

APPENDIX I

CASE STUDIES: DISCRIMINATION AGAINST THE TRANSGENDERED

NOTE: APPENDIX I: CASE STUDIES OF DISCRIMINATION AGAINST THE TRANSGENDERED was received and added just days before publication. It was too good to pass up. The report is a demonstration of what merely four transgendered citizens can do in a short period of time and without a lot of money to educate and influence local Human Relations Advisory Councils. Use it as an example of what to do and how to do it in your own area.

Below is a handout made available at local libraries and other public places to find those transgendered people who have been discriminated against and are fearful to report.

IT'S TIME, ILLINOIS!

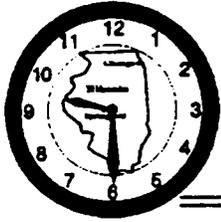
Political Action for the Transgendered Community

Are you a transsexual or crossdresser?
Full time or part time?
Male-to-female or Female-to-male?

Have you been subjected to
Transgender Hate Crimes and Discrimination

Have you been Harassed or Assaulted?
Been denied employment or housing?

Have you been denied your rights because of your gender identity or expression?
It's Time' Illinois will document your case and provide resources.
Don't let your story go untold!
Call the ITI Hotline - (708) 535-1506



IT'S TIME, ILLINOIS!

Political Action for the Transgendered Community

Discrimination Against the Transgendered

First Interim Report

Prepared by:
It's Time, Illinois
Documentation Working Group

Presented to:
The Advisory Council on Gay and Lesbian Issues
Chicago Commission on Human Relations
February 21, 1996

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**ITI DOCUMENTATION WORKING GROUP:
FIRST INTERIM REPORT--2/96
(Miranda Stevens, chair; Carole Abrams, Diane Bolden, Toni Monzo)**

INTRODUCTION

This report documents acts of discrimination against transgendered persons living and working in the State of Illinois. It is the first report prepared by the Documentation Committee of *It's Time, Illinois (ITI)*. ITI was formed in August 1995 as a local chapter of *It's Time, America*, the national transgender political action group. This report should be viewed as the first installment in our ongoing effort to bring about an awareness of the injustices committed against transgendered persons.

Transgendered persons include all those whose outward expression of gender conflicts with currently defined societal gender norms. They include transsexuals (pre-operative and post-operative); transgenderists (persons living full-time in a gender opposite their birth sex with no desire to pursue surgery); and cross-dressers (whose gender expression occasionally differs from their birth sex). Within each of these categories are female-to-male as well as male-to-female individuals. There are many other terms which have been used to describe various members of the transgendered community. The term *transgendered* is to be viewed as all-inclusive. The persons who allowed themselves to be interviewed for this report self-identify as transgendered, and the acts of discrimination which they describe are seen as the direct result of their gender identity or gender expression.

Since its first meeting in October, the Documentation Committee has made considerable progress, but is a long way from being where we hoped we might be. The hope was that our gathering of data about acts of gender-based discrimination would enable us to quickly prepare materials for effective lobbying, collaboration with other politically active groups, and possibly public education about such discrimination. Locating lots of incidents of possible gender-based discrimination proved to be harder than we expected; but we have been fortunate in already learning of more than a dozen incidents. Some of these we have been able to investigate through personal interviews by committee members with those who believe they were discriminated against. The others we have learned about through the cooperation of the cooperation of the Chicago Commission on Human Relations, which shared a number of formal complaints from their files with us. Abstracts of these interviews and copies of the CCHR complaints are attached to this report.

One serious challenge that we will have to overcome concerns the volume and focus of the incidents we uncover. With only a dozen cases to go on, it is difficult to discern a clear pattern. The closest thing to a pattern in these materials has to do with employment discrimination. At least half of the cases

deal with this type of discrimination. In each case the individual was terminated within a few months after it was revealed that they were transgendered. It did not matter whether the person was a new hire or had decades of experience on the job, the person was typically forced out of the job on some pretext totally unrelated to the real issue: the employer's inability to place job performance ahead of personal prejudice against the transgendered person.

Many of the cases of employment discrimination occurred just as the person began to transition, that is, to live their lives full time in their true gender. For those in transition, the barriers set up by employment discrimination can be an impossible situation to deal with. On the one hand, their psychotherapist requires that they demonstrate their ability to work full time in their true (i.e. opposite birth) gender role. This is a prerequisite for sex reassignment surgery. On the other hand, the employers threaten them with dismissal if they work in anything other than their birth gender.

The other types of discrimination which we have documented include public accomodation, denial of legal name change, verbal and physical harassment, and more. Transgendered people are a target for hate crimes, some of which are documented in this report. We really have way too few of these cases on record to draw any conclusions. We hope that as word of our documentation project gets out, more trans-people will step forward to tell their stories of discrimination. However, given the climate of prejudice against the transgendered, fear of consequences may still prevent their injustices from being heard.

