

**INSERTION OF TRANSEXUALS IN THE LABOR MARKET****INSERÇÃO DE TRANSEXUAIS NO MERCADO DE TRABALHO****INSERCIÓN DE TRANSEXUALES EN EL MERCADO LABORAL**

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**ABSTRACT**

This work has the learning to study the insertion of transsexuals in the job market, as well as to identify whether or not there is difficulty in the process. For a better understanding of the theme, a methodology used for exploratory faith of a qualitative character. To achieve the proposed objective, the necessary faith to study the education of transsexuals, their main means of professional activity and a preparation of companies and their collaborators to receive and insert them according to the legislation. After a review of the literature, it was conducted an empirical study of identification through a transsexual population and companies to identify whether a practice consistent with a theory studied. The results show that the companies studied do not have knowledge of the legislation and tools for the inclusion of transsexuals. Transsexuals have a greater insertion in certain areas and insertion happens very incipiently in Brazil, lacking the popularity.

**Keywords:** Employability. Job market. Prejudice. Transsexual.

**RESUMO**

Este trabalho tem a finalidade de estudar a inserção dos transexuais no mercado de trabalho, bem como identificar se há ou não dificuldade no processo. Para melhor aprofundamento do tema, a metodologia utilizada foi a exploratória de caráter qualitativo. Para atingir o objetivo proposto, foi necessário estudar a escolaridade dos transexuais, os principais meios de atuação profissional desses e a preparação das empresas e seus colaboradores para recebê-los e os inserir de acordo com a legislação. Após a revisão de literatura, foi feito um estudo empírico de entrevistas por meio de com a população transexual e empresas para identificar se a prática condiz com a teoria estudada. Os resultados apontam que as empresas estudadas não possuem pleno conhecimento da legislação e de ferramentas para inclusão de transexuais. Os transexuais possuem maior inserção em determinadas áreas e a inserção acontece de forma muito incipiente no Brasil, carecendo de maiores leis afirmativas e popularização do tema.

**Palavras-chave:** Empregabilidade. Mercado de Trabalho. Preconceito. Transsexual.

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## RESUMEN

Este trabajo tiene como objetivo estudiar la inserción de transexuales en el mercado laboral, así como identificar si existe o no dificultades en el proceso. Para una mejor comprensión del tema, la metodología utilizada fue exploratoria con carácter cualitativo. Para lograr el objetivo propuesto, fue necesario estudiar la formación de las personas transexuales, su principal medio de actividad profesional y la preparación de las empresas y sus empleados para recibirlos e insertarlos de acuerdo con la legislación. Luego de la revisión de la literatura, se realizó un estudio empírico de entrevistas con la población transexual y empresas para identificar si la práctica es consistente con la teoría estudiada. Los resultados indican que las empresas estudiadas no tienen pleno conocimiento de la legislación y herramientas para la inclusión de transexuales. Los transexuales tienen mayor inserción en determinadas áreas y la inserción ocurre de manera muy incipiente en Brasil, careciendo de mayores leyes afirmativas y popularización del tema.

**Palabras clave:** Empleabilidad. Mercado de trabajo. Preconcepción. Transexual.

## 1 INTRODUCTION

In 2010, France was the first country to stop considering transsexuality a mental disorder. In 2018, the World Health Organization (WHO) did the same in Brazil, considered a big step for the entire trans community, as even medical books cited transsexuality as a “masked form of homosexuality, [...] genitals of a person with a sexual identity disorder, just to justify an error of coexistence and a sexual abnormality.” (FRANÇA, 2014, p. 320).

The expression “homosexuality” ceased to be used in 1983, when the WHO removed it from the International Classification of Diseases (BENTO; MATÃO, 2012), because the suffix ‘ism’ was used to indicate a disease. Torres (2010) highlights the need to shift the pathological view of trans identities to less excluding understandings, especially in Brazil, the country that kills the most transsexuals. There were 868 homicides from 2008 to 2016. In France, during the same period, there were five deaths, as well as in Canada, according to research by the TMM Annual Report 2016 (annual report on the monitoring of the murder of transgender people, a project that since 2009 has been monitoring the murder of transsexuals around the world).

In addition to the recurrent murders against transsexuals, another data from the National Association of Transvestites and Transsexuals indicates that 90% of the people belonging to the portion of the population studied work in the prostitution business (ANTRA, 2015). As only 10% of transsexuals are in the formal job market, research like this is necessary to investigate why trans people are not included in this environment.

In view of this, this research aims to study the form of insertion of transsexuals in the formal job market. To achieve the proposed objective, it becomes relevant to trace the socioeconomic profile, the main means of professional performance and the way in which companies and their employees insert them.

This study is organized into three sections, in addition to the initial considerations. At first, it discusses theoretically about the contextualization of transsexuality, how society and science understand it, what involves it, how the nomenclature came about and how the LGBTQ community came together.

Soon after the prejudice in society, current employability, education of transsexuals, preparation of companies and their employees to receive them and insert them in accordance with the legislation. Subsequently, we present the theoretical-methodological procedures that

include: description of the participants' context, data collection instrument and data analysis categories for their discussion, which occurs next. Finally, we present the final considerations of the study and possible referrals.

