

*PREPARING FOR CHANGE:
NON-CONFORMING GENDER IDENTITY ISSUES IN THE WORKPLACE*

American Bar Association Equal Employment Opportunity Committee
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Introduction

Consider this . . .

⇒ Headline in February 27, 2006 edition of the *Philadelphia Inquirer* newspaper: “*School Board OKs Teacher’s Return to Classroom After Sex Change.*” The School District for Eagleswood Elementary School in NJ approved a request by a 71-year old, five-year veteran substitute teacher, who underwent sex reassignment surgery to change her biological sex from male to female, to return to classroom teaching over the objections of parents and the community.

A Glossary of Sexual Identity: What Are We Talking About?

A careful discussion of sexual identity in the workplace demands precision in terminology. Sex, sexual orientation, gender identity and gender expression are not the same things.

- *Sex*
The classification of a person as male or female. At birth, infants are assigned a sex based on a combination of bodily characteristics including: chromosomes, hormones, internal reproductive organs, and genitals.
- *Gender Identity*
One's internal, personal sense of being a man or a woman (or a boy or girl.) For transgender people, their birth-assigned sex and their own internal sense of gender identity do not match exactly.
- *Gender Expression*
External manifestation of one's gender identity, usually expressed through "masculine" or "feminine" behavior, clothing, haircut, voice or body characteristics. Typically, transgender people seek to make their gender expression match their *gender identity*, rather than their birth-assigned sex.
- *Sexual Orientation*
Describes an individual's physical, emotional and/or spiritual attraction to another person. Gender identity and sexual orientation are not the same. Transgender people may be heterosexual, lesbian, gay, or bisexual. For example, a man who becomes a woman - and is attracted to men - would be identified as a heterosexual woman.
- *Transgender*
An umbrella term for people whose gender identity and/or gender expression differs from the sex they were assigned at birth. The term may include but is not limited to: transsexuals, intersex people, cross-dressers, and other gender-variant people. Transgender people can be female-to-male (FTM) or male-to-female (MTF). Use the descriptive term (transgender, transsexual, cross-dresser, FTM or MTF) preferred by the transgender person. Transgender people may or may not choose to alter their bodies hormonally and/or surgically.

- *Transsexual (also Transexual)*
An older term which originated in the medical and psychological communities. Many transgender people prefer "transgender" to "transsexual." However, some transsexual people still prefer to use the medical term to describe themselves. It is best to ask someone which term they prefer.
- *Transvestite*
DEROGATORY see cross-dressing
- *Transition*
Altering one's birth sex is not a one-step procedure - it is a complex process that takes place over a long period of time. Transition includes some or all of the following cultural, legal, and medical adjustments: telling one's family, friends, and/or co-workers; changing one's name and/or sex on legal documents; hormone therapy; and/or possibly (though not always) some form of chest and/or genital alteration. Preferred term to "sex change operation."
- *Sex Reassignment Surgery (SRS)*
Refers to genital alteration, and is only one small part of transition (see transition above). Not all transgender people choose to or can afford to have SRS. Preferred term to "sex change operation."
- *Cross Dressing*
To occasionally wear clothes traditionally associated with people of the other sex. Cross-dressers are usually comfortable with the sex they were assigned at birth and do not wish to change it. ("Cross-dresser" should NOT be used to describe someone who has transitioned to live full-time as the other sex, or who intends to do so in the future.) Cross-dressing is a form of gender expression. It is not necessarily tied to sexual orientation or erotic activity. Most cross-dressers are heterosexual men. Very few women identify as crossdressers.
- *Gender Identity Disorder (GID)*
A controversial DSM-IV diagnosis given to transgender and other gender-variant people. Because it labels people as "disordered," Gender Identity Disorder is often considered offensive. The diagnosis is frequently given to children who don't conform to expected gender norms in terms of dress, play or behavior. Such children are often subjected to intense psychotherapy, behavior modification and/or institutionalization. Replaces the outdated term "gender dysphoria."
- *Intersex*
Describing a person whose biological sex is ambiguous. There are many genetic, hormonal or anatomical variations which make a person's sex ambiguous (i.e., Klinefelter Syndrome, Adrenal Hyperplasia). Parents and medical professionals usually assign intersex infants a sex and perform surgical operations to conform the infant's body to that assignment. This practice has become increasingly controversial as intersex adults are

speaking out against the practice, accusing doctors of genital mutilation. Replaces the outdated term "hermaphrodite."