CASE STUDIES

The following are actual cases of discrimination against transgendered individuals who are currently residing in Illinois. The cases were taken from interviews with It's Time, Illinois or complaints filed with the Chicago Commission on Human Relations. Names and other identifying features were eliminated where appropriate to protect the anonymity of the individuals. The words are those of the person who related the incident, with the exception of the phrases in parentheses, which were added for clarity. Complete transcripts of the interviews are held in the confidential files of It's Time, Illinois! We have also included a newspaper article relating a criminal act against a transgendered Chicago resident.

Overview of Cases

Type of Discrimination	Comments
1. Employment	Terminated after 21 years as printer. Occurred 2 months after starting transition.
2. Violence, Harassment	Assaulted and raped. Received biased treatment at hospital because of appearance.
3. Employment	Terminated after 16 years in housekeeping. Occurred 3 months after starting transition.
4. Employment	Terminated after 1 year as proofer of printing film. Hired as a woman, but fired 1 month after she was discovered to be transsexual.
5. Employment	Terminated after many years in automobile service. Occurred 1 month after announcing intention to transition.
6. Civil Rights Violation	Lost custody of child, home, possessions. Jailed without due process of law.
7. Sexual Harassment	Hostile work environment and termination possibly related to gender appearance.
8. Public Accomodation	Denial of entry into a public night club.
9. Employment	Terminated after two months as food server.
10. Denial of Name Change	Employer refused to recognize legal name change.
11. Employment	Hired as a telephone interviewer, but denied access to the job on the first day.
12. Violence, Murder	Brutally murdered by a date after being discovered to be biological male.

**Case 1.
Employment Discrimination**

(This individual is a 45 year old MTF (male-to-female) transsexual. She has been living and working as a woman since May 1995. Within two months after she went full time, she was terminated from her job.)

I have been living full time as a woman since May, 1995. I was a printer in the print shop of one of the largest accounting firms in Chicago. I had worked there for 21 years. I was terminated from my position on July 28, 1995. The reason for the termination was that they outsourced our office services department.

We were told that they were thinking about the change back in the previous November (1994). They finally told us that they were going to hire another firm in April. They told us at that time that it would be the end of July that the switch-over would take place. Right up until the very end we were told that all of the employees in place would be hired.

When it came time for (the contract firm) to make offers to the employees being outsourced, out of 19 employees, 17 were made offers. The only two not offered jobs were myself and my supervisor, who had plainly made it known that he did not want to stay. The contract firm had not worked with me previously, but they were aware that I was a transsexual in transition. It is my personal opinion is that (the contract firm) was pressured by my former employer to not hire me.

Having worked there for 21 years, I was shocked. The reason they gave me was that they were overstaffed in my position. However, there was one member in my department that was my junior, who was hired. My record was just as good as this other person's. I knew the job inside and out. Everything was routine.

I went on unemployment and I looked for work. I was out of work for two weeks, almost three, and I was hired in a commercial print shop running a Docutech Xerox Machine. I did get a job in the same field, but there was a major difference in pay. I was making \$13.88 an hour in the old job, and the new job is \$8.00 an hour. And I am working third shift.

I have not taken this any further because I have no way of disproving their reasoning for not accepting me. My former office manager avoided me, and he's the one I really blame. He didn't like me, and he definitely didn't like me after he found out I was a transsexual. Nothing was said to my face. Everything I got was second hand from other employees who more or less had an inside track, but they weren't naming names and pointing fingers. I was planning to go full time before the contract firm took over. I was told by one of the secretaries that if you go full time, you will not get hired. She may have heard something and was just trying to help out a friend.

It's behind me now. I've got a job. My new employer has no idea of my past. And I'll go on, and get my surgery, and live the rest of my life. This is my main goal in life. I have no real malice against my former employer. I do feel I was discriminated against, but I can't prove it. And at this point, I doubt that I would pursue it any further.

(From an interview recorded 11/3/95 by Miranda Stevens)

Case 2.
Violence and Harassment

(This individual is a hermaphrodite in her late 40's. All her life she has been subjected to discrimination on the basis of her appearance. Earlier this year she was physically assaulted because of her indeterminate gender)

A hermaphrodite is a person who has both organs of both sexes. There are extremes of it. There are people that have both ovaries and a penis but no breasts. Then you have just the opposite. Breast development; physical changes like any other woman; without the ovaries. In my case basically I had the breasts; I had the ovaries and I had the other thing and I went through hormonal changes just like any other woman went through.

