:

> **"In the light of CEDAW,[24] relevant laws should be reviewed to prevent discrimination of persons based on gender identity and sexual orientation. Article 8(2) of the Federal Constitution could be expanded to bar discrimination on the basis of gender identity and sexual orientation."[25]**

Following SUHAKAM's directive for the need for research on trans people and discrimination in their 2015 annual report, research was conducted in 2016 involving interviews with 100 trans men and women. This research had not been published at the time of the writing of this report.

SINGAPORE

Singapore has one of the more progressive legal frameworks for trans people in South-East Asia, allowing legal gender recognition – the ability to change one's name and gender marker on one's legal documents.[26] However, stigma and discrimination against trans people in society are rampant.[27,28] Furthermore, sexual orientation and gender identity are not clearly understood by the general public, with widespread discriminatory attitudes as the norm.[29] Trans men are largely invisible in contemporary discussions of sexual orientation and gender identity.

In Singapore, at the time of writing this report, there was no research on employment specifically about trans people. One study of LGBT people states that 15 percent of LGBT employees report experiencing discrimination of some sort in employment.[30]

As mentioned earlier, transgender people in Singapore are legally able to change their identity documents to reflect their self-defined gender. However, applicants for this change must provide evidence of gender-affirming surgery. The Singaporean National Health system does not cover the costs of these procedures – in fact, the required surgeries have not been offered at Singaporean hospitals since 2003[31] meaning that trans people who are unable to afford surgery or choose not to have surgery for a variety of reasons are not able to change their documents. The problem then is that a trans person who cannot have surgery cannot change their documents. They are therefore unable to access employment in their self-defined gender and must 'out' themselves to employers at the very beginning of the application process when providing their name and identity information. At the same time, bias and discrimination against transgender people are not against the law.

THAILAND

Research from Thailand on trans people's access to employment has been limited to self-reported data from trans respondents with sample sizes too small for statistical analysis. Starting from educational settings, trans women in Thailand are pressured by teachers into studies and professions deemed "soft" and discouraged from pursing high-status fields.[32] Trans students are regularly barred from taking their university exams for wearing clothes that match their gender identities, causing students to leave school early or avoid pursuing higher education altogether.[33]

A UNDP-USAID report indicates that employment discrimination against transgender people begins before employment itself, with transgender respondents indicating problems in the application and interview processes, as well as during employment.[34] A study by the International Labour Organization (ILO) found that:

> **"in the private sector, transgender job applicants are often given psychological tests not given to other applicants, and transgender and *tom* [An informal Thai expression for a female who acts in a masculine way] applicants are often asked about their sexuality in job interviews and subsequently denied the job.[35]"**

In this study, a trans woman respondent indicated that she had watched as a job application she submitted was torn up in front of her.[36] Trans men respondents also indicated being asked inappropriate questions about their sexuality during interviews and were often relegated to 'back room' roles when hired, such as stocking shelves or housekeeping.[37] Many trans people end up entering informal, unsalaried or illegal positions, such as manual labour or sex work.[38]

Trans people in Thailand are not legally able to change their identity documents to reflect their self-defined gender, regardless of the stage of their medical or social transition. Due to this, all trans applicants for employment must 'out' themselves to employers during the application process when providing their name and identity information. This leads to increased exposure to harassment and degrading treatment of applicants.[39]

All Thai people assigned male at birth are legally required to report for military conscription. Trans women are exempt from military service but still must present themselves for the conscription process in order to receive their exemption letter. Until 2011, dismissal from service for trans women was classified as due to a "permanent mental disorder", in line with government adoption of the World Health Organization's International Classification of Diseases 10 (ICD-10).[40] Military documents are regularly required by potential employers during the hiring process. This classification regularly led to denial of employment.[41] In 2011, the military reclassified the exemption, and trans women receiving exemptions now receive letters with the less pathologizing language of having a "sex different from the one assigned at birth".[42]

In 2015, Thailand adopted a law, the Gender Equality Act B.E. 2558 (2015), which prohibits discrimination based on gender, and explicitly defines gender to include "persons whose expression differs from the sex by birth".[43] It allows a legal redress mechanism that is overseen by the Committee on Consideration of Unfair Gender Discrimination for those experiencing discrimination on the basis of gender. As of October 2018, the Department of Women's Affairs and Family Development, the Committee's Secretariat, reports that six cases have been settled for transgender people through this Committee.

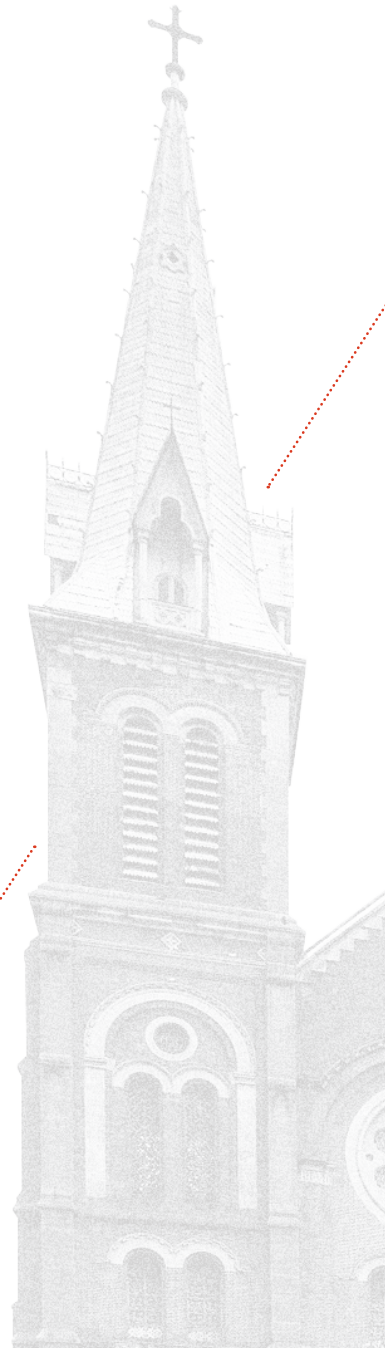
VIET NAM

Viet Nam has a cultural history of respect towards trans people, particularly in the context of cultural and traditional roles.[44] However, in more recent times, stigma and discrimination against trans people have taken root.[45] Sexual orientation and gender identity are not explicitly separated as concepts in general discussion; trans women are often considered to be a more visible and extreme form of gay men. Trans men are largely invisible in modern discussions of sexual orientation and gender identity.[46] One study from the Institute for Studies of Society, Economy and the Environment (iSEE) of 2,363 respondents reported discrimination based on SOGI in the family, schools, workplaces, healthcare, housing and public areas, with transgender people reporting experiencing discrimination based on SOGI in the last 12 months most often compared to lesbians, gay men and bisexual people: 49.4 percent for trans men and 48.5 percent for trans women, although the study cautions the use of the figures because trans women were only 1.4 percent of respondents.[47]

One online study in Viet Nam found that 85 percent of trans women respondents had dropped out of school due to bullying and violence.[48,49] This has significant impact on the employment prospects for trans people, who suffer from chronic unemployment and underemployment.[50] Many trans women perform as funeral singers as their main profession, a position which allows them to present themselves as women. However, these performances are often characterized by derision and mockery from cis people attending the funerals.[51]

An in-depth self-report study on employment discrimination by Hoang and Oosterhoff found that trans women often work in informal or unregulated industries because of lack of opportunity in the traditional job market.[52] The same study found that 52 percent of transgender respondents received most of their income from family and friends; at the time, the average unemployment rate was 7 percent for the general population. This study also found that trans people in traditional employment were more likely to be employed in the food services (36 percent) or to own their own business (18 percent). When these responses were probed in interviews, respondents indicated that prospective employers had expressed that they wanted non-trans employees or that their co-workers had lost respect for them when they

“One online study in Vietnam found that 85 percent of trans women respondents had dropped out of school due to bullying and violence. This has significant impact on the employment prospects for trans people, who suffer from chronic unemployment and underemployment.”



became aware of their trans identity. More than half of trans women respondents and over a quarter of trans men had been forced to leave a job once their trans status became known.[53]

The iSEE study reported transgender people had a job rejection rate of three times higher than that of homosexual and bisexual people (and almost 30 percent of LGBT were denied job applications for being LGBT). Transgender people reported discrimination in pay and promotions, being limited to low-level positions, and being unfairly treated for being LGBT. Verbal harassment or abuse from managers, colleagues and clients was reported often (ranging from 40 percent to 68.8 percent). 50 percent of trans women were forced to wear uniforms not conforming to their gender and 41.7 percent of trans men.[54]

Vietnam's Civil Code was amended in November 2015 and reported to have taken effect in January 2017, allowing people who have undergone gender-affirmation surgery to register under their new gender.[55] This improves employment opportunities for those who have undergone gender-affirmation surgery, but transgender applicants for employment who have not had surgery or for another reason cannot register their chosen gender must 'out' themselves to employers at the very beginning of the application process when providing their name and identity information. This leads to increased exposure to harassment and degrading treatment for applicants,[56] and to negative impacts on the self-esteem of trans people.[57] Further research on the impact of legal gender recognition on the lives and livelihoods of trans people in Vietnam is necessary.

It was reported in October 2017 that the Ministry of Health is drafting a law that will allow trans people to register under their chosen gender, regardless of whether they have had surgery or not. However, the draft law may not be reviewed until 2019.[58]

"Transgender people reported discrimination in pay and promotions, being limited to low-level positions, and being unfairly treated for being LGBT. Verbal harassment or abuse from managers, colleagues and clients was reported often (ranging froma 40 percent to 68.8 percent)."

Previous Audit Research

Some of the most convincing field evidence for discrimination against minority groups has come from audit methodology, in which the experiences of members of a minority community are examined in a specific social situation, and are then compared with the experiences of persons in the general population in that same situation.

There appear to have been only three audit studies examining discrimination against trans people seeking employment. One used an in-person audit and the other two were correspondence tests. All were small-scale US studies.

The first was a small in-person employment audit conducted in 2008 by an organization called Make the Road NY.[59] Twenty-four various retail stores in Manhattan were tested. Cis testers received 11 employment offers, while trans testers received only 2, suggesting a considerable level of discrimination against trans applicants. While the size and generalizability of this study is limited, results clearly indicate significant discrimination against trans people during hiring.

Bardales[60] conducted a correspondence test to assess discrimination against trans women. Bardales sent matching resumes – one with a marker of the applicant being trans and one without – in response to 109 online job advertisements within the customer service and food management job sectors in two cities in Texas. All applications were from women (trans or cis). Cis applicants received responses 54.1 percent more often than trans applicants. As in the case of the Make the Road research in New York, this Texan study was of limited scope. It examined discrimination against women only, was confined to two job sectors, and in any case involved a relatively small number of applications. So, questions remain about its generalizability. The researchers made equivalent resumes based on their own ideas, with no validation process.

Most recently, in a report entitled Qualified and Transgender, the District of Columbia (DC) Office of Human Rights (OHR) conducted a correspondence test examining hiring discrimination against trans people across a range of job sectors.[61] It is important to note that DC has anti-discrimination policies in place to protect against such discrimination. The applications targeted 50 jobs. There was a total of 200 applications, 4 for each job, from trans men, trans women and cisgender applicants, and other gender non-conforming persons. The authors reported that employers made responses to 21 jobs, and that in 10 of these, there was clear evidence of discrimination against trans and gender non-conforming applicants. The worst discrimination appeared to be against transmale applicants reporting previous work experience at a trans advocacy organization.

In terms of job sector, the restaurant industry appeared to be the most discriminatory among the job sectors examined. Once again, this study was small, limiting its generalizability. Moreover, the study explicitly ensured that each trans and gender non-conforming applicant was more highly qualified than the corresponding cis applicant. It is impossible to know what may have been the exact impact of this aspect of the methodology. However, it is likely that it may have enhanced the apparent employability of the trans applicants, thereby masking discrimination on the basis of their gender identity.