## 2 THEORETICAL BACKGROUND

The theoretical background begins with gender identity and sexual orientation.

### 2.1 Gender identity and sexual orientation

When a fetus is being generated, it is already possible to know its biological sex, through ultrasound and other medical advances, but when developing this person may not identify with their sex, having a gender dysphoria, this is characterized as “transsexuality”.

To better understand transsexuality, we must first define the bases of the term, where it is inserted, as if it were a subsystem of a system, which would be gender identity. Gender is social, it was created by human beings over the centuries and across different cultures, different from sex, which is biological. The two do not have a scientific connection, so there is no need for compatibility between the two. Being a man or being a woman goes far beyond chromosomes, what predominates is self-perception and the way a person expresses himself socially (JESUS, 2012).

Menezes and Lins (2018), emphasize the definition of social gender, differentiating it from biological sex, describe it as an identity construction, stating that gender is something singular, particular, built for itself and not received through science as a biological condition.

It is important to emphasize that there are male and female transsexuals, so during the research we will work with both. Male transsexuals must be treated with male pronouns, just as female transsexuals must be treated with female pronouns.

Each transsexual adapts to the gender to which he belongs, through name, appearance and behaviors (DONATO; CORREIA; LEITE, 2016). So not treating them the way they feel comfortable is a transphobic act.

The term transsexual emerged in professional and lay use in the 1950s to designate a human being who, regardless of undergoing hormonal and surgical procedures, considered himself to be of the opposite sex. During the 1960s and 1970s the term “true transsexual” began to be used to define those undergoing the procedures (ATHAYDE, 2001). Currently, it is not necessary to undergo surgery to call oneself a transsexual, nor to ingest hormones.

In order to have a better understanding of what gender, sexuality is and where transsexuality is found, Table 1 was created with different gender identities and sexual orientations, having as a reference CARVALHO (2018); JESUS (2012); FULANI (2011).

Table 1 - Gender identity and sexual orientation

Nomenclature	Classification	Explanation	Exemplification
Cisgender	Gender identity	Biological sex consistent with social gender.	A person born with male genes who identifies as male.
Transsexual/ Transgender/ Transvestite	Gender identity	Biological sex different from social gender.	A person born with male genes and female social gender, who may or may not undergo hormonal and surgical procedures to acquire physical characteristics of the opposite sex.
Non binary	Gender identity	Does not identify with the masculine or feminine gender	People born with the male sex but who do not identify as male or female, and may respond to masculine, feminine or neuter pronouns.
Fluid gender	Gender identity	Identifies with biological sex and with others.	A person with a male biological sex who at certain times behaves as a man and at other times as a woman, flowing between the two.
Heterosexual	Sexual orientation	Relationships with people of the opposite sex.	A man who has a relationship with a woman.
Homosexual	Sexual orientation	Relates to people of the same sex.	Man who relates to man (gay); A woman who has a relationship with a woman (lesbian)
Bisexual	Sexual orientation	It relates to both genders.	A man who has relationships with men and women.
Queer	Gender identity and/or sexual orientation	Does not identify with the acronym LGBT, but also does not consider himself cis and straight.	A person who does not define their gender (non-binary); does not feel sexual attraction (asexual); pansexual; between others.

Source: elaborated by the author

According to Franco (2009), the acronym MHB appeared before the 1970s, it was used to represent the 'Brazilian Homosexual Movement', they were beginning to claim their place in society. After a decade women created their own movement, entitled Lesbian-Feminist Action, which fought both homophobia and the machismo that was still very much present at the time.

In 1993, the movements were unified and the Brazilian Meeting of Lesbians and Homosexuals was held, and in the same year the Transvestites also had their first meeting. The year 1993 was so busy that the acronym GLS (Gays, Lesbians and Supporters) became popular. The sympathizers, non-gay supporters of the time were so few that they had their place in the movement for a while. Two years later the GLS became the MGL (Gay and Lesbian Movement).

In 1997, MGL and Transvestites got together and in the following year the acronym GLBT (Gays, Lesbians, Bisexuals and Transvestites/Transsexuals/Transgenders) appeared.

The movement became so strong that in 2008 the 1st National Conference on Public Policies for GLBT was held, where it was decided that the acronym to represent everyone would be LGBT, since lesbians, in addition to fighting against homophobia, also fought against machismo, (AIDAR; SANTOS; BARROS, 2010).

In an attempt to become more inclusive the 'Q' (Queer) became part of the acronym. Nowadays other versions exist, however the most used and recognized is the "LGBTQ".

## 2.2 The transsexual in society

In order to obtain a complete understanding of the barriers and possibilities of the insertion of transsexuals in the labor market, it is essential to have a complete overview of the experiences in environments that precede this experience, so a social, family and school analysis is necessary.

According to a British survey carried out by Kennedy (2010) 96% of transsexuals discover themselves as transgender before the age of 18, the author also emphasizes the importance of respecting gender identity and has used a social name since the moment of this discovery.