The statistics:

The number of transgender persons in the U.S. is not known, mainly because studies typically focused on persons who had undergone SRS, which is only one segment of transgenderism. Earlier research suggested that:

- one in 30,000 adult males and one in 100,000 adult females seek sex reassignment surgery (As of 1988, there were approximately 6,000 to 10,000 Americans who had undergone such surgery);
- gender identity disorder occurs in at least two percent of children.

The Law Is In Transition

More and more federal and state governments (and/or their courts) are beginning to prohibit employment discrimination on the basis of gender identity/gender expression and are recognizing such conduct as a legitimate basis for asserting a cause of action under federal, state and/or local anti-discrimination laws. Employers, particularly those with a national workforce, should consider being proactive and sensitive in their responses to this trend, including the creation and implementation of new employment policies and training to protect affected employees and to educate their workforce about these issues in order to avoid any potential legal liability.

Current State of the Law Regarding Discrimination on the Basis of Gender Identity/Gender Expression:

1. Federal Courts

a. *Title VII*

Title VII of the Civil Rights Act of 1964 provides, in relevant party, that “[i]t shall be an unlawful employment practice for an employer . . . to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment because of such individual's race, color, religion, sex, or national origin.” 42 U.S.C. § 2000e-2(a). Title VII *does not* expressly prohibit discrimination in employment on basis of transgender status.

b. *Smith v. City of Salem*

Smith v. City of Salem, 378 F.3d 566 (6th Cir. 2004), is the first federal case to extend Title VII’s prohibition against sex discrimination to discrimination against a transgender person. In that case, Plaintiff, Jimmie Smith, was a lieutenant and seven-year veteran of the City of Salem (OH) Fire Department. Id. at 568. He was diagnosed with Gender Identity Disorder, classified in the American Psychological Association Diagnostic and Statistical Manual of Mental Disorder (DSM) IV as a clinical disorder in which a person’s gender identity does not conform to one’s biological sex— i.e., Smith identified as a female although his biological sex was male. Id.

Following the recommended treatment for his condition, Smith began to express himself in a more feminine manner, including dressing in a more feminine manner at work. Id.

Smith's feminine dress and mannerisms drew sharp criticism from his male co-workers, including claims that he was not "masculine enough." Id. Smith was subsequently terminated from his employment because of his transsexualism. Id. at 569.

Smith filed a federal lawsuit under Title VII on grounds of sex discrimination and retaliation, and various state law claims. The trial court dismissed the Title VII claims on grounds that he failed to state a claim for sex stereotyping based on his transsexuality. Id.

The court of appeals reversed. Relying on Price Waterhouse v. Hopkins, 490 U.S. 228 (1989), the court held that Title VII prohibition against sex discrimination included sex stereotyping, i.e. discrimination because he failed to conform to sex stereotypes by expressing less masculine, and more feminine mannerisms and appearance. Smith, 378 F.3d at 571-72. The court distinguished pre-Price Waterhouse cases which rejected arguments that Title VII's protections extended to transgender persons. The court reasoned that the Price Waterhouse court held that "Title VII protected a woman who failed to conform to social expectations concerning how a woman should look and behave." Id. at 573. Thus, "Title VII's reference to 'sex' encompasses both biological difference between men and women, and gender discrimination, that is, discrimination based on a failure to conform to stereotypical gender norms. . . . [E]mployers who discriminate against men because they *do* wear dresses and makeup, or otherwise act femininely, are also engaging in sex discrimination, because the discrimination would not occur but for the victim's sex." Id. at 573-74

The court rejected the argument that the trial court dismissal should have been upheld because the discrimination was based on plaintiff's unprotected status as a transsexual and not based on sex. The court explained:

Discrimination against a plaintiff who is a transsexual – and therefore fails to act and/or identify with his or her gender – is no different from the discrimination directed against [the plaintiff] in Price Waterhouse, who, in sex-stereotyping terms, did not act like a woman. Sex stereotyping based on a person's gender non-conforming behavior is impermissible discrimination, irrespective of the cause of that behavior; a label, such as "transsexual," is not fatal to a sex discrimination claim where the victim has suffered discrimination because of his or her gender non-conformity.