Audit Research for this Study

Four research assistants worked on the project over a period of six to eight months. Each research assistant lived in the country where they were collecting data and were knowledgeable about the local job market.

Pilot study stage: Initial development of pairs of equivalent resumes

As a first step, an advisory group meeting was held in each country with members of the trans community to discuss the local job market, job applications and ideas for possible gender identity markers. Resumes were then developed based on the feedback from the advisory group. Pairs of resumes were developed for each of the job sectors (four job sectors in Malaysia, Thailand and Viet Nam, and three in Singapore, see Table 1 for details). The job sectors chosen for each country took account of the job markets in each country at that time. The pairs of resumes were tested to see if they were similarly attractive in their intended job market. This was done by sending resumes out in response to job advertisements and counting employer responses.

The responses came by email or phone and were coded into three types of positive response categories ('call us', 'provide more information' and 'come to an interview') and two types of negative response ('not interested' and no response at all). McNemar's test was used for detecting a discrepancy in the number of responses received for the two resumes.[62] This enabled an assessment of whether any apparent difference in attractiveness was real or due to chance. Where one resume appeared more attractive than another, possible reasons were discussed, suitable changes made, and the testing process was then restarted, continuing in this way until statistical equivalence was reached (i.e. the point at which the statistics indicated a close enough equivalence to continue).

Once the resumes in each pair were deemed statistically equivalent, a gender identity marker (either trans or cis) was assigned to each resume at random. Applicants were marked as either cis or trans in two ways: by a gender/sex marker and by a name marker.

Gender/sex marker: Trans applicants indicated that their gender identity differed from their sex assigned at birth. In Thailand, they did so by indicating sex and gender separately. Applicants in all other countries simply indicated 'trans man' or 'trans woman'. In Viet Nam, the Vietnamese phrase for trans man or trans woman was added alongside the English term. Cis applicants simply indicated their gender.

Name marker: Trans applicants indicated their legal name, with their 'use name' in brackets. In Viet Nam, these names were explicitly marked as 'full name' and 'preferred name'. Cis applicants simply indicated their name.

Singaporean and Thai resumes also carried a photo, in keeping with what was understood as common practice. The photos were of cis people. An effect of this was that the resumes communicated to prospective employers that our trans applicants "passed"; that is, they appeared to be cis.

Over several months, applications were sent out, being careful to allow several days between sending out the first and second application in a pair. The research proceeded in two phases. In the first phase, applications to 100 jobs were sent out in each of the job sectors targeted, pairing either trans and cis women or trans and cis men (depending on the country and job sector involved). In the second phase, another 100 jobs were targeted in that sector, but switching to the other gender. Any remaining lack of equivalence in the resumes was controlled by moving the trans and cis markers between the two resumes in a pair. Any effects arising from the order in which applications were sent out was also controlled, by sending out the application of the trans applicant ahead of the application of the cis applicant half the time and reversing the order for the other half.

By the end of the study, 200 jobs were targeted in each of the job sectors chosen for each country. In all, 3,000 jobs were targeted with 6,000 applications. See Table 1 for summary.

Table 1. Countries & job sectors studied

Country	Job sectors targeted	Number of applications
Malaysia	Degree Business Administration Degree Psychology Degree Computer Science High School Leaver	1600 applications for 800 jobs
Singapore	Degree Business Administration Diploma Information Technology High School Leaver	1200 applications for 600 jobs
Thailand	Degree Accounting Degree Language Degree Computer Science High School Leaver	1600 applications for 800 jobs
Viet Nam	Degree Business Administration Diploma Hotels/Catering Degree Software Engineering High School Leavers	1600 applications for 800 jobs

The tables in Appendix 1 summarize the data collected from the four countries. They display response data for applications by cis and trans applicants (male and female) in terms of three positive response categories ('call us', 'provide more information' and 'come to an interview') and two types of negative response ('not interested' and no response at all). The tables also provide pooled data within each country for the three positive response types combined, the two negative responses combined, and the four job sectors combined (see final rows).

Findings from the Study

Malaysia: In Malaysia, it is clear that trans people are discriminated against when seeking employment (see Appendix 1a).

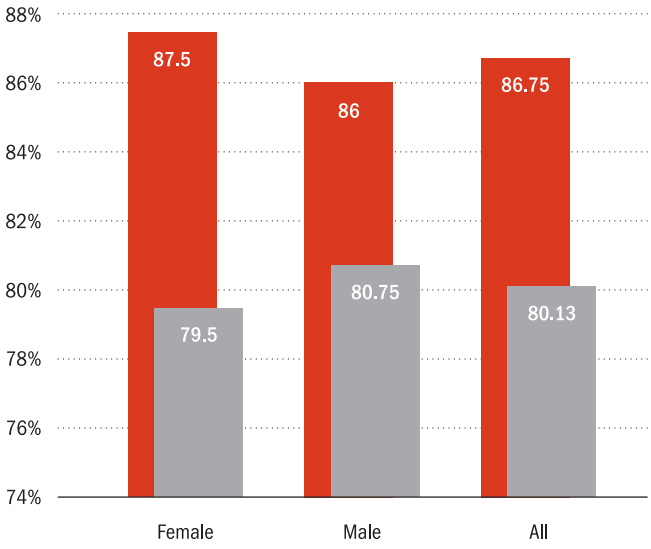
The data showed that despite equivalent qualifications and experience, trans applicants were less likely than cis applicants to receive a positive response (being invited to contact the employer, being asked for more information, or being invited to attend an interview) across the four job sectors, with trans applicants receiving 106 positive responses compared to 159 for cis applicants to the same jobs.[63] On the other hand, trans applicants were more likely to get a negative response (that the employer was not interested) or receive no response at all, with trans applicants receiving 694 negative or no responses compared to 641 for cis applicants (see Figures 1 and 2).

Overall, the cis applicants received 50 percent more positive responses than the trans applicants (159 versus 106, respectively). The discrimination experienced by trans women was particularly severe. Cis women received 64 percent more positive responses than trans women (82 versus 50). The corresponding figure for men was 37.5 percent more positive responses (77 positive responses for cis men versus 56 for trans men).

The trend towards discrimination against trans applicants can be most readily seen in the case of invitations to attend an interview (see Figure 3). Cis applicants, though no more

Figure 1. | Cis Trans

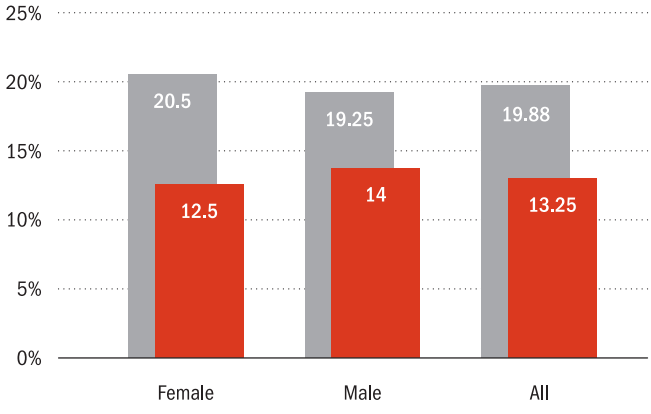
Malaysia - Percentage of applications receiving a negative response (employer not interested) or no response at all. All job sectors.



qualified and experienced than the trans applicants, overall received 66.1 percent more invitations to attend an interview (103 versus 62, respectively). Again, the discrimination faced by trans women was particularly severe. Cis women received 72.4 percent more invitations to attend an interview than trans women (50 versus 29). Cis men received 60.6 percent more invitations (53 for cis men versus 33 for trans men).

Figure 2. | Cis Trans

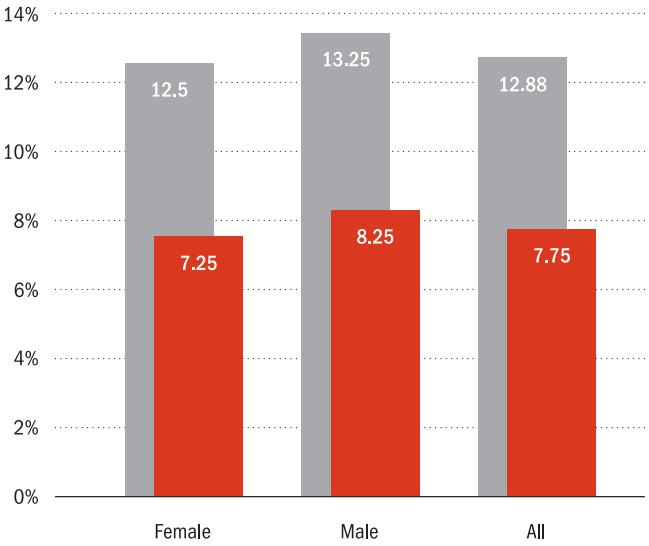
Malaysia - Percentage of applications receiving a positive response (request to call, or for more information, or to attend an interview). All job sectors.



Discrimination was evident, to varying extents, in all four employment sectors examined. Figures 4a to 4d provide, for each of the four job sectors, percentages corresponding to those in Figure 3. Discrimination was consistent and strong in three of the four sectors. The situation faced by computer science graduates was particularly severe, with cis applicants overall getting invited to attend an interview 127.3 percent more frequently trans applicants (25 versus 11, respectively). However, there was also discrimination in two of the other sectors, with cis applicants 72.7 percent more likely to get interviews in the business administration sector than trans applicants (38 versus 22), and 58.8 percent more likely in the school leaver sector (27 versus 17). The job sector for psychology graduates offered the only comparatively bright spot in this generally dark picture, with cis applicants getting only 8.3 percent more invitations to interview than trans applicants (13 versus 12).

Figure 3. | Cis Trans

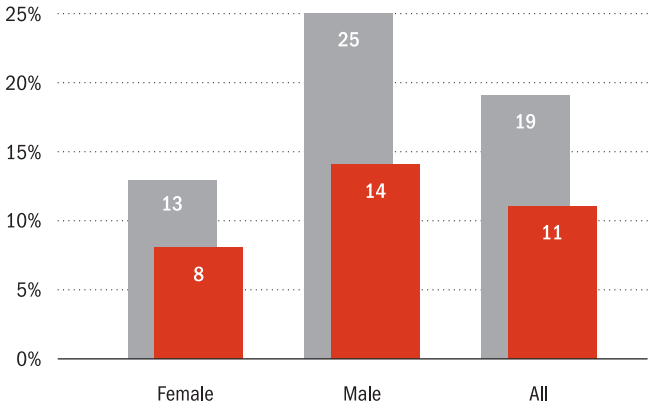
Malaysia - Percentage of applications resulting in an invitation to attend an interview. All job sectors.



In two of the job sectors, computer science and school leavers, the discrimination faced by trans women was particularly severe compared with trans men. Cis women with degrees in computer science were 175 percent more likely to be called to interview than equivalently qualified and experienced trans women (11 versus 4, respectively). The corresponding figure for men was 100 percent (14 versus 7 interview invitations). Among school leavers, cis women were 72.7 percent more likely to be invited to attend an interview than trans women (19 versus 11); the corresponding figure for men was 33.3 percent (8 versus 6). Among psychology graduates, cis women were 16.7 percent more likely than trans women to receive an interview invitation (7 versus 6); for men there was no discrepancy at all.

