

More Employers Address Transgender Issues

By Angela Cara Pancrazio

The Arizona Republic – September 25, 2005

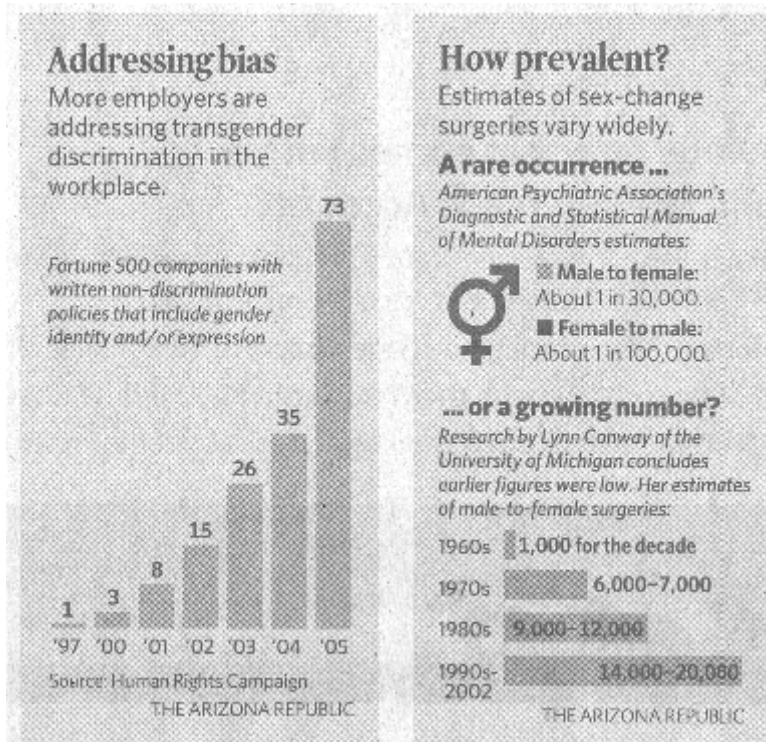
In 1997, Lucent Technologies made history when the high-tech company became the first Fortune 500 corporation to create a policy that protects transgender employees from workplace discrimination.

Since then, as transgender employees become more visible at all employment levels, more than 100 major employers across the nation have enacted similar policies, according to the Human Rights Campaign Foundation.

These employers have written non-discrimination policies that include gender identity and expression.

Joe Solmonese is the president of the Human Rights Campaign, the nation's largest gay, lesbian, bisexual and transgender organization. He believes transgender rights is the next big human rights fight and believe the "workplace is a microcosm of America."

"You're there with a vast variety of people; for us it's natural, a next horizon of where we go to try and make America a more equitable place for our community," he said.



The group has created a tracking system called the Corporate Equality Index that is used to rate businesses on how they are treating gay, lesbian, bisexual, and transgender employees, consumers and investors.

The nonpartisan organization consistently lobbies Congress, working to advance equality based on sexual orientation and gender expression and identity. HRC has focused extensively on educating corporate leaders and human-resource leaders in realizing the business merits of expanding their policies to include all employees.

Two years ago, Lauren Jansen was fired after telling her employer, a construction equipment dealer in Sioux City, Iowa, that she would be transitioning. Jansen, 58, said the president of the company told her to "deal with her gender issues elsewhere."

It took Jansen nearly a year to find another job.

Solmonese said it's taking longer for smaller companies to catch on.

Fortune 500 companies have been leaders in non-discrimination policies because they are always striving to meet a higher standard, Solmonese said.

They look for ways not just to be welcoming and diverse but to attract a broader range of talent.

“Protecting transgender employees from discrimination serves the company by hugging employees on their ability to perform the job,” said Daryl Herrschaft, HRC workplace project director. “Being able to provide an inclusive environment helps in team building and productivity. It improves the company’s reputation.”

Luke Visconti, co-founder of the New Jersey-based business magazine DiversityInc., acknowledged that there is a human tendency not to trust or like things that aren't like you.

However, it just makes good business sense to treat people equally. That's how you “get the most out of them, how you get the best worker,” he said.

“People will say, ‘Isn't enough to have one policy stating that no one can be discriminated against?’” Visconti said.

“I think it's really important to be specific.”

There isn't a federal law protecting employees based on sexual orientation or gender identity or expression. But 15 states have laws on the books that ban discrimination based on sexual orientation that apply to the public and private sector.

In Arizona in 2003, Gov. Janet Napolitano made it illegal for the state to hire, fire, promote or discipline any state employee based on the individual's sexual orientation, but nothing governing private business. Phoenix approved a similar law in 1992 for city employees.

Five states – Minnesota, Rhode Island, New Mexico, Illinois and California – as well as the District of Columbia have included laws prohibiting workplace discrimination based on gender identity and expression.

In Arizona, the city of Tucson's non-discrimination law includes gender identity and expression.

By having a specific policy, employers define behavior and limit their liability, Visconti said, because people assume different things when you generalize.

“The unfortunate history in this country is that people were discriminated by a group so you have to undiscriminate by group,” Visconti said.