Id. at 575.

c. *Americans with Disabilities Act*

The Americans with Disabilities Act expressly excludes from the definition of disability "transvestism, transsexualism . . . [and] gender identity disorders not resulting from physical impairment" 42 U.S.C. 12211. The American Psychological Association has, however, recognized gender identity disorder as a clinical disorder. State statutes may differ depending on the jurisdiction.

d. *Rehabilitation Act of 1973*

Similarly, the Rehabilitation Act of 1973 excludes from its definition of "individual with a disability," transvestites, transsexuals, or other persons have gender identity disorders not resulting from physical impairments. See 29 U.S.C. 705(20)(F)(i).

States That Have Enacted Statutory Protections Against Employment Discrimination on the Basis of Gender Identity/Gender Expression:

- California
- Minnesota
- New Mexico
- Illinois
- Maine
- Rhode Island
- Washington

States Without Express Statutory Protections But Whose Courts Have Interpreted Existing Law to Prohibit Employment Discrimination on the Basis of Gender Identity/Gender Expression:

- Connecticut
- District of Columbia
- Massachusetts
- New Jersey
- New York
- Oregon
- Vermont

Local Ordinances Prohibiting Employment Discrimination on the Basis of Gender Identity/Gender Expression:

In 1975, Minneapolis, MN was the first jurisdiction in the United States to prohibit discrimination on the basis of gender identity/gender expression. Since that time, over 70 local jurisdictions have enacted similar laws. For a complete list, see Exhibit A.

Companies Who Have Implemented Express Policies Prohibiting Employment Discrimination on the Basis of Gender Identity/Gender Expression:

A number of Fortune 500 companies have enacted nationwide policies prohibiting discrimination on the basis of gender identity/gender expression, including Aetna, Apple Computers, Bank One, Eastman Kodak, Hewlett Packard, Lucent Technologies and Nike. For a comprehensive list, see Exhibit B.

Practical Considerations for Employers:

1. *State of law is In Flux*

It is imperative that employers consider not only state statutory provisions or judicial determinations that preclude employment discrimination on the basis of sexual orientation, gender identity/gender expression. They must also be mindful of, and compliant with, local ordinances prohibiting such conduct. For example, the Pennsylvania Human Relations Act, the state anti-discrimination law, prohibits discrimination on the basis of race, color, familial status, religious creed, ancestry, age, sex, national origin, handicap or disability, use of guide or support animals because of the blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animal. 43 P.S. § 952(a). However, the City of Allentown recently enacted a statute makes it unlawful to discriminate in employment and housing based on the categories found in the PHRA, in addition to sexual orientation and gender identity. (City of Allentown, Ordinance § 181.02). Thus, employers operating in Allentown, PA have the additional burden of engaging in non-discriminatory conduct based on sexual orientation and gender identity, whereas employers outside of this city do not.

Moreover, employers operating in multiple jurisdictions should take special care to ensure that they are complying with all applicable laws. In an effort to avoid potential liability, it may be prudent for a multi-state employer to consider implementing the most expansive anti-discrimination laws applicable to it to all employees – regardless of where they work.

2. *Restroom Usage Policies*

From an employer's perspective, this is often the workplace "flashpoint" for transgender issues. Employers typically must navigate very sensitive issues relating to the use of restrooms for transgender employees and guests. For example, an employer may face a perception of safety and security concern among its female employees where transgender employees who are biologically male but whose gender identity is female wish to be considered female, including usage of the women's restroom. The employer must comply with any applicable anti-discrimination law, but also provide a sense of security among its workforce – two potentially conflicting goals, especially if the sense of impaired security is driven by bias and unease about an employee's non-conformance with gender stereotypes.