Figure 4a. | Cis Trans

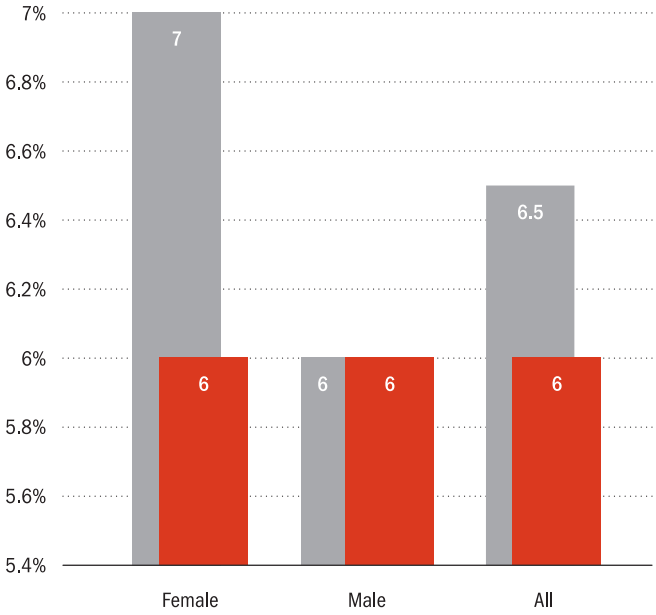
Malaysia - Business Administration. Percentage of applications resulting in an invitation to attend an interview.



The one remaining job sector showed a rather different pattern. In business administration, trans men shouldered a higher burden of discrimination than trans women. Cis women were 62.5 percent more likely than trans women to be invited to attend an interview (13 versus 8, respectively). Cis men were 78.6 percent more likely than trans men to be invited to attend an interview (25 versus 14).

Figure 4b. | Cis Trans

Malaysia - Psychology: Percentage of applications resulting in an invitation to attend an interview.

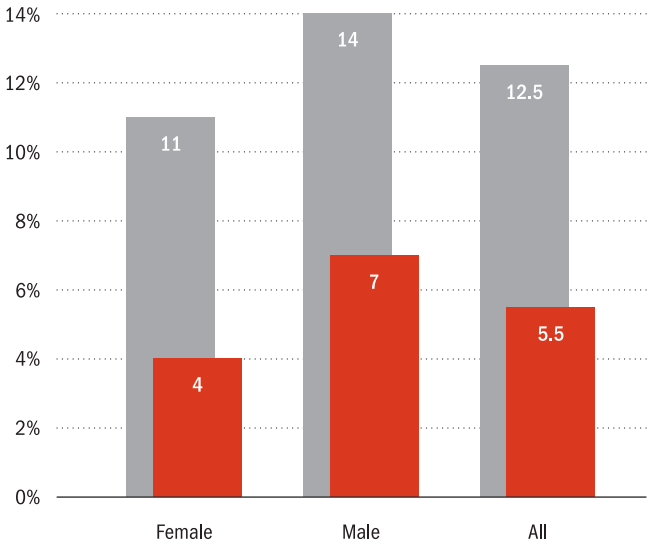


Finally, as a way of standing back and looking at the entire data (see Appendix 1a), it is possible to calculate the relative likelihood of a trans applicant getting specific types of response, as compared with the likelihood for cis applicants. Figure 5 shows the results of this calculation.[64] Discrimination against trans applicants is evident across the full spectrum of possible responses. At one end of the spectrum, trans applicants were disproportionately likely compared with cis applicants to have their applications ignored by employers.

"At one end of the spectrum, trans applicants were disproportionately likely compared with cis applicants to have their applications ignored by employers. At the other end of the spectrum of responses, they were, as discussed previously, less likely to be called to an interview."

Figure 4c. | Cis Trans

Malaysia - Computer Science: Percentage of applications resulting in an invitation to attend an interview.



At the other end of the spectrum of responses, they were, as discussed previously, less likely to be called to an interview. The more negative the response from an employer, the more likely it was that a trans applicant rather than a cis applicant would encounter it. The more positive the response from an employer, the less likely it was, relative to a cis person, that a trans person would encounter it.

Figure 4d. | Cis Trans

Malaysia - School Leavers: Percentage of applications resulting in an invitation to attend an interview.

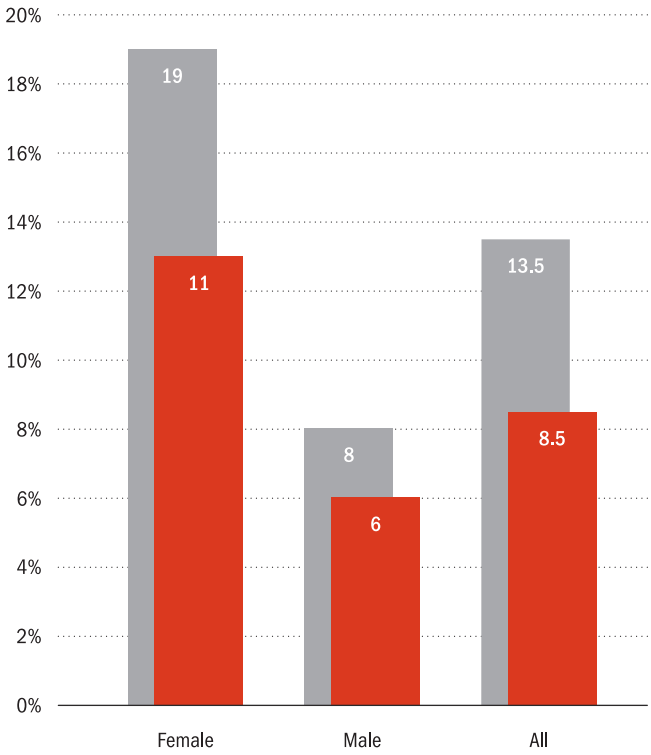
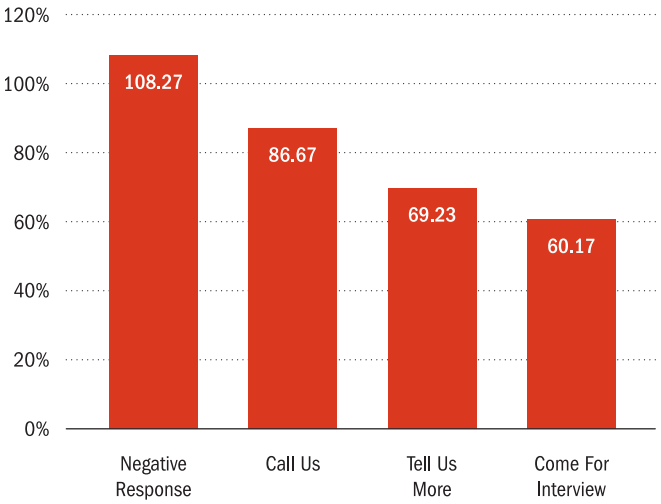


Figure 5.

Malaysia - Likelihood of a trans applicant getting a specific type of response, relative to the likelihood for a cis applicant.[65] Negative responses comprise 'not interested' and no response at all.

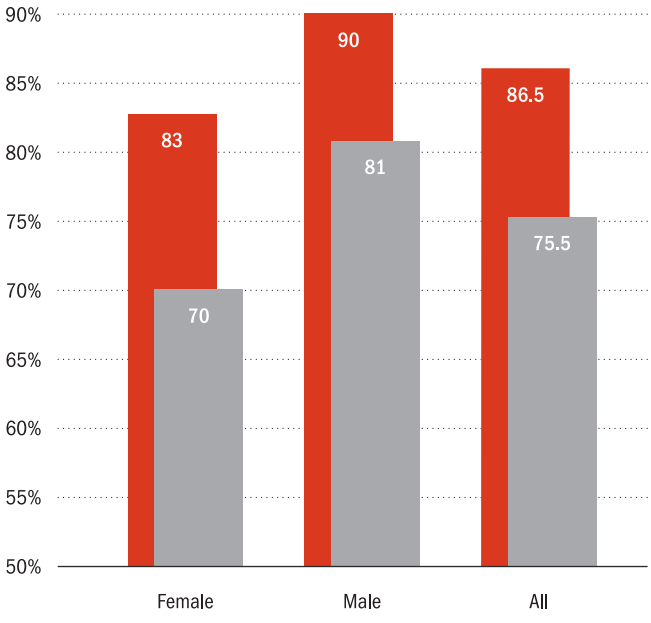


Singapore: It is clear in Singapore that trans people are discriminated against when seeking employment (see Appendix 1b).

Despite equivalent qualifications and experience, trans applicants were less likely than cis applicants to receive a positive response (either being invited to contact the employer, being asked for more information, or being invited to attend an interview) across the three job sectors, with trans applicants receiving 81 positive responses compared to 147 for cis applicants to the same jobs.[66] On the other hand, trans applicants were more likely to get a negative response (that the employer was not interested) or receive no response at all, with trans applicants receiving 519 negative or no responses compared to 453 negative or no responses for cis applicants (see Figures 6 and 7).

Figure 6. | Cis Trans

Singapore - Percentage of applications receiving a negative response (employer not interested) or no response at all. All job sectors.



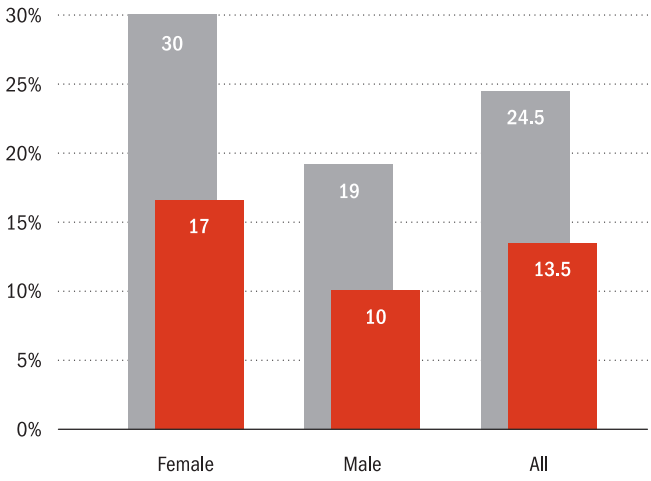
Overall, the cis applicants received 81.5 percent more positive responses than the trans applicants (147 versus 81, respectively). Both trans women and trans men experienced broadly similar levels of discrimination. Cis women received 76.5 percent more positive responses than trans women (90 versus 51). Cis men received 90 percent more positive responses (57 for cis men versus 30 for trans men).

The trend towards discrimination against trans applicants was particularly evident in the case of requests to attend an interview (see Figure 8). Cis applicants, though no more qualified and experienced than the trans applicants, nevertheless received 107.1 percent more requests to attend an interview (87 versus 42, respectively). Again, trans women and trans men experienced broadly similar levels of discrimination. Cis women received 112.5 percent more invitations to an interview than trans women (51 versus 24). Cis men received 100 percent more invitations than trans men (36 versus 18).

Discrimination was evident, to varying extents, in all three employment sectors examined. Figures 9a to 9c provide, for each of the three job sectors, percentages corresponding to those in Figure 8. The situation faced by business administration graduates was particularly severe, with cis applicants overall being invited to attend an interview 121.4 percent more frequently than trans

Figure 7. | Cis Trans

Singapore - Percentage of applications receiving a positive response (request to call, or for more information, or to attend an interview). All job sectors.



applicants (31 versus 14, respectively). Similarly, in information technology, cis applicants were 112.5 percent more likely to be invited to attend an interview than trans applicants (34 versus 16). The school leaver sector was only a little better, with cis applicants 83.3 percent more likely to be invited to attend an interview than trans applicants (22 versus 12).

In two of the job sectors, business administration and information technology, the discrimination faced by trans men was particularly severe, as compared with trans women. Among business administration graduates, cis women were 90.9 percent more likely to be called to interview than equivalently qualified and experienced trans women (21 invitations versus 11, respectively). The corresponding figure for men was 233.3 percent (10 versus 3). Among information technology graduates, cis women were 85.7 percent more likely to be invited to attend an interview than trans women (13 versus 7). The corresponding figure for men was 133.3 percent (21 versus 9).

Figure 8. | Cis Trans

Singapore - Percentage of applications resulting in an invitation to attend an interview. All job sectors.