Going back to the early days of grammar school, I was discriminated against. Discrimination for how I acted, as far as my mannerisms, how I talked, my attitude because it wasn't the same as other kids. There is just a stereotype of what a little boy should act like and be and interests. When I was in high school many times I was called pansy, a faggot, and a few times it resulted in getting in to a fight, when I would sooner run from a fight than to stand there and fight. High school was very turmoil because as I grew up my body was developing more as a woman and I was going through hormone changes and development; physical development and it was very confusing to me and to a lot of the people that I was friends with that noticed the different changes in and they couldn't understand it.

When I was going to Nashville North, which is a country and western bar, where I learned to line dance, I had harassment from the help there, I had harassment from the people that went there, and as a matter of fact I learned later on that the people there were not using the bathrooms because even though they never saw me not dressed as a woman, they came up to the management and said, "We're not going to use the bathroom as long as she's using it." I was appalled. You know, I just couldn't figure it out. I said, "Wait a minute, this is the first I heard about it. Why don't they come up to me, to my face, and have the decency to approach me and ask me, 'are you a woman or not?'" If they at least had the courtesy, and the key word here is courtesy, if they had the courtesy and respect to show me that, "Okay, there's a question in my mind," I would have told them. I would have said, "Yes, I'm a woman. So if that makes it easier, now you can use the bathroom."

I was raped a year, a year and a half ago. The guy that raped me, his father was a police commissioner in Maywood. I was only three blocks away from the police station in Elmhurst where I got raped and beaten up. It took them 6 minutes to get the gas station where it happened. The ambulance was there before the police. When they asked me what happened, I told them, "He ripped my clothes off. He tried to attack me. A couple of people pulled him off." My neck was so bad that they had to haul me off to the ambulance on a board.

And when I got to the hospital, they took pictures of the bruises and everything. The nurses came in, asked what happened, and I told them what happened. The cops came in and I kept telling them, "This guy ripped my clothes off. This guy tried to attack me." It didn't phase them. It didn't phase them at all. They could care less. I sat in that hospital room for three hours without no one from the rape place, they're supposed to come down. With not even a sedative. I sat there like some piece of crap.

Then when the doctor came in, she didn't even look between my legs. She just went with the X-rays and everything else. She ended up doing the examination and I got discharged that day, that same night, as bad as my neck was. And I ended up with permanent nerve damage.

When I got the copies of the medical reports, the medical reports reflected the right pronoun as she and her, by the doctor's report reflected that this is a 47 year old transsexual that was allegedly beaten up. When I confronted the hospital, they didn't have an explanation. Now, this doctor did not even examine me, did not look between my legs to see if I had a penis or not. She just assumed that I was a transsexual because of my height and everything.

When I went back a couple of weeks later for follow up treatments because of heart problems, that doctor asked my friends to leave, and then he confronted me, with the heart monitor hooked up to my heart and everything, he came out and said, "There seems to be a misunderstanding in your medical record here. Were you born with a penis? Are you a guy?" And I said, "It doesn't matter what I am. I was beaten up and raped, and I came in here for medical help, and you left me to sit there for three hours. You make an assumption..." I got so mad, I pulled my panties down and I said, "Does that look like there's a dick there?" He looks and his eyebrows raises, and he says, "No, it looks like you've always been a woman." And I said, "Well get me out of this monitor, and get me out of this hospital, because I don't want no part of you, and your bigotry and prejudice and insults.

It turned out that the guy that did the raping and all that got 14 days preliminary jail sentence. That means very simply he can go to jail any time he wants to serve the 14 days. And there was no mention of him tearing my clothes off.

(From an interview recorded 11/6/95 by Carole Abrams)

Case 3. Employment Discrimination

(This individual a MTF transsexual in her mid 30's, living in Chicago. She was fired from her job in 1993 shortly after she started transition.)

I started going through the gender transition when I was 34 years old. I was working at a major Chicago hospital in the housekeeping department. I was working with several people that I thought were my friends. I started to tell them how I felt and everything. They were telling me things like it was all in my head, that I shouldn't be telling anybody because its nobody's business. And then after a while my boss found out. I'm not too sure how he found out. It was probably from my co-workers that he found out. Then they just started treating me real badly. They started going against me.

They started putting a lot of work on me. More work than was meant for 3 people. I explained to my boss that I couldn't handle all the work because I was on hormone therapy and I would be losing my strength. He made a remark that I would need a note from my doctor explaining the situation, but then on the other hand I was told again not to tell anybody because it was nobody's business.

Each employee has a certain area to clean. The hardest area was the basement. I takes three people to clean the basement the way they wanted it. The wanted me to make the basement almost dust-free. By myself. The whole basement. And that was mostly offices and a few patient areas. And I also had to wash some mops. I had to get all the dirty mops that were in a big bin, and I had to push it about a block. I had to run up a ramp. I was trying to explain to my boss that it was hard for me, that I would need somebody else to help me. He said that whoever worked in the basement had to do it, because that was part of that area. They just kept on pushing all this

work on me. I just couldn't handle it anymore. Which they knew because I was going through a gender transition.