As most people discover themselves as trans before the age of 18, they go through this discovery while still in school, a very important phase of socialization and self-discovery. In 83% of schools (between public and private) physical education classes are separated by gender (BARROSO; CARDOSO, 2018), and transgender students are prevented from participating in classes with the gender they identify, an act that has a significant impact. highly negative in the life of a young transgender person.

Two different studies defended the need to refer to transsexuals with the correct pronouns and their social name (if the documents have not yet been updated for the social gender), showing how the lack of this adequacy in communication with transsexuals affects their lives in a negative way. since childhood.

Family support is essential in the lives of these young people, as they already experience several situations of violence outside the home, when this support does not come from within, many choose to continue life on the streets, even abandoning their studies (OLIVEIRA; PORTO, 2016).

Low education is perhaps one of the main factors that makes it difficult for transsexuals to enter the job market, this is more evident when relating to the information that 68% of transsexuals are verbally abused in schools, and 64% do not receive support from them, which that leads to dropout from school. To avoid this high evasion of transsexuals and other non-heterosexual and non-cisgender people, the Brazil Without Homophobia program was created (CONELHO NACIONAL DE COMBAT À DISCRIMINAÇÃO, 2004).

According to Arroyo (2000) social ascension/exclusion made education levels one of the main selection and accreditation criteria, making it difficult for those who do not have basic education to have access to formal work. The lack of education in schools in relation to different social groups is very scarce, the same people who verbally attack, trans people, in the school environment are the same people who prevent them from entering the job market, all because of the lack of information, of transphobia, which is a crime.

Considering that schooling is a crucial point in the search for a job opportunity and that more than half of transsexuals suffer violence in Brazilian schools and do not receive support after this violence, it is clear why transsexuals have difficulty entering the workplace. formal

job market and also the importance of awareness projects such as “Brazil Without Homophobia”.

Several times in the Federative Constitution of Brazil (1988) the rights to dignity and the reduction of inequality and prejudice are claimed:

Art. 1 The Federative Republic of Brazil, formed by the indissoluble union of the States and Municipalities and the Federal District, constitutes a Democratic State of Law and is based on:

[...]

III – the dignity of the human person; [...]

Art. 3 The following are fundamental objectives of the Federative Republic of Brazil:

I – Build a free, fair and solidary society; [...]

III – eradicate poverty and marginalization and reduce social and regional inequalities;

IV – To promote the good of all, without prejudice of origin, race, sex, color, age and any other forms of discrimination. [...]

Art. 5th Everyone is equal before the law, without distinction of any nature, guaranteeing Brazilians and foreigners residing in the country the inviolability of the right to life, liberty, equality, security and property, in the following terms:

(EC no 45/2004)

I – Men and women are equal in rights and obligations, under the terms of this Constitution.

In order to correspond to article 3, item IV of the Federative Constitution of Brazil, laws were created aimed at transsexuals, offering them some guarantees, such as changing their gender and first name in their birth registration, without the need for surgery for transsexuals. sex reassignment:

SPECIAL RESOURCE. ACTION FOR RECTIFICATION OF BIRTH REGISTRATION FOR CHANGE OF NAME AND SEX (GENDER) MALE TO FEMALE. TRANSSEXUAL PERSON. NO NEED FOR TRANSGENITALIZATION SURGERY. [...] 7. The aforementioned jurisprudence must evolve to also reach non-operated transsexuals, thus giving maximum effectiveness to the constitutional principle of promoting the dignity of the human person, a general clause protecting the existential rights inherent to the personality, which, nowadays, is conceived as a fundamental value of the legal system, which implies the inescapable duty of respect for differences [...] 9. From this perspective, the fundamental rights of non-operated transsexuals to identity must be protected (social treatment according to their gender identity), freedom of development and expression of the human

personality (without undue state interference), recognition before the law (regardless of carrying out medical procedures), intimacy and privacy (protection of life choices), equality and non-discrimination (elimination of factual inequalities that place them in a situation of inferiority), health (ensuring biopsychophysical well-being) and happiness (general well-being). [...] (STJ - REsp: 1626739 RS 2016/0245586-9, Rapporteur: Minister LUIS FELIPE SALOMÃO, Judgment Date: 05/09/2017, T4 - FOURTH PANEL, Publication Date: DJe 08/01/2017 ).

The law, in addition to guaranteeing the change of the person's name in their documents without the need for sex reassignment surgery, shows how this is a key point for achieving equality and the biopsychophysical health of transsexuals.

In order to understand the current condition of transsexuals in the labor market, it is essential to keep in mind all the difficulties they encounter until reaching this point. Getting a job without basic education is not easy, and it becomes an even more difficult goal to achieve if the individual is trans in a country that until a few years ago considered transsexuals mentally ill and that still carries this erroneous and transphobic thinking.

### **2.3 Transgender people in the job Market**

Many areas considered exclusionary are gradually adapting to this new reality, in which transsexuals are conquering their basic rights, but as previously mentioned, the lack of schooling of this group directly affects their entry into the formal job market.