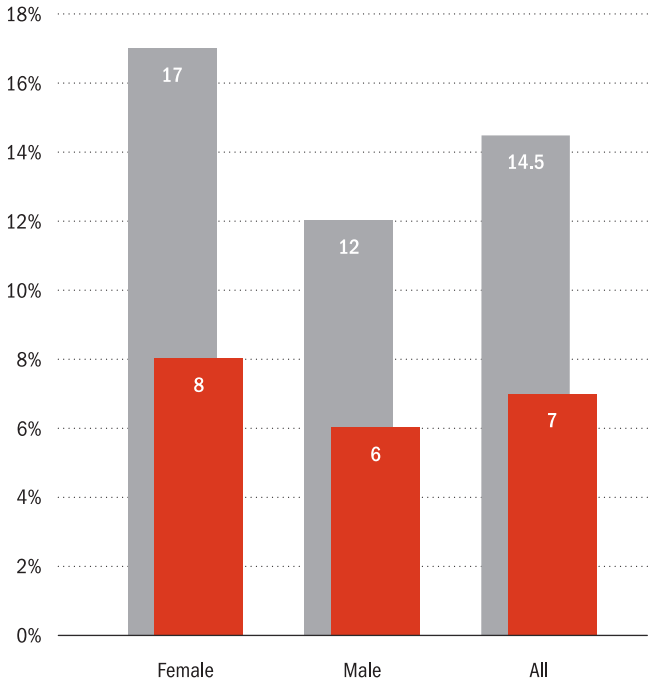
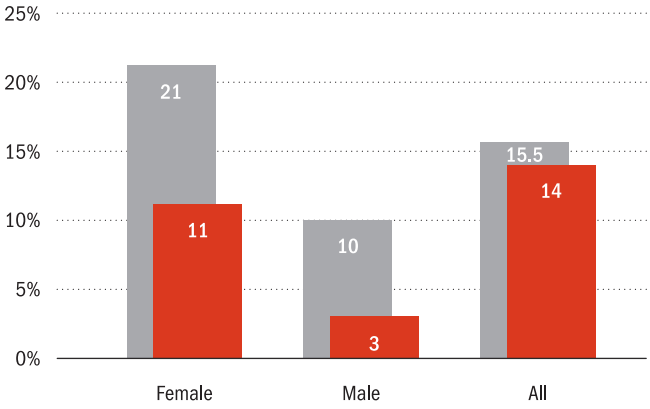


Figure 9a. | Cis Trans

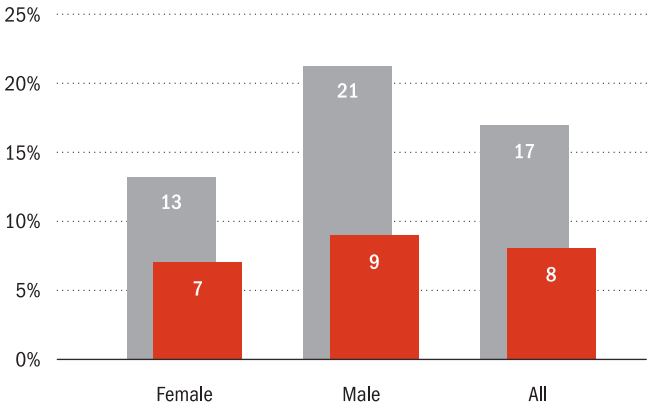
Malaysia - Business Administration: Percentage of applications resulting in an invitation to attend an interview.



The remaining job sector, for school leavers, showed a rather different pattern, with trans women encountering greatest discrimination. Cis women were 183.3 percent more likely than trans women to be invited to attend an interview (17 versus 6). In a finding that went against the general pattern in Singapore (and the overall pattern in

Figure 9b. | Cis Trans

Singapore - Information Technology: Percentage of applications resulting in an invitation to attend an interview.



the three other countries we researched in), cis men were actually 16.7 percent less likely to be invited to attend an interview than were trans men (5 versus 6).

Again, as a way of standing back and looking at the entire data (see Appendix 1b), we calculated the relative likelihood of a trans applicant getting specific types of response, as compared with the likelihood for cis applicants. See Figure 10.[67] Discrimination against trans applicants is evident throughout. At one end of the spectrum, trans applicants were disproportionately likely, as compared with cis applicants, to have their applications ignored by employers. At the other end, they were, as reported earlier, less likely to be invited to attend an interview. The more negative the response from an employer, the more likely it was that a trans applicant rather than a cis applicant would encounter it. The converse was also true. The more positive the response from an employer, the less likely it was, relative to a cis person, that a trans person would encounter it.

Figure 9c. | Cis Trans

Singapore - School Leavers: Percentage of applications resulting in an invitation to attend an interview.

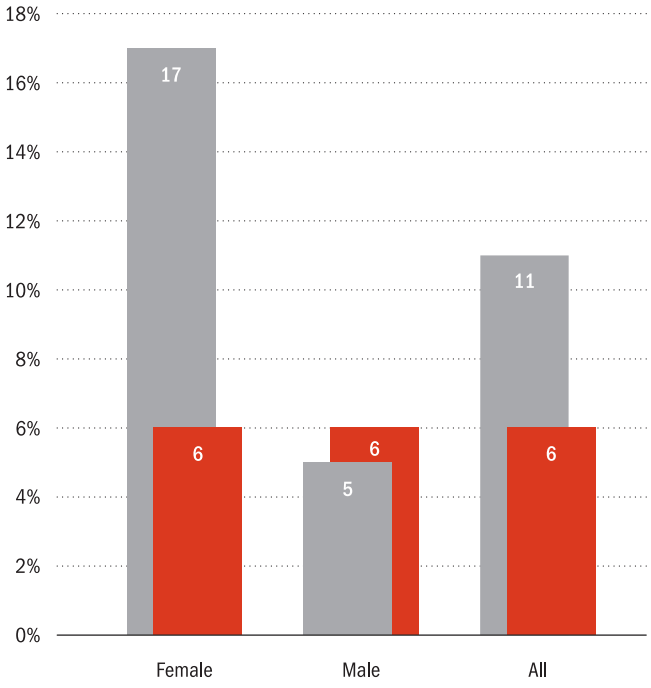
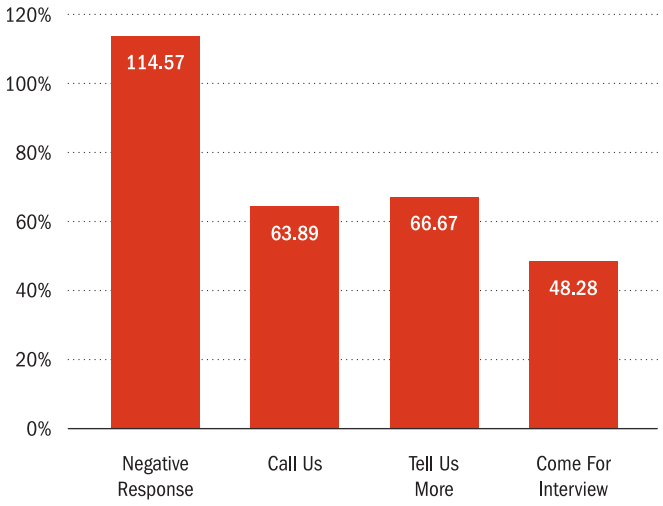


Figure 10.

Singapore - Likelihood of a trans applicant getting a specific type of response, relative to the likelihood for a cis applicant. Negative responses comprise 'not interested' and no response at all.



"Overall, the cis applicants received 81.5 percent more positive responses than the trans applicants (147 versus 81, respectively). Both trans women and trans men experienced broadly similar levels of discrimination."


ASIA
PACI-
FIC

Thailand: It is clear from our data that trans people in our study were discriminated against when seeking employment (see Appendix 1c).

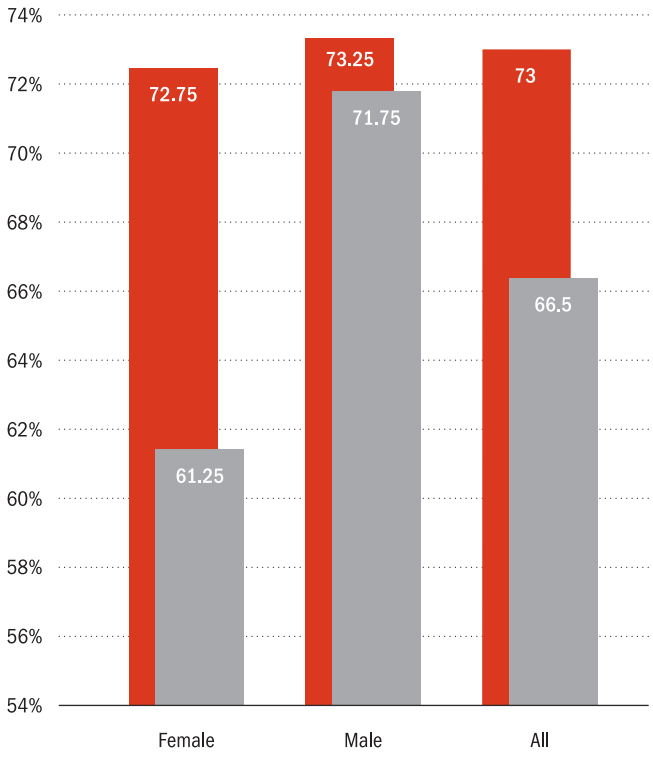
Despite equivalent qualifications and experience, trans applicants were less likely than cis applicants to receive a positive response (either being invited to contact the employer, being asked for more information, or being invited to attend an interview) across the four job sectors overall, with trans applicants receiving 216 positive responses compared to 268 for cis applicants to the same jobs.[68] On the other hand, trans applicants were more likely to get a negative response (that the employer was not interested) or receive no response at all, with trans applicants receiving 584 negative or no responses compared to 532 for cis applicants (see Figures 11 and 12).

Overall, the cis applicants received 24.1 percent more positive responses than the trans applicants (268 versus 216, respectively). The discrimination experienced by trans women was particularly severe. Cis women received 42.2 percent more positive responses than trans women (155 versus 109, respectively). The corresponding figure for men was 5.6 percent (113 responses for cis men versus 107 responses for trans men).

The trend towards discrimination against trans applicants can be most readily seen in the case of requests to attend an interview. See Figure 13. Cis applicants, though no more qualified and experienced than the trans applicants, nevertheless overall received 33.1 percent more requests to attend interview (177 versus 133, respectively). Again, the discrimination faced by trans women was particularly severe. Cis women

Figure 11. | Cis Trans

Thailand - Percentage of applications receiving a negative response (employer not interested) or no response at all. All job sectors.

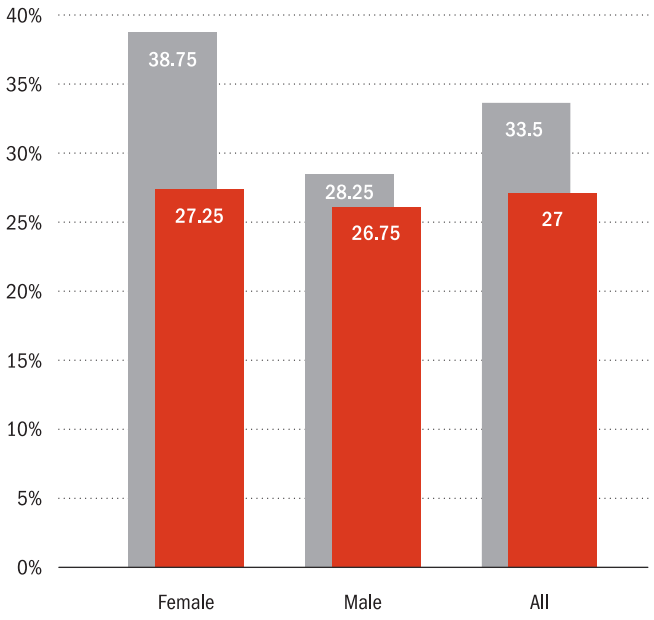


received 44.9 percent more invitations to interview than trans women (100 versus 69, respectively). The corresponding figure for men was 20.3 percent (77 for cis men versus 64 for trans men).