3. *Dress Code*

This issue typically arises among transgender male employees and poses a particularly sensitive issue for persons who are transitioning into a different gender permanently (e.g., undergoing SRS). Although, under these laws, employers may not prohibit employees from dressing a certain way based on their gender identity/gender expression, nothing in the anti-discrimination laws prevent an employer from implementing, and requiring employees to comply with, a non-discriminatory personal grooming or dress code.

4. *Names/Pronouns*

There may be transgender employees, particularly those who are transitioning permanently to another gender, who wish to be called by a name associated with the gender with which the person identified. The use of “Mr.” or “Ms.” or “him” or “her” can become problematic. Attached below is some guidance from Gay and Lesbian Alliance Against Defamation, which may be useful:

- Use the transgender person's chosen name. Often, transgender people cannot afford a legal name change. They should be afforded the same respect for their chosen name as anyone else who lives by a name other than their birth name.
- Ask transgender people which pronoun they would like you to use. A person who identifies as a certain gender, whether or not they have taken hormones or had surgery, typically prefers using the pronouns appropriate for that gender.
- If it is not possible to ask the person which pronoun he or she prefers, use the pronoun that is consistent with the person's appearance and gender expression. For example, if the person wears a dress and uses the name "Susan," feminine pronouns are appropriate.
- It is never appropriate to put quotation marks around either the transgender person's chosen name or the pronoun that reflects their gender identity.

5. *Revised Nondiscrimination Policies/Specialized Training*

As shown by the number of jurisdictions that have enacted or are considering legislation protecting transgender persons from employment discrimination on the basis of gender identity/gender expressions, it is very likely that in the near future, most employers will be prohibited from engaging in discriminatory conduct on this basis. Employers who operate in jurisdictions in which such practices are prohibited must state the necessary steps to ensure that their transgender employees are protected from discriminatory employment practices and/or a hostile work environment. Employers who are not yet prohibited from such conduct should realize the real likelihood the trend in state and local jurisdictions and court toward extending anti-discriminatory protections to transgender persons and should consider taking proactive action steps to meet the trend.

Moreover, because of the myriad ways in which transgender persons express themselves (e.g., gay, lesbian, transsexual, cross dressers, etc.) and the public stigma (and sometimes physical violence) associated to such lifestyles, specialized employee training on anti-discrimination policies toward and tolerance of transgender persons in the workplace may be needed.

For more information:

Gay and Lesbian Advocates & Defenders (GLAD) (<http://www.glad.org/>)

Gay and Lesbian Alliance Against Defamation ([www. gladd.org](http://www.gladd.org))

Lambda Legal (<http://www.lambdalegal.org/cgi-bin/iowa/index.html>)

National Center for Transgender Equality (<http://www.nctequality.org>)

NGLTF's Transgender Civil Rights Project (<http://www.thetaskforce.org/ourprojects/tcrp/index.cfm>)

Transgender Law & Policy Institute (<http://www.transgenderlaw.org>)

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[Transgender inclusive non-discrimination bills introduced or soon to be introduced in 2003](#)

[Non-discrimination/anti-harassment school bills introduced](#)

Maps and Charts

TLPI Chart, by year, of [US Jurisdictions with Transgender Inclusive Non-discrimination Laws](#). [Download the PDF chart](#). Download the Adobe Acrobat Reader [here](#).

Joint TLPI-NGLTF comprehensive chart, "[Scope of Explicitly Transgender-Inclusive Non-Discrimination Laws](#)." In pdf [here](#). (Sometimes this large chart doesn't load right; if so, [email](#) us for a copy.)

See also these charts from the [NGLTF Transgender Civil Rights Project](#):

1. Years passed between sexual orientation and gender identity/expression
2. Year in Review: State and Local Trans-Inclusive Legislation 2005 / 2004 / 2003 / 2002
3. Populations of jurisdictions with explicitly transgender-inclusive anti-discrimination laws.