This all started about three months after I was put on hormone therapy. The thing is that to them I was still a man. They told me that as long as I'd been working there, and as many years as I'd been working in housekeeping, I should have been able to do the work. Which I told them would have been impossible, because the hormones change the body structure.

I stood it for 3 months, and then they let me go. My manager told me that they were going to check my work every so often, about once a week or something like that, and that they were going to grade me on my work. I was supposed to do at least 60% of what I was supposed to do. They told me that I was doing less than 60%. I was doing a lot more than 60%. Some of the other employees, some of my co-workers told me that the work was easy, and I said, yes the work is easy but they were not doing as much as I was. They were not told to do all the work that I was told to do. The other people that worked on my days off were not told to do all the work that I was supposed to do.

I went and filed for unemployment. I explained to them what happened. I had to go through a deputy's office, which is what they call it at the unemployment office. I explained my situation to them. They told me that I was qualified for unemployment, because according to them it was a medical problem. The hospital tried to take it away from me. The hospital tried to take my unemployment away from me. There was a hearing, and I think it was downtown somewhere, and I was told, they sent me a letter stating that I was still qualified.

It took me a long time to find a job. Another job. It took me a long time. I'd been going to other hospitals, I'd been going to hotels, trying to apply for the same thing that I'd been doing for 15 years; housekeeping. And with all the experience that I had, nobody asked to hire me, not once.

(From an interview recorded on 11/17/95 by Miranda Stevens)

Case 4. Employment Discrimination

(This individual is a MTF transsexual in her early 30's, living in Chicago. Although hired as a woman, she was fired from her job after her employer discovered her transgendered status.)

I'm a male to female transsexual. I had at the time been living full time as a woman two to three years. At the time that this happened I was 29. I was working at a firm that made film to be sent to printers. I got hired there in the summer of 1991. They hired me as a woman, that's all they ever knew of me. I was a proofer over there. I worked there over a year.

In early 1993 they started going through some money trouble. They were asking employees to take their vacation time for the coming year, to start using it up now. I had just gotten into the point where I would be allotted vacation time, and I was at the low end so I had just one week, maybe two weeks. At this point I had kind of figured that if things kept going right for the rest of the year I might be able to save up enough for my surgery later that year. I was worried because if I didn't have any vacation time it would be kind of hard perhaps to get time off for surgery.

I figured I'd speak to someone there about this, inform them of my situation finally, and ask them if I had to use my vacation time up, would I'd still be allowed time off for surgery. So I went to the guy who ran the company. I informed him of the situation. He acted sympathetic, and I thought

that was that. Well, as it turned out, my department never got slow, never had to use vacation time, so it almost seemed kind of pointless that I put myself in that jeopardy.

It turns out that pretty soon they hired someone else for the department claiming they were going to go three shifts. At the time they were only running two shifts. I trained him. One weekend I was asked to come in on a Saturday at a certain time. I came in about an hour after that. This was on a Saturday, a time that I volunteered to come in. They got all mad, saying that by me coming in late, this caused the job to be late. It was actually two weeks late, so that was ridiculous.

So they wrote me up. I was the only person I ever heard of who got wrote up over there. I was quite upset because basically, one, they asked me if I could make it. I said I could. And two, even if I had come in that hour early, I would not have been able to let them run, make the deadline. There was just way too much work than they had assumed that there would be. It was just one of those mess of a jobs that they needed a fall guy, and I ended up being it.

The next week, I came in late one day, and they let me go, saying that I had been late 30 or 40 times. A week before I was given a semi-review by my supervisor. He informed me they were cracking down on lateness. Up to this point, it had been okay for me to come in late. I would come in somewhere between 5 and 15 minutes late, but I would stay, I would not leave after 8 hours. Basically, I made sure all the work was cleaned up so when people came in in the morning there wouldn't be jobs hanging around. They knew I was good for that. So before this the fact that I would come in a little late was always fine with my boss, it was okay with them.

It was early February that I told them about my situation. By the time March comes around, I was let go from my job.

(From an interview recorded on 11/17/95 by Miranda Stevens)

Case 5. Employment Discrimination

(This individual is a MTF transsexual who had worked for many years in the service department at an automobile dealership before she began her transition. She was fired shortly thereafter.)

I was living semi-full time, still working as AI. One of the fellas I used to work with knew about what I was doing, where I was heading. He had lunch with several of the managers and brought it up. When I approached him about it and asked what he told them he couldn't tell me because it was a cocktail lunch. At that time I was a mechanic, but I had also been a service writer, a dispatcher and a warranty clerk for them. So I handled several different jobs; they knew my experience. They knew I could handle any of them. I had all the credentials.

