



*ADVOCATING FOR OUR COMMUNITIES*

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Written Statement of  
The Transgender Law Center

To the

Subcommittee on Health, Employment, Labor, and Pensions  
Committee on Education and Labor  
United States House of Representatives  
"An Examination of Discrimination Against Transgender Americans in the Workplace"  
Room 2175  
Rayburn House Office Building  
June 26, 2008

Mr. Chairman and Members of the Subcommittee:

The Transgender Law Center (TLC) is a California state-wide, non-profit civil rights organization advocating for transgender communities. Created in response to the overwhelming discrimination that transgender people and our families face in nearly every institution in California, we utilize direct legal services, education, community organizing, and policy and media advocacy to overcome this discrimination and help the state become one where every person's gender identity is respected and supported. TLC is honored to submit this statement regarding pervasive discrimination against transgender Americans in the workplace, and we thank you for your consideration of this important issue.

Our statement draws on the daily contact we have with transgender community members, as well as our advocacy work and research. Every year we assist nearly 1,000 transgender individuals with legal issues. Approximately 10% of our clients contact us regarding discrimination or harassment in the workplace. Countless others contact us with issues that directly affect their ability to secure and maintain employment, such as access to health care, identity documents, and housing.

While limited research exists on transgender people in the workplace, all available studies and anecdotal evidence point to extremely disproportionate unemployment and underemployment among transgender people. This bleak employment picture is largely a consequence of the discrimination that too many transgender people experience in employment, education, and other areas that affect transgender people's ability to secure and maintain employment.

The attached “Good Jobs NOW!” report, supported by the Women’s Foundation of California and conducted by TLC and the *San Francisco Bay Guardian*, provides sorely needed data on the economic reality experienced by transgender people and their families. In early 2006, 194 self-identified transgender people living, working, or looking for work in San Francisco were surveyed. The outcomes are stark.

Among “Good Jobs NOW!” respondents, nearly 60% earned under \$15,300 annually and only 8% earned over \$45,900. Forty percent did not have a bank account of any kind. Only 25% were working full-time, with 16% working part-time, and nearly 9% reporting no source of income. **Over 57% percent reported experiencing employment discrimination, but as few as 12% took any kind of action and only 3% filed an administrative or civil complaint.**

These findings are made even more compelling by the fact that the survey was conducted exclusively in San Francisco. Both San Francisco and California have strong employment non-discrimination laws and regulations that support safer and more effective integration of transgender people into the workplace. However, a lack of Federal protections has a tremendous effect on the transgender community nation-wide. Every week transgender people living in states without protective legislation call TLC. These hard working Americans have little to no recourse in their home states.

Allowing employers to make decisions about hiring, firing, promotions, and discipline based on a worker’s identity goes against America’s core value of equal opportunity. All too often, we see transgender Americans forced out of successful careers when they express their gender identity. Many transgender people fear and experience discrimination and therefore must either hide who they are, to the detriment of their health; leave jobs they love in order to transition without risking termination; or face rampant harassment and discrimination in their current workplace. Federal protection from discrimination and harassment based on gender identity would liberate the transgender community from this stark reality. Such legislation would allow transgender Americans to continue contributing to our country’s workforce without fear of being terminated simply because of who we are.

We urge the Subcommittee to recognize this issue of basic fairness. Transgender Americans deserve to be ourselves in a workplace where we are judged exclusively on our ability to do our jobs. Work is an integral part of our lives, of who we are, just like our gender. No American should have to choose between their gender, and making a living.