Surveys carried out in the city of São Paulo show that 54% of the population is in favor of creating laws for the insertion of the LGBTQ community in the labor market and also shows that 64% consider the city hall's efforts to make this integration happen are insufficient and even non-existent (REDE NOSSA SÃO PAULO, 2018).

A study provided by the survey carried out by the National Association of Transvestites and Transsexuals (2018), states that a high percentage of people who prostitute themselves is due to the difficulty that trans people have to enter the formal job market due to a deficiency in professional qualification caused by social, family and school exclusion.

Prostitution is a profession that carries many risks, in addition to having sex with strangers who may be transmitters of STIs (Sexually Transmitted Infections), it is a profession that brings a lot of exposure and that confirms Brazil to be the country that most kills transsexuals, there were 868 homicides from 2008 to 2016 (BALZER; LAGATA; BERREDO, 2016).

Silva (2012) shows that, in addition to prostitution, one of the few areas with acceptance regarding transsexuals is in the area of beauty, such as hairdressers and makeup artists and that outside these areas, transsexuals wage a battle to enter a market formed by an excluding society.

Another important point raised by Silva (2012) is that many transsexuals do not have their documents suitable for their social gender, even if it is guaranteed by law, this is due to the bureaucratization of processes in Brazil and the lack of access to information for some transsexuals.

Formal work, to which the National Association of Transvestites and Transsexuals and Silva (2012) stated that 90% of transsexuals do not belong, is explained by Tomás and Neves

(2016) as a sector where organized productive activities are concentrated, marked by competitiveness, decoupling of work and the means of production, unlike the informal sector, where there are those who do not find employment in the formal sector, carrying out activities that are not very productive and with greater ease of access.

Tomás and Neves (2016) emphasize that participating in informal work makes the trans community on the margins of society, both due to illegality and the low purchasing power that these professions provide, leaving them in precarious and vulnerable conditions.

Transsexuals still do not have all their labor rights guaranteed and they are far from achieving it, as this goes beyond being inserted in the formal labor market, it also involves the need to be respected within it, treated with dignity, social and salary equality, and also security. Among the 10% who have formal jobs, it is common to see a lack of preparation for socializing and integration, whether in the use of the social name or in the use of the proper bathroom. The account of Enzo, a transsexual man, employed as a quality monitor and telemarketer, shown in the book "Transresistance", illustrates exactly this unpreparedness of companies and their employees to deal with these people correctly.

Only two people respect my social name, the others claim that they knew me in one way and it will always be that way. But no, it doesn't always have to be that way. Not even my supervisor respects me, she treats me feminine all the time, even to praise. There I have to use the women's bathroom. The day I went to get my badge, I asked about the social name and the employee didn't even know what it was (VASCONCELOS, 2007, p. 80).

Companies like this disrespect human dignity, as do their employees, using the bathroom with which they identify themselves and being called by their social name are rights that transsexuals have conquered by law, but which are not always respected, either due to lack of knowledge, or by transphobia.

According to Decree No. 8,727, of April 28, 2016:

Art. 1 This Decree provides for the use of the social name and the recognition of the gender identity of transvestites or transsexuals within the scope of direct federal, autarchic and foundational public administration.

Single paragraph. For the purposes of this Decree, it is considered:

I - Social name - designation by which the transvestite or transsexual person identifies and is socially recognized; and

II - Gender identity - dimension of a person's identity that concerns the way in which they relate to representations of masculinity and femininity and how this translates into their social practice, without maintaining a necessary relationship with the sex assigned at birth.

Art. 2 The bodies and entities of the direct federal, autonomous and foundational public administration, in their acts and procedures, must adopt the social name of the transvestite or transsexual person, in accordance with their request and with the provisions of this Decree.



Single paragraph. The use of pejorative and discriminatory expressions to refer to transvestites or transsexuals is prohibited.

According to Oliveira and Porto (2016) society has an insertion of heterocentric principles that often adopt or ignore prejudiced postures regarding the presence of transvestites, transsexuals and transgender people in the labor market. Diniz (2014), talks about the impossibility of developing professionally when their gender identity is denied.

Brazil has already adapted to the insertion of trans soldiers. Foureaux (2011) reports that the soldier who goes through the gender transition will have his military identity replaced, will go to the locker room according to the gender he identifies, will undergo medical examinations in the table of that gender and will have his retirement dates updated.

Social projects for the integration of minorities in society are very important, since the rejection of these has high levels. The more transsexuals and transvestites are inserted in the market, the more people will know them and the less estrangement they will cause over time, reducing discrimination, the homicide rate and the execution of informal jobs.

### 3 METHOD

For a better understanding of an understudied topic, the methodology chosen as the basis for the research was the exploratory one of qualitative character.

Exploratory research has the main purpose of developing, clarifying and modifying concepts and ideas. Furthermore, it seeks to provide an overview of a given fact through bibliographic and documentary research, non-standardized interviews and case studies (GIL, 2008).

According to Zikmund (1999), exploratory research is useful in the study of broad themes, where a problem can have several causes, bringing to the author several possibilities and opening the way for new studies and approaches, therefore, even if there are several researches on a particular subject exploratory research can still add new points of view.