Discrimination was evident, to varying extents, in all four employment sectors examined. Figures 14a to 14d provide, for each of the four job sectors, percentages corresponding to those in Figure 13. It is evident that discrimination was consistent and strong in three of the four sectors. The situation faced by accounting graduates was particularly severe, with cis applicants overall being invited to attend an interview 54.2 percent more frequently than trans applicants (37 versus 24, respectively).

Figure 12. | Cis Trans

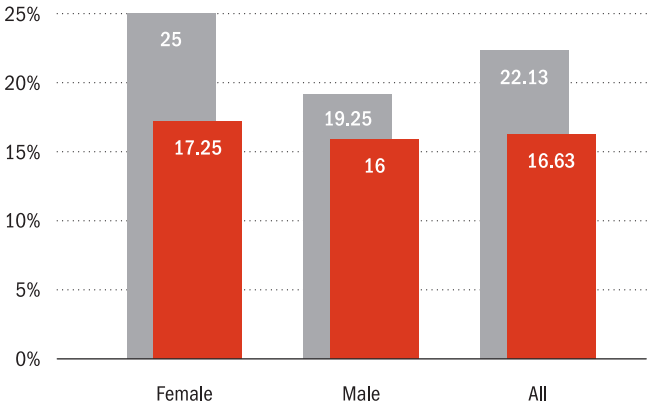
Thailand - Percentage of applications receiving a positive response (request to call, or for more information, or an invitation to attend an interview). All job sectors.



Similarly, cis applicants were 51.5 percent more likely to be invited to attend an interview in the language sector than trans applicants (50 versus 33). In the school leaver sector, cis applicants were 25 percent more likely to be invited to attend an interview (65 versus 52). The job sector for computer science graduates offered the only comparatively bright spot in this generally dark picture, with cis applicants getting only 4.2 percent more invitations to attend an interview than trans applicants (25 versus 24).

Figure 13. | Cis Trans

Thailand - Percentage of applications resulting in an invitation to attend an interview. All job sectors.



In two of the job sectors, language and computer science, the discrimination faced by trans women was particularly severe compared with trans men. Cis women with degrees in language were 70.6 percent more likely to be invited to attend an interview than equivalently qualified and experienced trans women (29 versus 17, respectively). Cis men were 31.3 percent more likely (21 positive responses for cis men versus 16 responses for trans men). Among computer science graduates, cis women were 66.7 percent more likely to be invited to attend an interview than trans women (20 versus 12). By contrast, in a finding that went against the general patterns found in this study in Thailand and the three other countries researched, cis men were invited to attend an interview 58.3 percent less often than trans applicants (5 versus 12).

Figure 14a. | Cis Trans

Thailand - Job Sector 1, Accounting: Percentage of applications resulting in an invitation to attend an interview.

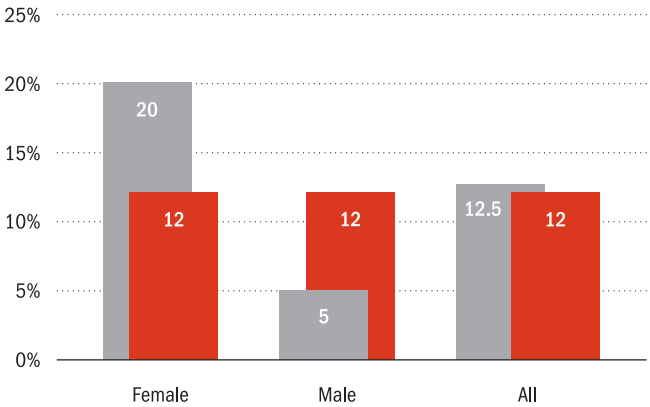
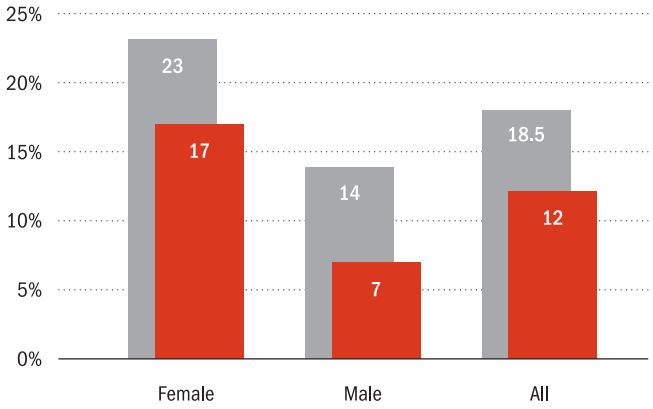


Figure 14b. | Cis Trans

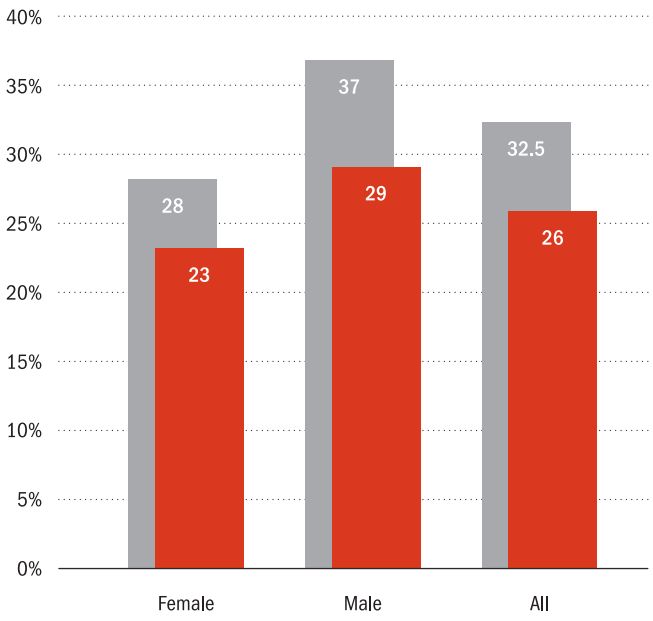
Thailand - Job Sector 2, Language: Percentage of applications resulting in an invitation to attend an interview.



The remaining job sectors showed a somewhat different pattern. In the accounting job sector, it was cis men who, at least in regard to invitations to attend an interview, experienced the greatest discrimination (in comparison to cis women). They were 100 percent more likely than trans men to receive an invitation to attend an interview (14 versus 7, respectively); the discrepancy for women was only 35.3 percent (23 invitations for cis women versus 17 for trans women). However, it should be noted that when all positive responses were taken into account (i.e. not just invitations to attend an interview), it was once again trans women who were experiencing the greatest discrimination (with cis women getting 50 percent more

Figure 14c. | Cis Trans

Thailand - Job Sector 3, Computer Science: Percentage of applications resulting in an invitation to attend an interview.



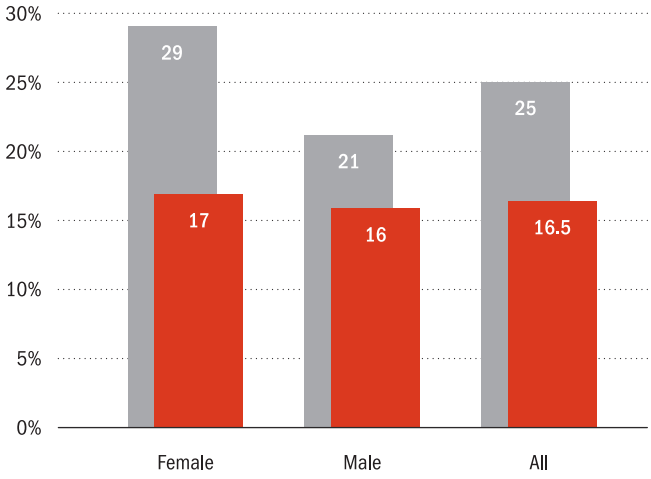
"The trend towards discrimination against trans applicants can be most readily seen in the case of requests to attend an interview. Cis applicants, though no more qualified and experienced than the trans applicants, nevertheless overall received 33.1 percent more requests to attend interview (177 versus 133, respectively)."

positive responses than trans women (36 versus 24), and cis men getting 4.3 percent more (24 versus 23).

For the final job sector, school leavers, the levels of discrimination against trans men and women were similar. Cis women were invited to attend an interview 21.7 percent more often than trans women (28 invitations versus 23), and cis men were invited to attend an interview 27.6 percent more often than trans men (37 versus 29).

Figure 14d. | Cis Trans

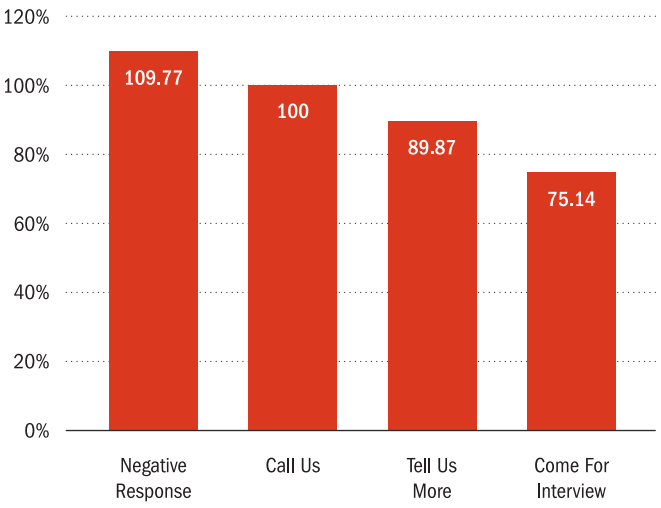
Thailand - Job Sector 4, High School – Maths/Science: Percentage of applications resulting in an invitation to attend an interview.



Once again, the entire data was examined (see Appendix 1c) to calculate the relative likelihood of a trans applicant getting specific types of response compared with the likelihood for cis applicants (see Figure 15).[69] As in other countries in this study, trans applicants were disproportionately likely compared with cis applicants to have their applications ignored by employers. By contrast, as reported earlier, they were less likely to be invited to attend an interview. The more negative an employer's response, the more likely it was that a trans applicant rather than a cis applicant would encounter it. The more positive the response, the less likely it was, relative to a cis person, that a trans person would encounter it.

Figure 15.

Thailand - Likelihood of a trans applicant getting a specific type of response, relative to the likelihood for a cis applicant. Negative responses comprise 'not interested' and no response at all.



Viet Nam: It is clear that trans people in Viet Nam are discriminated against when seeking employment (see Appendix 1d).

Despite equivalent qualifications and experience, trans applicants were less likely than cis applicants to receive a positive response (either being invited to contact the employer, being asked for more information, or being invited to attend an interview) across the four job sectors, with trans applicants receiving 127 responses compared to 216 responses for cis applicants to the same jobs.[70] On the other hand, trans applicants were more likely to get a negative response (that the employer was not interested) or receive no response at all, with trans applicants receiving 673 negative or no responses compared to 584 for cis applicants (see Figures 16 and 17).

Overall, the cis applicants received 70.1 percent more positive responses than the trans applicants (216 versus 127, respectively). Trans women and trans men experienced broadly similar levels of discrimination. Cis women received 68.3 percent more positive responses than trans women (106 versus 63). Cis men received 71.9 percent more positive responses (110 responses for cis men versus 64 responses for trans men).

The trend towards discrimination against trans applicants was evident in the number of invitations to attend an interview (see Figure 18). However, cis applicants, though no more qualified and experienced than the trans

Figure 16. | Cis Trans

Viet Nam - Percentage of applications receiving a negative response (employer not interested) or no response at all. All job sectors.