I decided to confront my service director about this conversation he had to find out what he knew and let him know where it was all heading. There was no putting it off any more. I took a letter with me and I sat down and talked with him. Initially he said that it didn't matter what I did outside of work. I brought up the situation that eventually I planned to go full-time and it would. So we sat and talked about it and I explained the whole scenario and where I was heading and gave him my letter. He didn't see any reason that we couldn't still do the job. I could transfer into either a service writer or back in to the warranty office and make the transition and go on and work. Because they were expanding anyway; putting in another car line and they needed to expand both of those departments.

About a week later, the general manager stopped me in the hall and says he wanted to have a meeting with me because he read the letter. We sat and talked for over an hour and discussed the problems that probably would arise, especially with the other women in there and the restroom situation and everything. We discussed how we'd handle it, what would be done about it. He said he'd see no problem with it. He was sure we could do it, again, because they had to expand both the warranty office and the service aisle. He wanted to give the letter to the owner. I said "Fine." He gave the letter to the owner. The owner read the letter and discussed it with him and he came back to me. He said "He doesn't see any problem. "

The owner thought everything was feasible but he wanted two letters. One letter, I was resigning as a technician; the other letter requesting a position as a service advisor or dispatcher or warranty office or wherever I thought that would be feasible. I then wrote two letters filling in all the details that I was asking for leave as a technician to proceed with this other, and only to proceed with this other; and I requested positions in any of three different areas: Service Writer, Service Warranty Office, or in the Parts Department which I also have a background in. They said the letters were fine. Everything was going on.

We decided on a date, Memorial Day weekend, was going to be the transition date. The service director was going on vacation. So I approached him; I says, "Okay everybody better sit down; we better figure this out before you go on vacation.". He says, "Yeah, I'll call the owner and we'll get a date set up." About an hour and a half or two hours later I was called in to the owner's office with the service director and the general manager of the store. We sat down and the owner explained that he never dealt with the situation before but he understood where I was coming from and he could see from the letter that I was serious and committed and he felt for me. But, he didn't think that at that time they had any way of putting me in any of these positions because they weren't going to increase the service writers; they weren't going to do anything. They were not going to increase the warranty office or the parts department. They weren't doing anything; so it wouldn't work. I came back and said, "Fine, I'll continue on as I am, as a mechanic, as Al, and we'll address it further down the road or whatever." He came back and said "No, I don't think that's feasible either, I think you should leave here and go find a job where you can deal with it and get out of here." In other words, that was it.

The service director and general manager both looked at me startled and I was startled because none of us expected that scenario. They gave me a couple of weeks to get organized and move out. They didn't fight me about unemployment; they didn't fight me about any resumes or anybody calling and asking for references; they gave me wonderful references to anybody who called in there and gave them to me as Alison. When I applied for my retirement funds from them and stuff, they didn't fight me about that; I did get them, so I didn't address it or fight it.

This whole thing happened over a period of 3 to 4 weeks after the initial word came out. Well by the time I was found out and I was let out of my job it was about a month.

(From an interview recorded on 11/19/95 by Carole Abrams)

**Case 6.
Violation of Civil Rights, Denial of Due Process**

(This individual is a 47 year old MTF transsexual, currently living in Deerfield, IL. As a result of an incident in 1987, and subsequent discrimination against her transgendered status, she lost custody of her child. The incident took place while she was living in Colorado.)

In 1987, my 7 year old daughter was attacked. At that time, I had a business relationship and a quasi-personal relationship with a woman who was an alcoholic. She was gone for about 5 days. She came back late at night and she was drunk. She was very depressed, wanted to kill herself. My daughter was in bed and she went to get my daughter. She was trying to attack her. I had to physically restrain her, tie her up and give her to the Sheriff's department. She knew about me and she did in point of fact tell them about the transsexualism.

Under ordinary circumstances, and it is at the discretion of the District Attorney's Office, when a child has been attacked, by and large, Social Services is informed. But the report was not forwarded to the Social Services Department once they found out who I was. I had stated in the report that I wished to prosecute and that was also sidestepped. No prosecution ever occurred.

The woman was let out the next morning. She began death threats against both myself and my child. I moved to put a stop to it. She came back and I picked up a gun to put a stop to it. I didn't shoot anybody, but I did do that to put a stop to it. I was arrested, my child was picked up, and without any kind of hearing at all, custody of my child was taken away. She was removed from the state and returned to her mother who lived in Florida. That time I was in jail for two weeks.

I finally got a hearing for the custody of my child. The Social Services Department filed false reports with court. They were devastating. They supplied the information to the judge but they did not give it to me. In other words, I was being tried for things I didn't even know existed. I filed an appeal with the State Appeals Court. I won the appeal and it was remanded back to the same judge. He stated that the information had absolutely no effect on his decision.