This research is characterized by exploratory, since there is a scarcity of literature on the subject, the authors also need to deepen their knowledge and explore the subject more systematically.

This article was based on articles that describe the job market, the social and professional life of transsexuals, research on school dropout, aggression, mortality rate, among others. All this material characterizes the article as exploratory research.

Qualitative research, according to Flick (2009) is characterized by examining intentions and communications that are developing, examining the experiences of individuals or groups, which may be related to bibliographic or practical histories (everyday or professional), and can be treated by analyzing knowledge, reports and stories of everyday life.

In this way, the article fits into a qualitative research, as it is studying communications that are being developed, communication between companies and transsexuals, which is a certain group. The research carried out with trans people portray and analyze their reports and

stories of everyday life. This study does not fit the statistical treatment of the interviews. A broader and deeper analysis was made of the interviewees' speech.

In the analysis and discussion of the data, this study also uses a qualitative approach, as the theme involves concepts of sociology and social psychology, which characterizes theoretical interpretation in the reading of the data; quantifying the data would harm the design of the research (IERVOLINO; PELICIONE, 2001).

As mentioned earlier, the article aims to study what academics have written about transsexuals and the job market, the research comes in as a complement to verify if the theory addressed applies in practice. This analysis is social, therefore, the research carried out is qualitative, not making room for a quantitative analysis.

Two groups were interviewed: transsexuals and representatives of companies of different sizes and nature. The questions were pre-established and aimed at comparing the same situation from different perspectives.

The first questionnaire has thirteen questions developed for transsexuals, with this objective to obtain the profile of the interviewee, and all situations related to the job market.

The other questionnaire for companies contains ten questions, and how the company manages the issue was analyzed.

### 3.1 Description of research participants

As noted, Table 1 summarizes the profile of the participants and provides a clearer view of each participant. All respondents meet the desired profile for the survey: transsexual, over 18, gender transition already started. Education and professional experience were not a criterion.

Table 1 - Description of research participants

Participant	Gender identity	Age	Start of transition	Education degree
A	Trans man	24	19	Undergraduate
B	Trans woman	19	19	Middle school
C	Trans man	29	21	Secondary level
D	Non binary	27	18	Secondary level
E	Trans man	22	17	Undergraduate
F	Trans man	23	16	Undergraduate
G	Mulher trans	20	17	Secondary level

Source: elaborated by the authors

The profile table of the companies interviewed, Table 2, which are also named with the letters of the alphabet.

Table 2 - Description of the companies participating in the survey

Company	Field	Company size	City
A	Education	Medium-sized	São Paulo
B	Technology	Multinational	São Paulo
C	Education	Multinational	São Paulo
D	Technology	Multinacional	São Paulo

Source: elaborated by the authors

Todas as empresas participantes atendem aos requisitos necessários para a pesquisa: ser no mínimo médio porte e ter condições, caso deseje, de compor equipe de trabalho.

### 3.2 Data collection method

The survey was applied to both groups through Google's online search platform, Google Forms. Transsexuals were contacted by the social network Facebook, as the research was carried out during the quarantine period of the Covid-19 pandemic, making face-to-face interviews impossible due to the risk of contamination. Only seven responses were obtained, although the form was sent to more than 30 transsexuals. The public was very closed to the research. Most did not respond to the messages or the questionnaire.

As another attempt to gain access to transgender people, a survey participant forwarded the survey to a group of transsexuals from the Alto Tietê region, in an attempt to help publicize it, but was also unsuccessful in engaging so that there were more responses, causing a reduced number of responses. despite all the setbacks, the number of participants was considered satisfactory to analyze and compare the experiences collected with the bibliographic reference.

Initially, the research would be exclusively for transsexuals and companies in the Alto Tietê region, but due to the low engagement in data collection, the research was expanded to the whole of São Paulo, allowing greater reach, however, still with difficulties due to the lack of openness of the trans and by the fear of companies because it is a socially controversial and delicate subject.

With regard to the responding companies, the four research participants were also contacted through the social network Facebook, getting in direct contact with the human resources managers of each one. As well as the trans public, there was a lack of interest from many companies in responding to the survey.

## 4 RESULTS AND DISCUSSION

Below is a description of the interviews and their analysis. The intention was to confront the answers to similar questions to understand how the insertion of transsexuals at work occurs in practice.

Initially, transsexuals were asked the age at which their gender transition began. All respondents started between 16 and 21 years of age, without giving further details of the process.

The second question to transsexuals was about the current gender that is in the documents. In response, interviewees B, C, D and G stated that they had not updated their documents. A, E and F have already updated. They reported difficulty in obtaining information to update the documents, in addition to being a lengthy and bureaucratic process.

According to Segundo Silva (2012), many transsexuals do not have their documents suitable for their social gender, even if it is guaranteed by law, this is due to the bureaucratization of processes in Brazil and the lack of access to information for some transsexuals.

The interviewees' reports reaffirm the analysis by Silva (2012), as both bureaucracy in the process and the lack of accessibility to information were pointed out as the main reason why transsexuals have difficulty in this process or do not update their documents.