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U.S. jurisdictions with laws prohibiting discrimination on the basis of

gender identity or expression

Type of jurisdiction	Number
States:	8
Counties and counties:	77
Total	85

Year	Jurisdiction
2006	State of Washington
2005	State of Maine
	State of Illinois
	Gulfport, FL
	State of Hawaii*
	Indianapolis, IN
	Lincoln City, OR
	Northampton, MA
	Washington, DC
2004	Albany, NY
	Austin, TX
	Beaverton, OR
	Bend, OR
	Burien, WA
	Oakland, CA
	Miami Beach, FL
	Tompkins County, NY
2003	State of California
	State of New Mexico
	Carbondale, IL
	Covington, KY
	El Paso, TX
	Ithaca, NY
	Key West, FL
	Lake Oswego, OR
	Monroe Co., FL
	Oakland, CA
	Peoria, IL
	San Diego, CA
	Scranton, PA
	Springfield, IL
	University City, MO
2002	Allentown, PA

	Baltimore, MD
	Boston, MA
	Buffalo, NY
	Chicago, IL
	Cook County, IL
	Dallas, TX
	Decatur, IL
	East Lansing, MI
	Erie County, PA
	New Hope, PA
	New York City, NY
	Philadelphia, PA
	Salem, OR
	Tacoma, WA
2001	Denver, CO
	Huntington Woods, MI
	Multnomah Co., OR
	State of Rhode Island
	Rochester, NY
	Suffolk County, NY
2000	Atlanta, GA
	Boulder, CO
	DeKalb, IL
	Madison, WI
	Portland, OR
1999	Ann Arbor, MI
	Jefferson County, KY
	Lexington-Fayette Co., KY
	Louisville, KY
	Tucson, AZ
1998	Benton County, OR
	Santa Cruz County, CA
	New Orleans, LA
	Toledo, OH
	West Hollywood, CA
	York, PA
1997	Cambridge, MA

	Evanston, IL
	Olympia, WA
	Pittsburgh, PA
	Ypsilanti, MI
1996	Iowa City, IA
1994	Grand Rapids, MI
	San Francisco, CA
1993	State of Minnesota
1992	Santa Cruz, CA
1990	St. Paul, MN
1986	Seattle, WA
1983	Harrisburg, PA
1979	Los Angeles, CA.
	Urbana, IL
1977	Champaign, IL
1975	Minneapolis, MN

**Hawaii's non-discrimination law covers only discrimination in housing, not in employment or public accommodations. For more information on what each law covers, see the joint TLPI-NGLTF comprehensive chart, "Scope of Explicitly Transgender-Inclusive Non-Discrimination Laws" in pdf [here](#).*

The Transgender Law and Policy Institute has verified that each jurisdiction listed above has a transgender inclusive non-discrimination law and has on file either the passed ordinance or bill, or the relevant sections of the municipal or state code. To see what types of discrimination are covered under these laws, see the joint TLPI-NGLTF comprehensive chart, "Scope of Explicitly Transgender-Inclusive Non-Discrimination Laws" in pdf [here](#).

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U.S. jurisdictions prohibiting discrimination in public employment on the basis of gender identity and expression

Through legislative actions:

Alameda County, CA (includes provision of services)

Bellingham, WA

Chapel Hill, North Carolina

Dane County, Wisconsin (also applies to county contractors)

Decatur, Georgia

Houston, Texas

Lansdowne Borough, Pennsylvania

Largo, Florida

Luzerne County, Pennsylvania

Pine Lake, Georgia

San José, California (also applies to city contractors)

Wilton Manors, Florida (also applies to city contractors)

Through executive orders:

[State of Indiana.](#)

[State of Kentucky.](#)

[New York State Office of the Comptroller](#)

[Pennsylvania State Government](#)

[Pennsylvania Department of the Auditor General](#)

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See also:

The jurisdictions listed above have nondiscrimination laws with statutory language that explicitly includes people of transgender experience. For a list of jurisdictions that have human rights laws that have been interpreted by the courts to cover people of transgender experience, go to [jurisdictions with positive case law](#).