I petitioned the Governor's Advocacy Office, and the Governor of Colorado. They referred me to the State's Attorney General, who refused to become involved, stating there was nothing they could do. The County District Attorney also refused to involve himself in the case. I petitioned the Federal Bureau of Investigation. They refused to become involved. I petitioned the Justice Department through the offices of my United States Representative. The Justice Department refused to involve themselves in the case.

It ended two summers ago. They claimed that the woman was married to me and that, in the divorce hearing, they managed to manipulate it in such a fashion that they took my house. They took everything I owned, with the exception of one truck. Subsequently, being with her mother, there are two recorded cases of my daughter herself filing charges against her mother's husband for sexual activities.

I lost my child, I lost my home, I was thrown in jail, I spent thousands upon thousands of dollars. And the child was sent to a place where she was abused, and the State will do absolutely nothing even to this day. I have gotten the run around that you cannot possibly imagine. I have all the documentation to prove this.

(From an interview recorded 11/1/95 by Miranda Stevens)

**Case 7.
Sexual Harassment, Hostile Work Environment**

(This individual is a MTF transsexual in her early 40's, living in Arlington Heights. She was working as a man at the time that she was fired from her position. Although her transsexual gender identity was not specifically known by her employer, she had been on hormones for several years and the changes were apparent. The situation she describes could be interpreted as sexual harassment.)

I'm 41 years old, and I'm transsexual. I've been taking hormones for a period of years. I worked as a driver at a pizza restaurant from May 1994 through November of this year, 1995. During that time I went through a lot of changes, obviously the physical manifestations that hormones bring on, perhaps some changes in terms of my behavior.

I noticed that over the course of the year and a half that I worked there, there were increasing references to my gender and my appearance. Kitchen help mostly. One individual, his name was Carlos, for the last 6 months at least used to comment on my behind all the time, at least 2 or 3 times a week. In fact, the way he'd say it to me was almost not joking, sometimes I thought that he was actually making advances at me. And he would say things like, "You have a nice ass, Bob", walk up behind me, pinch my butt and say, "Nice butt" and things like that. On one occasion, I went into the bathroom and he followed me in. He didn't do anything, but it was again kind of a message. Carlos would comment on my breasts occasionally, and a few times grabbed my breasts and twisted them rather painfully.

As far as harassment, I could probably go on all night with other incidents. Like the picture Jose drew of me once, which was a caricature of my head with a pair of boobs. There were a lot of things like that, a lot of other little things, besides what I told you. One of the other drivers said he couldn't believe I put up with it. And I was the target a lot. And I was easy going about it. It almost seemed like they knew even if they didn't officially know about me.

Management occasionally made any jokes like this as well although the owner or the number two man never said anything. My supervisor would say things sometimes, like somebody brought in a Playboy and maybe I picked it up and looked at it, and he'd say, "Bob, what are you doing with that?" or comment like, "We're talking about girls, Bob, nothing you'd want to hear."

This same supervisor once saw me dressed as a woman, a few months before I was fired. That was an occasion when I was on my way to electrolysis last October. We were driving in opposite directions on a residential street, which curves to the right, and I would have been on the inside of that curve, and he came around on the outside. We both had our windows down. He would have been totally familiar with my car. We both looked eye-to-eye directly at each other as we passed along the curve. It wasn't a glance, it was a long look at one-another.

About a month and a half ago, I was late. It was the first time it ever happened, I overslept. The owner immediately jumped on my case. He said, "I might have to get someone else on these Wednesdays." I feel that he had some kind of a problem with me, but I didn't know at the time. I felt the handwriting was on the wall when he did that.

The final incident that got me fired, I had a very busy high-pressure night. The apartment building that I was delivering to has a security phone. You have to call them on their home phone for them to buzz you to let you in. I called up and I get an answering machine. In order to hang up this phone you have to hit the pound sign. I forgot that, so I just put the phone back on the hook. I turned around and spread a whole bunch of expletives around the room. Well all this apparently was recorded on the answering machine. No one said anything to me until the end of the night when the number two man, said he had talked to the owner on the phone and he thinks I might be fired. And I thought he was joking.

Two days later I went in. Nobody called me or anything, and I saw the owner at the oven. And he looks at me and goes, "Bob, what's up?" I said, "They had their answering machine on." He didn't want to hear an explanation. He goes, "Well Bob, I've got Frank here." I said, "You mean I'm fired?" He says, "Yeah." I said, "OK," and turned to leave. He called me back and said, "Don't you want to hear my side of it?" He never asked me for any explanation, never talked to me about it, never discussed it in any way with me, and wasn't interested in discussing anything with me. But he very worried to make sure that his butt was covered. So he wanted to give me an explanation of his behavior. That's all he was worried about.

I felt, "Fine, see you later. I don't like your job anyway, or your people, and I am kind of sick of the treatment." As much as I took the treatment as not being really hostile, I was sick of it. That is true. I had reached a point where I was sick of it.