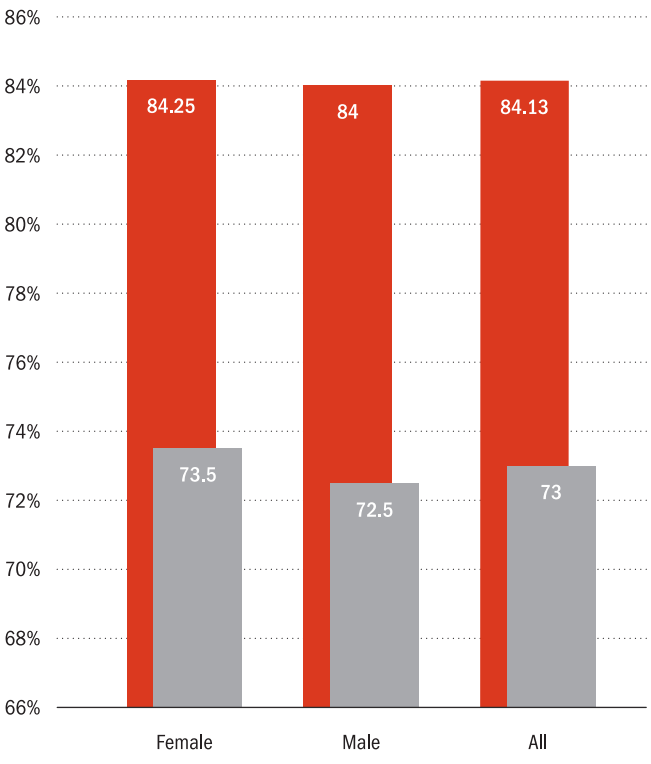
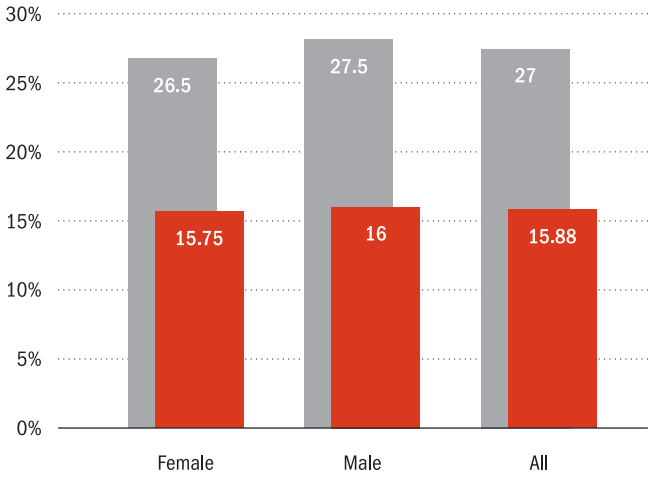


Figure 17. | Cis Trans

Viet Nam - Percentage of applications receiving a positive response (request to call, or for more information, or to attend an interview). All job sectors.

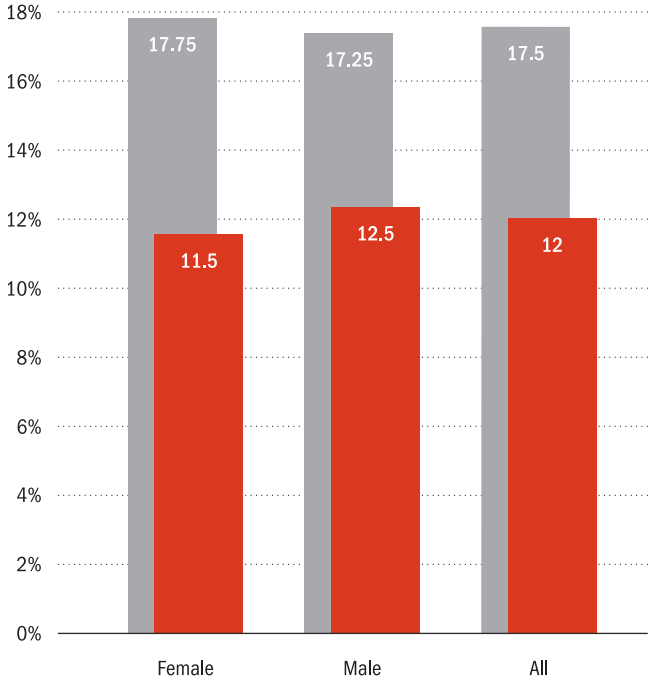


applicants, overall received 45.8 percent more requests to attend interview (140 versus 96, respectively). The discrimination faced by trans women was slightly more than trans men. Cis women received 54.3 percent more invitations to attend an interview than trans women (71 versus 46). Cis men received 38 percent more invitations (69 for cis men versus 50 for trans men).

Discrimination was evident, to varying extents, in all four employment sectors examined. Figures 19a to 19d

Figure 18. | Cis Trans

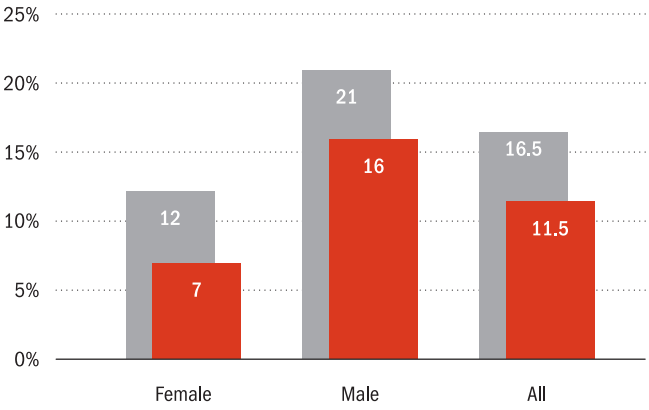
Viet Nam - Percentage of applications resulting in an invitation to attend an interview. All job sectors.



provide, for each of the four job sectors, percentages corresponding to those in Figure 18. The situation faced by graduates in software engineering was particularly severe, with cis applicants overall getting an invitation to attend an interview 73.9 percent more frequently than trans applicants (40 versus 23, respectively). Substantial discrimination was evident in two of the other sectors, with cis applicants 56.5 percent more likely to be invited to attend an interview in the hotels and catering sector than trans applicants (36 versus 23), and 43.5 percent more likely in the business administration sector (33 versus 23). The least severe discrimination was in the school leaver sector, with cis applicants getting only 14.8 percent more invitations to attend an interview than trans applicants (31 versus 27).

Figure 19a. | Cis Trans

Viet Nam - Job Sector 1, Business Administration: Percentage of applications resulting in an invitation to attend an interview.

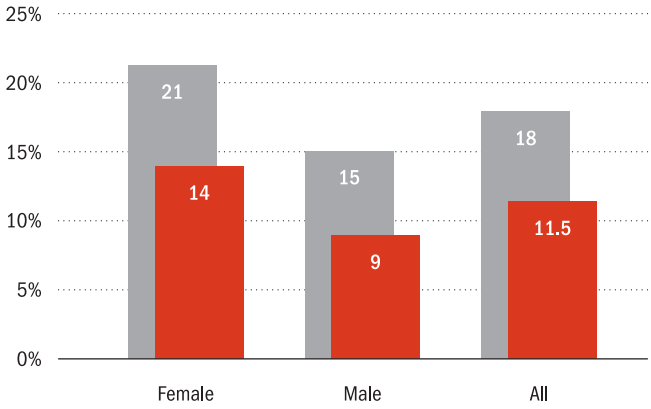


In two of the job sectors, business administration and software engineering, the discrimination faced by trans women was particularly severe compared with trans men. Cis women with degrees in business administration were 71.4 percent more likely to be invited to attend an interview than equivalently qualified and experienced trans women (12 versus 7, respectively). Cis men were 31.3 percent more likely to be invited (21 responses for cis men versus 16 responses for trans men). Among graduates in software engineering, cis women were 85.7 percent more likely to be invited to attend an interview than trans women (26 versus 14); cis men were 55.6 percent more likely (14 versus 9).

In the other two sectors, it was trans men who experienced the greatest degree of discrimination. Among graduates in the hotels and catering sector, cis men were 66.7 percent more likely than trans men to

Figure 19b. | Cis Trans

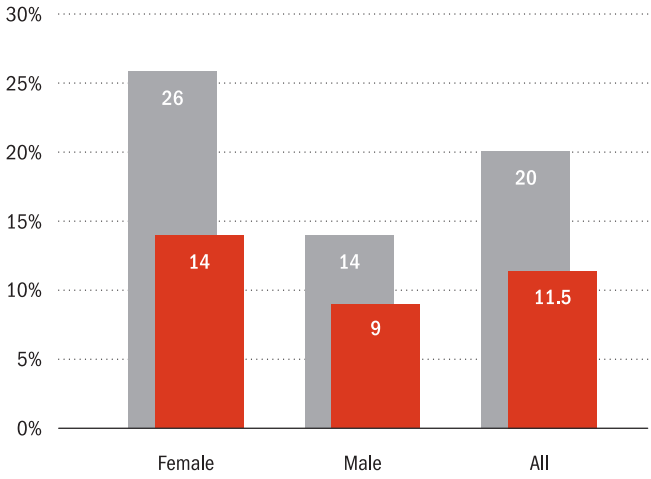
Viet Nam - Job Sector 2, Hotels and Catering: Percentage of applications resulting in an invitation to attend an interview.



receive an invitation to attend an interview (15 versus 9, respectively); cis women were 50 percent more likely to receive an invitation than trans women (21 versus 14). Among school leavers, cis men were 18.8 percent more likely than trans men to be invited to attend an interview (19 versus 16); cis women were 9.1 percent more likely (12 versus 11).

Figure 19c. | Cis Trans

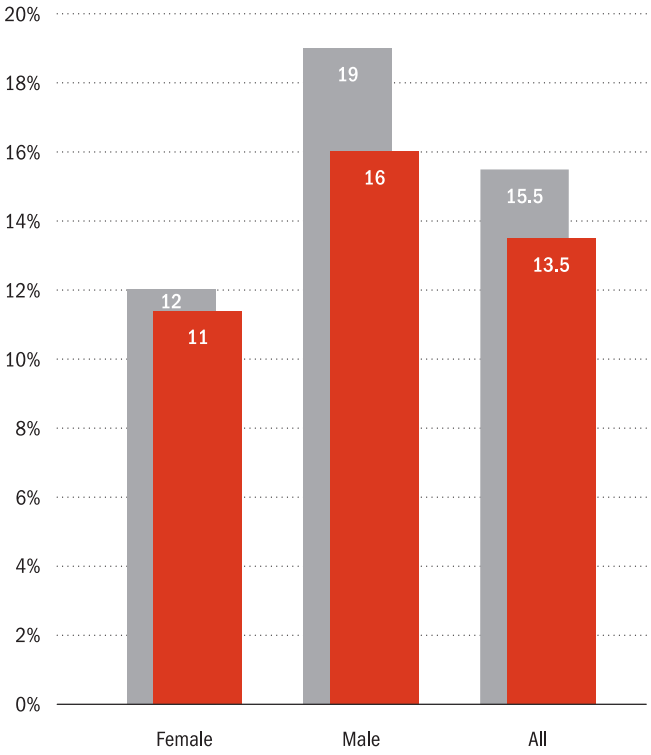
Viet Nam - Job Sector 3, Software Engineering: Percentage of applications resulting in an invitation to attend an interview.