When a transsexual does not update his documents, he has the right to the “social name” in formal situations. Four of the seven respondents use this feature.

At the same time, to find out if companies are prepared to receive these transsexuals who have not yet updated their documents, it was asked whether the “social name” field was included in the employee admission form. Companies A B and C do not have the social name field, whereas D does.

As seen in the theoretical framework, this field is very important for the inclusion of trans people who have not yet updated their documents, and it has been guaranteed by law since 2016 (Decree No. admission form is a lack of attention to the law and trans identities, such as the interviewees who use the social name.

Another question asked to companies that also had the objective of verifying if they were prepared to receive transsexuals in the most appropriate way was about the genders that the company had for the employee to identify himself in the admission form. A, B and C have male and female, D said he does not provide a field for gender.

Once again, the field of gender is very important. Mistaking or mistaking someone's gender can be extremely offensive and unpleasant. Placing only “male and female” is also not adequate, since there are other gender identities, as can be seen in this interview where interviewee D declares himself as “non-binary”, that is, neither male nor female.

After observing these two misconceptions coming from companies in relation to hiring trans people, it was asked if the company knew about the laws aimed at transgender people.

Company A replied that “they are starting to study”. B: “has knowledge”, C: “I don't know” and D “still insufficient in the digital layer”.

B also said that he had knowledge about the laws aimed at transsexuals, but he did not have the “social name” field in his admission form, something basic for the integration of trans people in companies, that is, having the knowledge did not guarantee a change in conduct. . A and D said they were starting to study the topic. Within the explanation of this study, D already uses the social name in its hiring forms, but A has not yet shown to be applying any theoretical knowledge in practice.

The third question for transsexuals was what the experience as a transsexual would have been like in the school environment from childhood to the end of studies. In this question, the authors considered it important to transcribe some reports in full in order to, after that, elaborate the analysis. Here's the transcript:

A: “I only had problems at the beginning of college.”

B: “When I understood myself as trans and had this experience within the school, it was very complicated and this is one of the reasons why I stopped. The last time I was in a school, I got to the point where I was almost assaulted.”

C: “The incompatibility and lack of communication in the environment made me relatively lonely and very introverted.”

D: “Prejudiced” (the interviewee did not want to give details)

And: “I have always identified more with the masculine gender, as a child I liked more masculine clothes and even toys. I never noticed any different looks or comments as a child, but during my adolescence I was bullied and heard a lot of prejudiced comments. In college I don't see or recognize much prejudice and my family has always accepted me.”

F: “Traumatic. It affected my self-esteem and my relationship with myself. A toxic environment where I couldn't be who I really was.”

G: “From an early age I was bullied a lot for being more effeminate and for people framing me as gay. I was always ashamed of my body and people made a point of pestering me and making jokes in bad taste.”

As reported, all interviewees declared that they had suffered prejudice at some point in the educational environment, which for interviewee B, for example, resulted in dropping out of elementary school studies, for C it caused social isolation and for interviewee F, trauma.

The reports are very accurate in reaffirming the prejudice that transsexuals experience from childhood to adulthood. Society has not yet prepared itself to understand transsexuality as normal.

Making a theory-practice parallel, in the literature review, it was seen that 68% of transsexuals are verbally abused in schools, and 64% do not receive support from them, which drives them to drop out of studies (CONSELHO NACIONAL DE COMBATE À DISCRIMINAÇÃO, 2004). Affirming the theory in practice, one interviewee dropped out of elementary school, and six reported having suffered transphobia during schooling, showing that the data presented are similar to those obtained in this research.

The fourth and fifth questions of the questionnaire for transsexuals were, respectively, if they had already had a formal job after changing their sex, and, what would that job be, if so, and if not, report the main reason for this not having happened.

Of the seven respondents, four got formal jobs after the gender transition (C, D, E, F), three of them in telemarketing (D, E, F) and C in the retail sector. Three (A, B and G) commented that they had not been able to get a formal job after starting their gender transition and, when asked why, interviewee B said “I have not tried to have a job yet, because I am linked to the male gender and have feminine traits. ”. Respondents A and G expressed their concern for transphobia rooted in society, without giving further details. G said being at the beginning of college could also be a factor. The embarrassment of the delay in changing sex in the formal documents is perceived.

Two of the three interviewees were unable to find formal employment after the gender transition. They claim transphobia rooted in society as the main factor. It is important to note that B has this perception of transphobia in companies and therefore does not even want to try to start a professional career. It is difficult to analyze this statement impartially. To allege prejudice in the search for work, it is necessary to have tried to enter and have received denials with prejudiced situations. The does not make the statement cloudy.

According to Oliveira and Porto (2016) society has an insertion of heterocentric principles that often adopt or ignore prejudiced postures regarding the presence of transvestites, transsexuals and transgender people in the labor market.