(From an interview recorded on 12/19/95 by Miranda Stevens)

**Case 8.
Discrimination in a Public Accommodation**

(This individual is a MTF transsexual who was denied access to a public accommodation. There is no specific category in the Chicago Municipal Code for discrimination based on gender orientation. She chose to register her complaint on the basis of sexual orientation.)

On December 21, 1993, I was denied entry to (a night club) because of my sexual orientation. I was with three women friends of mine, and the doorman/bouncer commented to the manager standing next to him that I was a transsexual, and then the two men made slurs about my sexual orientation. (The bouncer) said if you're a transsexual shouldn't your name be Anthony, not Annette, to which (the owner) replied, "You're wasting your breath, I'm not ever going to let you in. I don't allow faggots in here." This was said so every one waiting in line could hear it. Finally, the allowed my three women friends to go in, but refused to let me in. I was humiliated and unfairly treated by (the night club) management. This is discriminatory because of my sexual orientation in violation of Chapter 2-160 of the Chicago Municipal Code and I am asking to be allowed to enter (the night club) when I wish and all relief available under the law.

(From a complaint filed 1/3/95 with the Chicago Commission on Human Relations, No. 95-PA-5)

**Case 9.
Employment Discrimination**

(This individual is a MTF transsexual who was fired from her job as a food server. Her complaint was filed with the Chicago Commission on Human Relations under discrimination based on sex, sexual orientation, and disability.)

I was employed as a food server by (a restaurant) on December 27, 1992 and I was fired on February 5, 1993. I was told that the reason I was fired was that I did not fit the image (the restaurant) wanted. Based on the following circumstances, I believe that (the restaurant) did not want me to continue my employment because I am a transsexual.

On Feb. 1, 1993, after work, I unpinned my hair, which was long, changed into feminine attire, and left the restaurant. The store manager saw me leaving the restaurant. The next day, Feb. 2, the

manager advised me, after work, that I would have to cut my hair. I reminded him that the assistant manager had told me, upon my hire, that I did not have to cut my hair as long as it was pinned up and out of sight while I was on duty. I was never informed, prior to this meeting on Feb. 2, that the restaurant had any concerns about the length of my hair.

At the Feb. 2 meeting, the manger stated further that if I did not cut my hair by the end of the week, I would be fired. He also stated that it was (the restaurant) policy that I, as a food server, had to maintain my hair above collar-length. He claimed that I had signed a statement acknowledging this statement. Moreover, I had, throughout my employment, abided by (the assistant manager's) instruction to keep my hair pinned up and above my collar. In addition, (the restaurant's) female food servers are allowed to keep their hair long. The only policy as it relates to women is that their hair must be pulled back. At this meeting on Feb. 2, I tried to explain to (the manager) that I have extenuating circumstances, i.e., gender dysphoria. I am a transsexual and am in the process of becoming a woman. (The manager) interrupted me and reiterated that I had until the end of the week to cut my hair.

On Feb. 3, 1993, I telephoned the Vice President of Human Resources for (the restaurant), and explained to him that (the manager) had instructed me to cut my hair and that I had extenuating circumstances which prevented me from doing so. I then went on to explain that I have been diagnosed with gender dysphoria and that as part of my transition, it is imperative that I maintain a hairstyle that gives me the appropriate feminine appearance, thus allowing me to live as a female while not at work. (The vice president) instructed me not to discuss my situation with anyone other than him and requested statements from my physicians verifying my diagnosis. I agreed, and (the vice president) was immediately thereafter, on Feb. 4, "faxed" the requested documentation, including statements regarding the importance of maintaining my hair length as part of the treatment to becoming a woman.

On Feb. 5, I returned to work as scheduled. My hair was pinned up and above collar-length, as instructed by (the asst. manager). I attended the morning meeting with all the other employees, after which (the manager) instructed the others that in order to get their pay checks, they would have to sign and date the policy and procedure acknowledgment form. At the same time, (the manager) advised me that I was being terminated effective immediately. The reasons re gave were (a) I did not fit the image (the restaurant) was looking for; (b) I missed the mandatory meeting that Wednesday, Feb. 3; and (c) I had been late for work one day two weeks prior.

I do not believe these to be the real reasons in that (a) I had worked at (the restaurant) for over a month and had never been told previously that I did not fit the image; (b) I had been excused from the mandatory meeting and had the doctor's note as requested by (the asst. manager); (c) (the manager) had previously excused my tardiness, as I had explained that I had been delayed because I was stopped for speeding; and (d) I never received any progressive discipline, as outlined in the Policy Manual. In fact, I had never been told that my performance was unacceptable.

I believe that I have been discriminated against because of my sex, my sexual orientation, and a perceived disability. The above conduct is violative of Chapter 2-160-030 of the Chicago Human Rights Ordinance. I seek all relief available under the law.