As was the case for the other countries studied, the entire data was examined (see Appendix 1d) to calculate the relative likelihood of a trans applicant getting specific types of response compared with the likelihood for cis applicants. Figure 20 shows the results of this calculation.[71] As was the case in all three other countries, trans applicants were disproportionately likely, as compared with cis applicants, to have their applications

Figure 19d. | Cis Trans

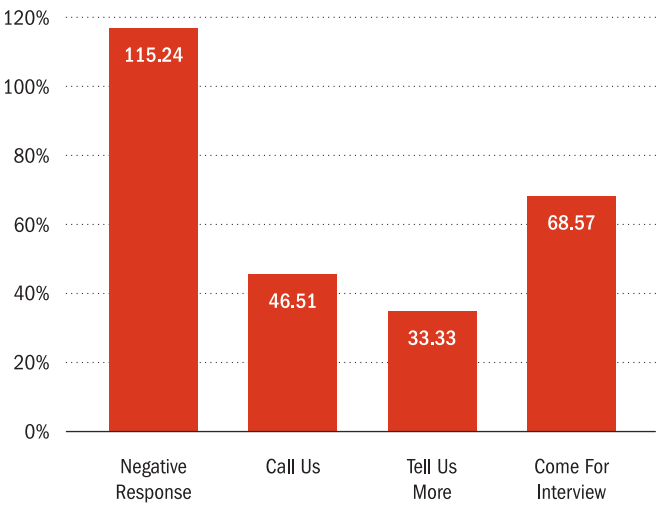
Viet Nam - Job Sector 4, High School graduates: Percentage of applications resulting in an invitation to attend an interview.



ignored by employers. Towards the more positive end of the spectrum of possible responses from employers, trans applicants were less likely than cis applicants to be asked to call the employer, to provide more information, or as discussed previously to be invited to attend an interview.

Figure 20.

Viet Nam - Likelihood of a trans applicant getting a specific type of response, relative to the likelihood for a cis applicant. Negative responses comprise 'not interested' and no response at all.



Overall Findings

Trans people are discriminated against when seeking employment in the four South-East Asian countries examined (see Appendix 1e for summary data). Alarmingly, this occurs even before the interview stage. Overall, trans people are significantly less likely than cisgender people to receive a positive response to a job application.

Across all job sectors targeted for both males and females, the cis applicants overall received fewer negative responses, and an average 50.6 percent[72] more positive responses to job applications than trans applicants. They were 54.5 percent more likely to be invited to an interview. This was despite the resumes being rigorously tested earlier to ensure equivalent attractiveness in the job market. Overall, a cis woman was 59.6 percent more likely to receive a positive response to a job application than a trans woman. She was 64.2 percent more likely to be invited to attend an interview. A cis man was 40.8 percent more likely to receive a positive response to a job application than a trans man, and 44.4 percent more likely to receive an invitation to attend an interview (see Figures 21 and 22).

Figure 21. | Cis Trans

All countries. Applications receiving a negative response (employer not interested) or no response at all. Unweighted average (i.e. average across all countries, with each country carrying equal weight).

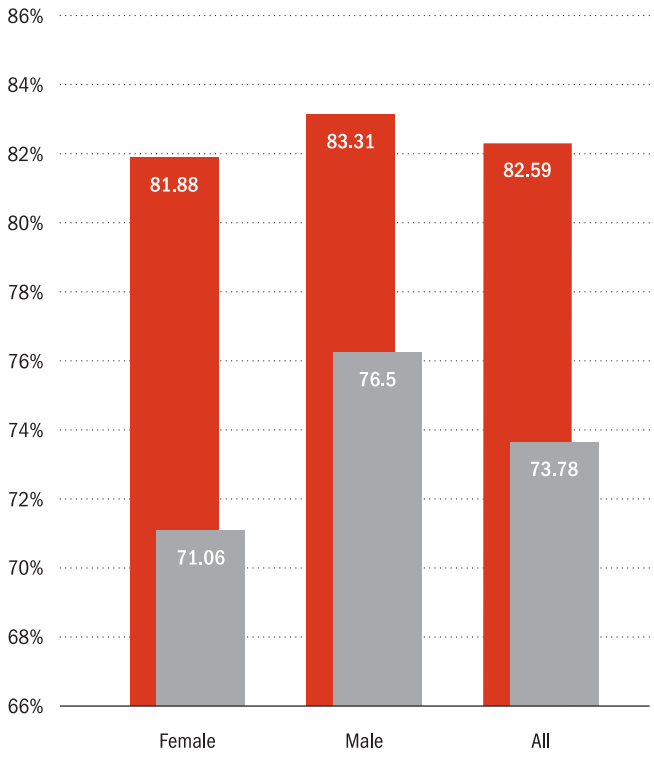
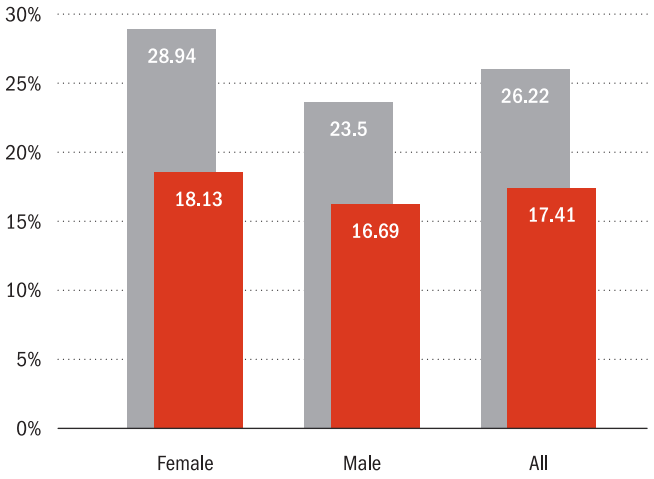


Figure 22. | Cis Trans

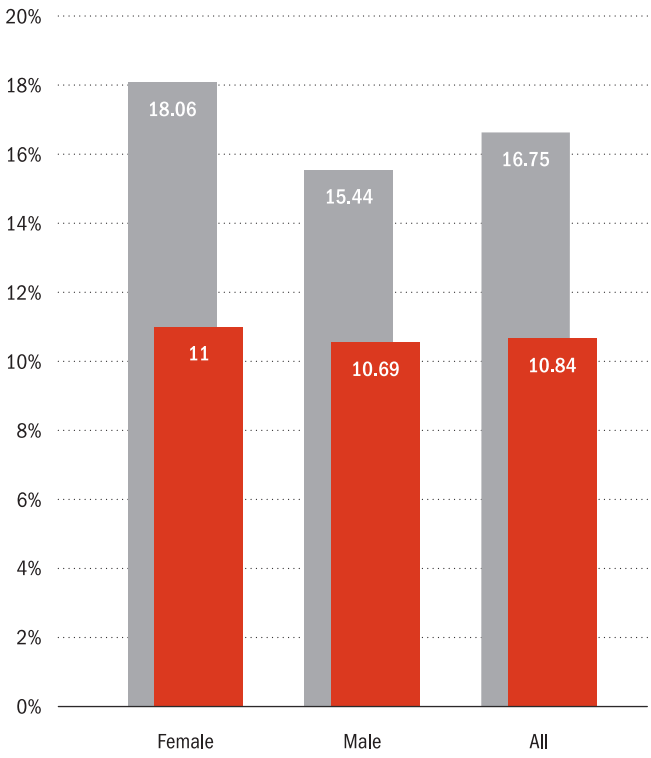
All countries. Applications receiving a positive response (request to call, or for more information, or to attend an interview). Unweighted average (i.e. average across all countries, with each country carrying equal weight).



By examining results for males and females across a number of job sectors in each country. 30 comparisons could be made between trans and cis applicants in terms of the frequencies with which they were invited to attend an interview. Evidence of discrimination against trans people was found in 27 out of these 30 comparisons. The three exceptions all involved trans men: Thai accountancy graduates, Malaysian psychology graduates, and Singaporean school leavers.

Figure 23. | Cis Trans

All countries. Applications resulting in an invitation to attend an interview. Unweighted average (i.e. average across all countries, with each country carrying equal weight).



LOST OPPORTUNITIES ACROSS THE REGION

Overall, the results indicate when a gender identity marker is added to two equivalent resumes, the resume with the trans marker is considerably less likely to receive a positive response than the one with a cis marker. This shows direct evidence of discrimination based on gender identity; it also highlights the actual lost opportunities experienced by trans people when seeking employment in the four South-East Asian countries studied.

When the summary data is explored (Appendix 1a to 1e), it can be seen how many opportunities opened up for cis applicants, but not for equally qualified and experienced trans applicants.

While the job market was challenging for all applicants, the 1,500 cis applications yielded 790 positive responses, of which 507 were invitations to an interview. By contrast, the corresponding trans applications resulted in only 530 positive responses, of which only 333 were invitations to attend an interview. The cis applicants received 260 more positive responses than the trans applicants. This represents 160 lost opportunities by trans women and 100 by trans men regarding receiving a positive response.

Looking more specifically at invitations to attend interviews (the most positive of responses observed in this study), 507 cis applicants were invited to attend an interview, as compared with only 333 trans applicants. This represents 174 interview opportunities that were missed by trans applicants (104 missed by trans women, and 70 missed by trans men).

It is worth remembering again that, before the gender identity markers were added, these resumes had been carefully piloted to be equivalently attractive in the job market. The jobs targeted by our applications were real jobs, and, as far as the employers were concerned, these were real applicants. Those 174 missed interview opportunities therefore represented 174 cases in which those involved in recruitment were, in effect, denying employment opportunities to applicants they believed to be trans. In any given case, while it is not possible to say whether an opportunity was clearly denied as a result of the applicant's trans identity, the general picture is clearly one of discrimination against trans applicants.

"Overall, the results indicate when a gender identity marker is added to two equivalent resumes, the resume with the trans marker is considerably less likely to receive a positive response than the one with a cis marker."

Conclusion & Discussion

This study revealed disturbing levels of discrimination against trans applicants in seeking employment. While it was not possible to identify discrimination related to specific job applications, or with any specific employer, the overall pattern is very clear. Across the four countries and in the vast majority of each of the job sectors studied, it is clear that trans women and men were encountering far greater difficulty in being invited to attend an interview (or to even receive a positive response) than cis applicants with equivalent resumes.

It is noted again that: (a) the pairs of resumes were carefully tested at the pilot stage to ensure confidence they were equivalently attractive in the job market; (b) 'Applicants' were applying for real jobs, advertised in the job market; and (c) there were no indications of any employers responding to applications in an inauthentic way. It can be confidently asserted that the data from this report shows real discrimination against trans applicants in the employment market.

Indeed, the uncovered discrimination against trans people may be more severe than any simple gender discrimination (in the sense that the term is usually employed: women versus men) that may exist in the job market. Throughout the study, the same resumes were used by male and female applicants, whether cis or trans. Despite this, cis women overall received more positive responses than cis men did. The same was true for invitations to attend interviews.

The study therefore suggests that there may be, in the various job sectors and four countries studied, a degree of sex discrimination in favour of cis women as compared with cis men. This is an interesting finding in itself. However, most relevant for the study is the finding that this discrimination (cis women versus cis men) was substantially less severe than the trans discrimination identified (cis women versus trans women, and cis men versus cis men.

Caution is needed: while male and female resumes were compared in the same job markets, this was not done with the same advertised jobs (in contrast to what was done with the paired cis and trans applications). A further study could be useful in which gender and trans discrimination might be compared directly and simultaneously (perhaps by sending four matched applications for a job (cis man, trans man, cis woman and trans woman).

Other limitations of this study are as follows. First, the study did not

examine what happens beyond the initial application stage. Anecdotal and survey data across the region suggests that trans people encounter discrimination even when they get to an interview, and when they enter employment.

Second, the study examined discrimination against trans people at entry-level jobs (either for graduates or school leavers). It does not address discrimination against trans people further up the career ladder. Once again, anecdotal data suggests a glass ceiling, beyond which trans people find it difficult to progress.

Third, in order to maximize positive responses, resumes were made particularly attractive in terms of qualifications and experiences. It is unknown what degree of discrimination against trans people might have been observed if the resumes used for cis and trans applicants had been weaker.

Fourth, advice received in Singapore and Thailand was that it is common practice for applicants to insert photos in their resumes. This was done, therefore, in these two countries in our study. All photos used were of cis people (even those used for trans applicants). Any employer looking at photos of trans applicants would likely have noticed that they 'passed' in their identified gender. It is unknown what discrimination applicants would have encountered if they had not 'passed' so well in their photos. Anecdotal evidence suggests that trans people who are unwilling or unable to pass well find the job market particularly difficult.

