



## EA R6: LGBTQ Inclusion in Campus Records

**Abstract:** This resolution calls for the University to fully implement previously approved resolutions and use and employee’s preferred name in all inward-facing internal systems that do not have an explicit business purpose for using an employee’s legal name.

**Sponsored by:** Ulysses Smith, LGBTQ+ Representative, Chair, Employee Assembly

**Reviewed by:** Personnel Policy Committee, MM/DD/YYYY

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**Whereas,** On July 1, 2014, President Obama signed Executive Order 13672, *On LGBT Workplace Discrimination*, prohibiting federal contractors and subcontractors from discriminating on the basis of sexual orientation or gender identity, effective April 8, 2015; and

**Whereas,** On April 1, 2015, the EEOC ruled in *Lusardi v. McHugh* that, “Persistent failure to use the employee's correct name and pronoun may constitute unlawful, sex-based harassment if such conduct is either severe or pervasive enough to create a hostile work environment when judged from the perspective of a reasonable person in the employee's position; and

**Whereas,** The United States Office of Personnel Management’s Transgender Guidance states, “Continued intentional misuse of the employee's new name and pronouns, and reference to the employee's former gender by managers, supervisors, or coworkers may undermine the employee's therapeutic treatment, and is contrary to the goal of treating transitioning employees with dignity and respect. Such misuse may also breach the employee's privacy, and may create a risk of harm to the employee”; and

**Whereas,** The University’s Equal Education and Employment Statement declares that no person shall be discriminated against based on “sex, sexual orientation, gender identity or expression”; and

**Whereas,** On August 19, 2015, the Employee Assembly passed “Resolution 2: LGBTQ+ Inclusion for Workday & Campus Records,” subsequently acknowledged and approved by President Elizabeth Garrett on September 22, 2015; and

**Whereas,** On November 12, 2015, the Student Assembly passed “Resolution 20: Preferred Name on ID Cards to Promote LGBTQ+ Inclusivity,” subsequently acknowledged and approved by President Elizabeth Garrett on December 23, 2015; and

**Whereas,** As of July 1, 2016, changes have been made to the Enterprise Directory, the Active Directory, Workday, and PeopleSoft to allow both students and employees to choose preferred names, preferred pronouns, preferred gender markers, to self-report sexual orientation and gender identity, and to have preferred name displayed on the Cornell ID card; and

**Whereas,** There are a number of systems across the institution still pulling and displaying legal name in places where there is no demonstrated need to do so, causing employees to be outed and breaching employees’ privacy.



**Cornell University**  
**Employee Assembly**

43 **Be it therefore resolved,** The Divisions of Cornell Information Technologies and Human Resources  
44 communicate to all system managers and personnel that by July 1, 2017, the university will no longer  
45 use the legal name of an individual in internal, inward-facing systems that do not have an explicit  
46 business purpose (e.g. government reporting, insurance, financial transactions, etc.) for collecting or  
47 displaying legal name.

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49 **Be it further resolved,** The Divisions of Cornell Information Technologies and Human Resources  
50 develop instructions on requesting an exception to this policy because of an explicit business  
51 purpose.

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53 **Be it further resolved,** By January 10, 2017, any application or function that is now retrieving the  
54 name from the Directory and has a requirement for legal name will need to be changed to retrieve the  
55 legal name from the data of record: Workday for employees, PeopleSoft for students and alumni.

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57 **Be it finally resolved,** By July 1, 2017, any application or function that is now retrieving the name  
58 from the data of record and is for an inward-facing purpose must use and display only the preferred  
59 name and not the legal name.

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62 **Adopted by Vote of the Assembly ( \_ - - ), \_\_\_\_\_, 2016,**

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64 **Respectfully Submitted,**  
65 Ulysses J. Smith, *LGBTQ+ Representative, Chair, Employee Assembly*

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