Arroyo (2000), in agreement with the reports, states that social ascension/exclusion made education levels one of the main selection and accreditation criteria, making access to formal work difficult for those who do not have basic education. The lack of some positive attitudes in schools in relation to different social groups is very scarce, the same people who verbally attack trans people at school are the same people who prevent them from entering the job market, all because of the lack of information, of transphobia, which is a crime.

It has already been reported in previous questions that companies do not have a recruitment and selection process that is suitable for transgender people. In order to find out if the company had already hired a transsexual, it was asked if it had already had an employee hired after the change of sex and if the answer was yes in which position it would be.

Companies A, B and C revealed that they never hired a transsexual after their gender transition. D has already hired, but was unable to inform the position. No company gave further details.

We noticed that most of the transsexuals interviewed only got formal jobs in Telemarketing and almost half were unable to enter the job market. Three companies interviewed never hired a transsexual, and the only one that hired it does not remember for which position, showing that the insertion of transsexuals in the labor market takes place on a small scale and in operational positions.

It was found that only company D hired a transsexual, we asked about diversity in organizations, we asked about the company's opinion about diversity in organizations.

Company A stated that diversity “inspires creativity and makes things work better”, B said he supports diversity in organizations, unlike C who stated he did not have an opinion on it. D said that diversity in companies is “currently discussed in the process of inclusion”.

After three companies have positioned themselves positively in relation to diversity, it was investigated whether in practice they support it, questioning whether there were socially excluded groups in the workforce. If the answer is affirmative, which groups would they be (black, disabled, transsexual). And what positions they held.

A, B and D stated that there were no employees from socially excluded groups in their companies, while C said that there were blacks and disabled people, showing that currently none of the participating companies has a contracted transsexual.

The answers make what is reported throughout this work more evident. The companies said they support diversity, but when asked if this diversity was present within them, it was seen that no, that their speeches do not follow reality.

In the research, it was exposed that only 10% of transsexuals manage to enter the formal job market (ANTRA, 2015), and here it is verified that medium and large companies that do not have a transsexual in their staff, even claiming to support diversity. Speech does not match practice.

The sixth question answered was if the person had already experienced some type of transphobia in the selection process of one. If so, we ask you to report how it went.

Only interviewees B and E expressed not having suffered transphobia in any selection process in which they participated. C said he felt uncomfortable on the part of the interviewer, D commented: “Yes. They put a social name and the selector insisted on calling it by male

name.”, G experienced something similar to D’s report: “Yes, they wanted to treat me with masculine pronouns, even though I corrected and guided about.”, F claimed to have suffered transphobia in processes selective and brought an overview faced by trans people in this situation: “Yes, trans people are forgotten and always left as a last option, they are seen as quotas.”

Disrespect for the social name and the appropriate pronoun to the gender of the interviewees was seen twice in the responses. This mistake can be easily avoided by inserting the social name field in the employee's admission form, a field that three companies revealed not to have in the interview, opening the possibility for recruiters to make the same mistake reported by transsexuals in the question above.

One interviewee said he noticed the discomfort of the company's recruiter, which is in line with the other report where it is said that trans people are left last in interviews.

Complementing the previous question, the seventh question was how it would have been inside the company and report how it had been if it had been.

Within companies, only D revealed that he was not discriminated against by his colleagues. C said: “My colleagues express their prejudice in small indirections (but they are more than direct). Therefore, they seek to affect me psychologically and emotionally.” Interviewee E recalled: “Some co-workers refused to call me by the name I would like to be called, or to put the words in the masculine as “his” “he” “tidy”, F replied: “Usually jokes, but I've been treated with the wrong pronouns a few times. Some apologized, some did not.”

Just as the company's recruiters refused to treat interviewees D and G with the correct names and pronouns, here we can see that, within the company, E and F went through the same situation. C and F report jokes and hints from their co-workers. A, B and G never entered the formal job market, so they had no experiences to report.

Prejudice is revealed here on the part of employees who should be guided in relation to a policy of inclusion and respect for others.

The eighth question addressed to transsexuals was their perception of the opportunities and challenges of transsexuals in the workplace. The answers were:

A: “There are almost no opportunities”. B: "I've never really tried to fill any formal job positions, I'm a little apprehensive about what it's going to be like to be in the position of a newly started transgender who is still linked to both genders." C: “Opportunities for transsexuals to be employed are extremely scarce, especially in positions where their image has direct contact with clients, as I believe that employers fear the reaction of these who, given our society dominated by prejudice, tend to move away, or that is, rejection begins in the search for the position and lasts until the service is performed.”. D: “I feel that, depending on the role, if the person has not yet changed their documents it is very difficult. Because the selector looks at the name of the document and looks at the person and from then on, he doesn't even care if the person is qualified to perform the function. Begins to make a prejudiced judgment. This makes the trans person already behind in the selection process.”

And: “I believe that only areas that are more devalued by the labor market that give a certain opportunity to the others are very difficult, one of the biggest challenges is that clearly our society and the market and work in particular do not know how to deal with the different, they want people alienated and disempowered.” F: “Extremely limited and surrounded by stigmata. There are few options for many challenges.”

G: “I believe that the insertion of trans people in the market is at the beginning, it is going slowly and unfortunately it will take time to have greater visibility, I think there is a lack of awareness campaigns to normalize the hiring of our community.”

