

# Gender Affirmation Leave

## What you need to know

Gender Affirmation Leave is now available to Tasmanian State Service employees. This fact sheet provides general information on what the leave can be used for and how to know if you are eligible. For more detailed information, please refer to the [TSS Gender Affirmation Leave Guide](#) or speak to your Agency's HR team.

### What is Gender Affirmation Leave?

Gender Affirmation Leave is paid leave available to employees who need time off work to undergo the process of affirming their gender. This can include (but is not limited to) medical or psychological appointments, hormonal appointments, surgery, and appointments to update any legal documentation related to gender identity.

In addition to their standard leave entitlements, eligible employees can access:

- up to 4 weeks of paid Gender Affirmation Leave; and
- up to 48 weeks of unpaid Gender Affirmation Leave.

## Am I eligible?

As at the first full pay period commencing on or after 1 December 2022, Gender Affirmation Leave is available to transgender employees (except casual employees\*) who are undergoing a process of affirming their gender. 'Transgender' is an umbrella term for people whose gender differs from what they were assigned at birth.

The process of affirming gender may be done in several ways, including medical, social, and legal changes. There is no requirement for an eligible employee to be undergoing a specific type of change to access Gender Affirmation Leave.

\*For casual employees undergoing the process of affirming their gender: you are entitled to be unavailable to work (on an unpaid basis) for the same reasons outlined above without penalty. Speak to your manager and/or HR representative for more information on your rights.

## How do I apply for Gender Affirmation Leave?

To apply for Gender Affirmation Leave, follow the same process in your agency as you would when applying for other types of leave.

Like all leave requests, you should provide notice to your supervisor as early as possible.

## Do I need any supporting documentation?

Your supervisor may request you provide supporting documentation where appropriate. This could include any of the following:

- A medical certificate;
- A written referral, issued by a registered health practitioner, to a counsellor; and/or
- A document issued by a counsellor; and/or
- A legal or other document issued by a state, territory, or federal government organisation; and/or
- A statutory declaration.

Gender Affirmation Leave came into effect from the first full pay period commencing on or after 1 December 2022. Can I make a retrospective claim for time off related to the process of affirming my gender?

If you have accessed another form of leave after the effective date, please speak to your manager or HR team to understand what options may be available. If you accessed another form of paid leave, you may be able to apply to have that leave type recredited. If you accessed a form of unpaid leave, you may be able to apply to receive payment for that period. In both cases, Gender Affirmation Leave would be deducted for the relevant period.