Fifth, the discrimination that gender non-binary persons may face while applying for a job was not explored. It can be speculated that, where they indicate their gender status at application, gender non-binary applicants may experience even greater levels of discrimination than trans women and trans men.

Finally, a word of caution. Across much of the world, an increasing amount of recruitment is being done through recruitment agencies and using recruitment software, some of which makes use of Artificial Intelligence). Consequently, the relatively poor response rates evident for trans people in this study may reflect prejudice and discrimination in the agencies hired to recruit employees, or the programming of software being used in recruitment. In effect, a company advertising a job, and which appears at first glance to be discriminating against trans applicants, may not actually be directly responsible for the discrimination at all. Indeed, it may not even be aware that discrimination is being perpetrated.

Recommendations

Trans people commonly report being discriminated against in relation to jobs. These personal testimonies are reflected in many of the reports already cited, including the findings of this research. As is evident from the data, discrimination is apparent even at the first step in recruitment – the application.

Resumes, identification documents and educational certificates often 'out' trans people, even when their physical appearance does not. With employers either prejudiced or anxious about the possible reactions of co-workers and customers, trans people do not get hired. Consistent with the personal testimonies of trans people, this report's research reveals discrimination is likely to lead to trans unemployment rates consistently higher than for the cis population, with a negative impact on well-being.

To better understand the impact of employment discrimination on transgender people, further research needs to be conducted (such as in this report), moving beyond trans people's personal testimonies, building on the body of evidence already provided in this study's findings, and measuring job discrimination directly on a large scale. A focus is proposed on trans people because of the frequency with which trans people report difficulty in getting jobs, and the apparent consequences in terms of emotional and economic well-being, pressure to enter sex work, and the consequent vulnerability to HIV infection and other STIs.

The following recommendations are for approaches to reduce discrimination in job hiring based on gender identity. They focus on legislatures and government agencies, labour unions, employers and the workplace environment, as well as trans communities and their allies. We also make recommendations for further research.

POLICYMAKERS & GOVERNMENTS

– Include protection from discrimination on grounds that include gender identity.

– Institute an effective monitoring and complaint mechanism to address discrimination as it affects trans people at it relates to recruitment and other workplace issues.

LABOUR UNIONS

– Develop guidelines for employers that oppose discrimination based on gender identity and expression.

– Periodically review businesses to ensure that they are complying with non-discriminatory guidelines as they affect trans people.

– Conduct annual job audits and release reports on hiring discrimination as it affects trans people.

WORKPLACES

– Develop and implement a code of conduct, incorporating anti-discrimination policies regarding recruitment, promotion and evaluation criteria, compensation, dismissal, and actionable dispute mechanisms; and ensure the company policies align with fair employment practices.

– Create an independent complaint committee that investigates and follows up on complaints in a confidential, unbiased and safe way.

– Provide workplace training regarding human rights, discrimination and harassment, including as they relate to trans people, and diversity training for the workforce, incorporating material on gender identity and gender-sensitivity including as it relates to trans people.

– Ask employees the gender identity they self-identify with, and the pronouns they wish to be used, and respect their wishes, and allow trans persons to express their self-identity in the workplace, such as by choice of washroom, uniform requirements and names used in email addresses.

– Ensure that those involved in recruitment, whether they work in-house or for a recruitment agency, comply with a non-discriminatory hiring policy. Ensure that any artificial intelligence or other software used for recruitment operates in a non-discriminatory way.

– Periodically review the hiring process as it relates to trans people, and collect candidate feedback on the process.

– Implement an anonymous resume review process that does not require gender or name but instead focuses on qualifications, experience and competencies to select the best candidate for the position.

– Provide a resource list of therapists and organizations that people can contact should any instance of discrimination or harassment occur due to their gender identity, expression and/ or sexual orientation, with the list to be included as part of employees induction training.
– Create more social and media awareness on job employment challenges faced by trans people.

RESEARCHES

– Expand research on hiring discrimination and other forms of employment discrimination, as well as its impact on the lives of trans people in Asia and the Pacific.

– Conduct research to identify the basis for discrimination by employers and identify means for producing behaviour change aimed at reducing discrimination against trans people in the workplace.

– Promote research on employment discrimination and trans people at academic institutions.

– Disseminate the results of relevant research to stakeholders for awareness, education and action.

TRANS COMMUNITY & ALLIES

– Develop and promote best workplace standards and spotlight best-practice employers.

– Develop, promote and conduct standards of practice for hiring that are culturally sensitive and competent[73] in relation to trans people.

– Develop, promote and conduct trainings with groups working on fair and equal employment practices.

– Create advocacy groups to address employment discrimination against trans people and provide best practice advocacy strategies, connecting with trans competent employers.

– Periodically release a list of the top trans-friendly and competent workplaces.

– Develop a curriculum for trans activists and advocates to deliver sensitization and awareness training, and work with allies (such as corporations, employer organizations, chambers of commerce, and university preparatory programmes) to make the curriculum available to employers, both to build and improve relationships and trust between the trans community and the corporate sector and to decrease incidents of implicit and explicit bias in hiring within these companies.

Appendices

APPENDIX 1A. SUMMARY DATA FOR MALAYSIA

MALAYSIA — NATURE OF RESPONSE

Job Sector	Gender	Negative Responses		Call Us (1)		Tell Us More (2)		Come For Interview (3)		All Positive Responses (1-3)	
		Cis	Trans	Cis	Trans	Cis	Trans	Cis	Trans	Cis	Trans
1.Degree Business Administration	Female	74	79	7	10	6	3	13	8	26	21
	Male	71	80	4	5	0	1	25	14	29	20
	All	145	159	11	15	6	4	38	22	55	41
2.Degree Psychology	Female	90	91	2	1	1	2	7	6	10	9
	Male	90	91	2	2	2	1	6	6	10	9
	All	180	182	4	3	3	3	13	12	20	18
3.Degree Computer Science	Female	81	94	4	2	4	0	11	4	19	6
	Male	77	86	3	2	6	5	14	7	23	14
	All	158	180	7	4	10	5	25	11	42	20
4.High School	Female	73	86	3	1	5	2	19	11	27	14
	Male	85	87	5	3	2	4	8	6	15	13
	All	158	173	8	4	7	6	27	17	42	27
All	Female	318	350	16	14	16	7	50	29	82	50
	Male	323	344	14	12	10	11	53	33	77	56
	All	641	694	30	26	26	18	103	62	159	106

APPENDIX 1B. SUMMARY DATA FOR SINGAPORE

SINGAPORE — NATURE OF RESPONSE

Job Sector	Gender	Negative Responses		Call Us (1)		Tell Us More (2)		Come For Interview (3)		All Positive Responses (1-3)	
		Cis	Trans	Cis	Trans	Cis	Trans	Cis	Trans	Cis	Trans
1.Degree Business Administration	Female	66	81	8	6	5	2	21	11	34	19
	Male	86	92	3	5	1	0	10	3	14	8
	All	152	173	11	11	6	2	31	14	48	27
2.Degree Information Technology	Female	69	78	10	5	8	10	13	7	31	22
	Male	70	87	5	2	4	2	21	9	30	13
	All	139	165	15	7	12	12	34	16	61	35
3.High School	Female	75	90	5	2	3	2	17	6	25	10
	Male	87	91	5	3	3	0	5	6	13	9
	All	162	181	10	5	6	2	22	12	38	19
All	Female	210	249	23	13	16	14	51	24	90	51
	Male	243	270	13	10	8	2	36	18	57	30
	All	453	519	36	23	24	16	87	42	147	81

APPENDIX 1C. SUMMARY DATA FOR THAILAND

THAILAND — NATURE OF RESPONSE

Job Sector	Gender	Negative Responses		Call Us (1)		Tell Us More (2)		Come For Interview (3)		All Positive Responses (1-3)	
		Cis	Trans	Cis	Trans	Cis	Trans	Cis	Trans	Cis	Trans
1.Degree Accounting	Female	68	81	1	1	11	6	20	12	32	19
	Male	89	83	2	0	4	5	5	12	11	17
	All	157	164	3	1	15	11	25	24	43	36
2.Degree Language	Female	64	76	2	1	11	6	23	17	36	24
	Male	76	77	0	4	10	12	14	7	24	23
	All	140	153	2	5	21	18	37	24	60	47
3.Degree Computer Science	Female	57	62	0	0	15	15	28	23	43	38
	Male	52	58	2	3	9	10	37	29	48	42
	All	109	120	2	3	24	25	65	52	91	80
4.High School Science-Maths	Female	56	72	5	0	10	11	29	17	44	28
	Male	70	75	0	3	9	6	21	16	30	25
	All	126	147	5	3	19	17	50	33	74	53
All	Female	245	291	8	2	47	38	100	69	155	109
	Male	287	293	4	10	32	33	77	64	113	107
	All	532	584	12	12	79	71	177	133	268	216

APPENDIX 1A. SUMMARY DATA FOR VIET NAM

VIETNAM — NATURE OF RESPONSE

Job Sector	Gender	Negative Responses		Call Us (1)		Tell Us More (2)		Come For Interview (3)		All Positive Responses (1-3)	
		Cis	Trans	Cis	Trans	Cis	Trans	Cis	Trans	Cis	Trans
1.Degree Business Administration	Female	76	85	7	6	5	2	12	7	24	15
	Male	73	83	2	0	4	1	21	16	27	17
	All	149	168	9	6	9	3	33	23	51	32
2.Vocational Diploma Hotels/Catering	Female	72	85	4	1	3	0	21	14	28	15
	Male	75	86	9	3	1	2	15	9	25	14
	All	147	171	13	4	4	2	36	23	53	29
3.Degree Software Engineering	Female	70	83	0	0	4	3	26	14	30	17
	Male	68	84	13	5	5	2	14	9	32	16
	All	138	167	13	5	9	5	40	23	62	33
4.High School	Female	76	84	7	4	5	1	12	11	24	16
	Male	74	83	1	1	6	0	19	16	26	17
	All	150	167	8	5	11	1	31	27	50	33
All	Female	294	337	18	11	17	6	71	46	106	63
	Male	290	336	25	9	16	5	69	50	110	64
	All	584	673	43	20	33	11	140	96	216	127

APPENDIX 1E. SUMMARY DATA ACROSS ALL COUNTRIES

OVERALL — NATURE OF RESPONSE

Job Sector	Gender	Negative Responses		Call Us (1)		Tell Us More (2)		Come For Interview (3)		All Positive Responses (1-3)	
		Cis	Trans	Cis	Trans	Cis	Trans	Cis	Trans	Cis	Trans
All	Female	1067	1227	65	40	96	65	272	168	433	273
	Male	1143	1243	56	41	66	51	235	165	357	257
	All	2210	2470	121	81	162	116	507	333	790	530

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[65] Relative likelihood = (Responses for trans applicants divided by responses for cis applicants) multiplied by 100.

[66] None of our applications (cis or trans) resulted in an employer responding with an offer of a job.

[67] To calculate the relative likelihood, the number of responses for trans applicants was divided by the number of responses for cis applicants. The result was multiplied by 100 to enable us to express the relative likelihood as a percentage.

[68] None of our applications (cis or trans) resulted in an employer responding with an offer of a job.

[69] To calculate the relative likelihood, the number of responses for trans applicants was divided by the number of responses for cis applicants. The result was multiplied by 100 to express the relative likelihood as a percentage.

[70] None of our applications (cis or trans) resulted in an employer responding with an offer of a job.

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For more information please contact:

Asia Pacific Transgender Network
Hof Art, W District
3/29, 3rd fl, Soi Sukhumvit 71
Phra Khanong Nuea, Watthana,
Bangkok 10110 THAILAND

[E] hello@weareaptn.org
[T] +66 2 006 6670