



Resolution 6:

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

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

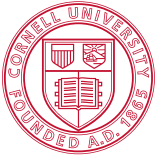
Whereas, The United States Office of Personnel Management’s Transgender Guidance states, “Continued intentional misuse of the employee's new name and pronouns, and reference to the employee's former gender by managers, supervisors, or coworkers may undermine the employee's therapeutic treatment, and 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, and Workday 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



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40 **Whereas**, there are a number of systems across the institution still pulling and displaying legal name in
41 places where there is no demonstrated need to do so, causing employees to be outed and breaching
42 employees' privacy.
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44 **Be it therefore resolved**, The Divisions of Cornell Information Technologies and Human Resources
45 communicate to all system managers and personnel that the university will no longer use the legal name
46 of an individual in internal, inward-facing systems that do not have an explicit business purpose (e.g.
47 government reporting, insurance, financial transactions, etc.) for collecting or 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 purpose.
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52 **Be it further resolved**, By January 10, 2017, any application or function that is now retrieving the name
53 from the Directory and has a requirement for legal name will need to be changed to retrieve the legal
54 name from the data of record: Workday for employees, PeopleSoft for students and alumni.
55

56 **Be it further resolved**, as an on-going project, any application or function that is now retrieving the
57 name from the data of record and is for an inward-facing purpose must use and display only the
58 preferred name and not the legal name.
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60 **Be it finally resolved**, that the Employee Assembly recommend that the University accept the
61 recommendations put forth by the Office of the University Registrar's preferred name working group,
62 attached to this resolution as an appendix.
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64 **Adopted by Vote of the Assembly (14-0-0), December 7, 2016**
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66 **Respectfully Submitted,**

67 Ulysses J. Smith, *LGBTQ+ Representative, Chair, Employee Assembly*