Opportunities for transsexuals were described as lacking if they are surrounded by stigma. All the answers showed how the general market does not give them opportunities and that the only ones that do are the most devalued markets and in which their image does not appear.

The ninth and final question of the questionnaire for transgender people was about the area of activity that would be most receptive to transgender people in their view and the justification. Here are the answers in full:

A: “Telemarketing, because you only work with your voice and not your appearance”. B: “Beauty salons, telemarketing areas, I think in a way they would be the only places that wouldn't be so aggressive... But you never know.”. C: “I sincerely believe that in areas where the transsexual, per se, is not seen, such as telemarketing, for example.”. D: “I think in telemarketing. Because for the company, this person serves well and doesn't show up. In other words, customers don't see them.” And: “I believe that the area of communication such as telemarketing or marketing, because they are environments in the labor market that need people, no matter what.”. F: “Telemarketing companies, because they are places where we can actually see a considerable number of trans people working.” G: “I believe that commerce, because this sector is more open to the public and society change, so much so that several companies currently value a marketing campaign focused on the LGBTQIA+ community at least once a year; another factor is that by dealing directly with the public, having trans people on the team will mobilize more people to consume the brand.”

All interviewees cited Telemarketing as the main door for transsexuals to enter the formal job market, except for G, and all on the same justification, they are not seen, only heard, customers do not know they are talking to transsexuals, so the company does not oppose hiring them.

Beauty salons and marketing were also cited as the most receptive places and areas, confirming what had been said in the theoretical framework when citing Silva (2012) who showed that in addition to prostitution, one of the few areas with acceptance relative to transsexuals is in the area of beauty. , such as hairdressers and makeup artists and that outside these areas the transsexual is fighting a battle to enter a market formed by an excluding society.

The last question for the companies was whether the company's employees were aware of the company's position in relation to the transsexual community. If so, how would this information be transmitted?

A and C denied that employees are aware of the policy for hiring trans people, while B and D said yes, but did not provide further details.

Several times in the interview, errors were noticed from the companies regarding the hiring of transsexuals, it was also seen that none of them has transsexual employees, therefore, the statement of companies B and D that their employees know about their hiring policy seems untrue , mainly for not explaining this statement, even after being asked in the interview.

Finally, to summarize, the interviews revealed great unpreparedness of companies to receive transsexuals, prejudice from employees and fear of transgender people to expose themselves when looking for formal work.



## 5 FINAL CONSIDERATIONS

The present research aimed to analyze how the insertion of transsexuals in the formal job market takes place, as well as to study which areas are more receptive and possible difficulties for this insertion to take place.

The methodology used to carry out the research and obtain these results was exploratory and qualitative in nature. The theoretical framework was based on books and articles on the subject and the field research was applied to transsexuals and companies in São Paulo, the data being analyzed in a qualitative way, without the intention of quantifying them.

We had difficulty in developing the theoretical part due to the lack of studies on the subject, as it is a new subject, few academics have worked on it, and this was the first limitation. Another limitation occurred in the field research that was applied during the Covid-19 pandemic, which ended up bringing a limitation in the scope of the research. The origin of the term transsexual was studied and how science and society interpreted them over the decades.

Soon after, it was analyzed how the experiences in the school and family environment of transsexuals are, given the importance of schooling and family support to enter the job market.

After the due analysis, we brought data about the low percentage of transsexuals in the job market and we investigated possible hypotheses for this. It was also investigated which areas were most receptive to transsexuals and how the other areas were dealing with this insertion.

We started from the hypothesis that the companies did not have the necessary knowledge to insert and integrate transsexuals, which was confirmed by the companies themselves in the field research when they stated that they did not have insertion policies. The personal experiences of the transsexual participants pointed out the same, as many were not treated correctly by managers and colleagues from companies they were part of or were trying to join.

The area of telemarketing is the main responsible for the insertion of transsexuals in the job market. the justification given is that there is no visual contact between the transsexual and the clients and these companies have a high turnover of employees, making new employees always necessary. Another area noted for its receptivity to transsexuals is the area of beauty.

We conclude that the low insertion of transsexuals in the labor market is due to the high rates of transphobia since the school period, which makes school dropout by transsexuals high. The lack of preparation of companies to hire and deal with transsexual employees was also considered a factor, as this makes it difficult for them to enter and even stay in companies.

As a limitation, this study faced many barriers to obtain material in the literature and people interested in responding to the survey. As a result, despite having been sent to dozens of people, there were few transsexual respondents and companies. As a consequence, it is not possible to say that the reality reported here applies everywhere, as the sample was discrete.

Another limitation is that the companies interviewed are from the technological and educational sector, of the four trans people who got formal employment after the beginning of their transitions, three were hired for telemarketing and one in the retail sector, different areas of the participating companies.

For a future deepening of the theme, we recommend studying more areas that are less receptive to transsexuals, as it was a very difficult material to find for the theoretical reference and a greater depth on this point would be enriching for future studies on transsexuals in the labor market.

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