If you are considering drafting and/or proposing a state or local anti-discrimination law, the Transgender Law and Policy Institute, working with the Lisa Mottet of the Transgender Civil Rights Project at the National Gay and Lesbian Task Force, is available to advise you. [Email us here.](#)

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For more information, please contact us
at query@transgenderlaw.org

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Employer and Union Policies

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See also: August 2004, MA--New report by Dr. Jillian Todd Weiss, "[The Cutting Edge of Employment Diversity: Transgender Human Resources Policies in U.S. Employers](#)"

Employers who have policies prohibiting discriminating against transgender people

Note: There are many more employers that prohibit discrimination based on gender identity or expression than indicated below; this list refers only to employers whose policies that the TLPI or [HRC Worknet](#) has been able to confirm. See also [list of Colleges and Universities prohibiting discrimination based on gender identity or expression](#).

- The Aerospace Corp.
- [Aetna](#)
- Agere Systems
- AID Atlanta
- American Airlines
- [Apple Computers](#)
- Arise Communications Inc.
- Avaya Communication
- [Bank One](#)
- City of Bellingham, WA
- Box Office Tickets Inc.
- [Brown University](#), Rhode Island
- Capital One Financial Group

- CALLogistix National Call Center
- Dane County, Wisconsin, also applies to city contractors
- City of Decatur, Georgia
- Eastman Kodak
- Gay, Lesbian, Straight Education Network
- gfn.com
- [Hewlett Packard](#)
- Houston
- Human Rights Campaign
- [IBM](#)
- [Indiana State Government.](#)
- [Intel.](#)
- [J.P. Morgan.](#)
- Kalamazoo Gay & Lesbian Resource Center
- [State of Kentucky](#)
- Lansdowne Borough, PA
- Lexmark
- Levi Strauss & Co.
- [Lucent Technologies](#)
- Luzerne County, PA
- Metlife
- National Center for Lesbian Rights
- National Lesbian and Gay Task Force
- [National Writers Union](#)
- NCR
- [New York State Office of the Comptroller](#)
- [New York Times](#)
- Nike, Inc.
- [OneSource.](#)
- Online Partners
- Outlook News
- Peace Learning Center
- [Pennsylvania Department of the Auditor General](#)
- [Pennsylvania State Government](#)
- PG&E Corp
- Pine Lake, Georgia
- PlanetOut.com
- Prudential
- Pride Foundation
- Replacements Ltd.
- City of San Jose
- TAP Pharmaceutical Products Inc.
- State Bar of Texas
- Triangle Foundation
- Trillium Asset Management
- Verizon Wireless
- Vivendi Universal
- Walgreens
- Wilton Manors, Florida, also applies to city contractors
- Worldspan L.P.
- [Xerox](#)
- Various Members of Congress have policies prohibiting discrimination on the basis of gender identity and expression in their offices.

See also

[Colleges and Universities Prohibiting Discrimination Based on Gender Identity or Expression](#)

[Jurisdictions Prohibiting Discrimination in Private Employment Based on Gender Identity or Expression](#)

[Jurisdictions Prohibiting Discrimination in Public Employment Based on Gender Identity or Expression](#)

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Collective bargaining agreements that prohibit discrimination against transgender people

Local 3 of the Office & Professional Employees International Union (OPEIU) contract with all universities, non-profit direct service providers and non-profits like United Way and the San Francisco Museum of Modern Art is as follows:
There shall be no discrimination by the Union or the Employer in hiring, promoting, severance or Union membership because of race, creed color, national origin, age, sex, sexual orientation, gender, gender identity, transgender, HIV status, Medical condition, religion or any non-job related factor, marital status, handicap, disability, Immigrant Status or Veteran Status.

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Labor statements in support of transgender rights

February 10, 2005--Ann Arbor, MI--U of M Union fights for trans rights; Non-discrimination clause, health care among the issues in contract negotiations. Story [here](#).

February 27, 2003--Hollywood, FL. AFL-CIO passes statement on discrimination that includes gender identity and expression. [Read here](#).

Massachusetts State Federation Mission Statement:

"Build a broader progressive coalition that includes community-based organizations and religious communities to speak out for social and economic justice. Within our unions and communities, we will reach out to include the voices of all workers regardless of race, gender, age, sexual orientation, gender identity or expression, religion, citizenship, ethnicity, national origin, native language, or disability." (For entire statement see <http://ww.massafclcio.org>.)

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Employment resources:

The Equality Principles, in PDF [here](#).

January 13, 2005--New York, NY--New York City Comptroller William

C. Thompson, Jr., on behalf of the City's Pension Funds, has launched an effort urging 15 Fortune 500 companies to bar discrimination based on sexual orientation. Thompson asked three additional companies to implement policies that prohibit discrimination based on gender identity. [Here](#).

November 3, 2004--Companies Add Gender Identity to Anti- Bias Policies, Washington Post story [here](#).

August 2004, MA--New report by Dr. Jillian Todd Weiss, "[The Cutting Edge of Employment Diversity: Transgender Human Resources Policies in U.S. Employers](#)"

[GENDER, IDENTITY, AND NEW DEVELOPMENTS IN EMPLOYMENT LAW](#), A resource for attorneys and advocates working to create discrimination-free workplaces for transgender employees. A joint publication of the The Legal Aid Society - Employment Law Center & The National Center for Lesbian Rights.

Education pieces by Jamison Green:

[Trans-positive workplace policy guidelines](#) from the National Center for Lesbian Rights

[Affirming gender identity in the workplace: what does it mean when an employer agrees not to discriminate against workers or customers based on "gender identity"?](#) from the National Center for Lesbian Rights

Bathroom Conversation: A discussion with a Human Resources Manager about bathrooms and transsexual employees by Jamison Green. Excerpted from Paisley Currah, Shannon Minter and Jamison Green, *Transgender Equality: A Handbook for Activists and Policymakers* [here](#).

June 18, 2004--Washington, DC--HRC releases a toolkit, "Transgender Issues in the Workplace: A Tool for Managers." [Download here in PDF](#).

Informative news stories:

January 31, 2005--Ann Arbor, MI--The Graduate Employees Organization at the University of Michigan pushes contract extension; one demand is to protect transgender members of the union. [Story here](#).

June 21, 2004--Detroit, MI--Transgendered Workers Gain Protection. Good overview oped by Deb Price. [Here](#).

November 9, 2003--San Francisco, CA--Reuters, Transsexuals new focus of companies' legal protection. [here](#).

June 10, 2003--Contra Costa, CA--Catholic Hight School Teacher

Transitions (FTM). See story [here](#).

May 23, 2003--Newark, NJ--Gender changing at Prudential shakes the Rock of Gibraltar. Story [here](#).

June 27, 2003--Boston, MA: Out at work: a trans perspective: Being out at work is never easy, but transitioning poses unique challenges. Bay Windows story: [Part I here](#) and [Part II here](#).

Organizations:

[Human Rights Campaign Worknet Data Base](#). Search for "non-discrimination policy includes gender identity."

[Center for Gender Sanity](#): transgender workplace issues, tips for people planning to transition on the job, etc.

Pride At Work's "Gender & the Workplace (Identity, Expression, Variance...)". [Click here](#) to download this very large PDF file. [Click here](#) to visit the Pride at Work Site.

[Transgender at Work](#) is a focal point for addressing workplace issues for the transgendered. TAW provides resources for innovative employers who want to set their company employment policies to help their transgendered employees to be at their most productive, without spending energy hiding an important part of themselves and pretending to be something they are not. Transgender at Work (TAW) focuses on voluntary cooperation between employers and employees. While civil rights laws are important to understand, and provide useful examples of language, advocacy for laws is outside the scope of TAW.

See generally the TLPI [Resources page](#).

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