(From a complaint filed 7/22/93 with Chicago Commission of Human Relations, No. 93-E-177)

**Case 10.
Denial of Legal Name Change**

(This individual is a MTF transsexual who was being prevented from transitioning at her job as a clerk at a supermarket. Her complaint was filed with the Chicago HRC on the basis of sex discrimination.)

I am a male going through gender transition. I am being denied the right to change my name from Joseph to JoAnne and to dress as a female at my place of employment, without having proof from my doctor that the surgery has been completed.

On April 25, 1995, I asked the resident manager if I could have my personnel file changed to reflect my new identity. In doing so my file would be changed from Joseph to JoAnne. (He) told me that it was okay with him, but he would have to check with personnel. Later that same day, (he) informed me that personnel had denied my request to change my name and also refused to allow me to come to work dressed as a female. When I informed (him) that the State of Illinois and the Social Security Administration issued new cards reflecting my new identity with the note signed by my doctor, he said I'm sorry but personnel said no. (He) further stated that personnel would approve the name change and permit me to dress as a female, only after my doctor verifies that the sex change operation has been completed.

The above conduct is in violation of Chapter 2-160 of the Chicago Municipal Code. The relief I seek is to: (a) continue to work as a service clerk; (b) dress as a female while at work; and (c) my personnel file to reflect my new identity.

(From a complaint filed 5/19/95 with the Chicago Commission on Human Relations, No 95-E-95)

**Case 11.
Employment Discrimination**

(This individual is a MTF transsexual who was hired as a telephone interviewer. Upon arriving for work the first time, she was told that she could not have the position because of the restroom situation. Her complaint was filed under sex and disability discrimination)

On March 15, 1993, I applied for a job as a Telephone Interviewer with _____. I was hired and reported for work on March 17, 1993. I arrived for work on March 17, 1993 at 4:00 p.m. At 4:30 p.m., Mr. B. called me to his office for a meeting. Mr. H., the Night Shift Supervisor, was also present. Mr. B. opened the meeting by asking me if I was male or female. I explained that I am a transsexual. I was then asked if I preferred to use the male or female restrooms. I indicated that I use the female restroom. This choice was overruled. I was told by Mr. B. that I was not female. I asked Mr. B. if I could use the men's restrooms as an alternative to the women's restroom. Mr. H. said no, because the male employees would be uncomfortable, I then asked if there was another restroom available for my use. The answer was no.

Mr. H. asked when my operation was scheduled to be performed. I indicated that the procedure was scheduled a year from now. He indicated that was too long an interval for my job to be held for me. In other words, he was unwilling to let me work before the operation. I asked the two of them if I could keep my job if I did not use the restroom at all. Mr. H. responded, no. He said the other employees would be uncomfortable with me.

The only option offered to me was that I must come to work dressed as a man. I refused, indicating that it was part of my treatment to dress as a woman and that I consider myself to be a woman. Requiring me to dress like a man is discriminatory.

I believe that I was discriminated against based on sex by B. and H. because I am a transsexual. Furthermore, because they refused to accommodate my treatment by allowing me to dress as a woman, I was also discriminated against due to disability. Neither my gender choice, female, or treatment to have a sex change effect or interferes in any manner with my ability to perform the job.

The above conduct is a violation of Chapter 2-160 of the Chicago Municipal Code. I am seeking all relief available under the law.

(From a complaint filed 3/19/93 with the Chicago Commission on Human Relations, No.93-E-80)

**Case 12.
Violence, Murder**

Man Gets 21 Years In Transgender Murder Case.

An uptown man has been sentenced to 21 years in prison for murdering a date after discovering that the date was biologically a man, and not a woman, as he had first thought.

Cook County Criminal Court Judge Richard Neville sentenced David Feikema, 54, of 809 W. Lakeside Place, after convicting him of first-degree murder in a bench trial.

The 21-year sentence is on the lower end on the 20 to 60 year penalty that first-degree murder carries. The Cook County State's Attorney's office had requested a 40-year sentence, said Reggie Precely, deputy press secretary for the office.

"We're always disappointed when we don't get what we asked for," he said. "Each judge is different."

Feikema met his victim, Larry Venzant, 20, on the street near the corner of Wilson Avenue and Broadway on Dec. 19, 1993, according to Assistant Cook County State's Attorney Catherine Sanders. Venzant was wearing clothing traditionally worn by women. The two then arranged to have sex and went to Feikema's apartment, Sanders said.

When Feikema discovered that Venzant was biologically a man, he stabbed him repeatedly and castrated him, she said. Feikema then placed Venzant's penis in Venzant's mouth, shoved him in a closet, and called the police.

"The only threat that this victim posed was to the defendant's masculinity, and for that he made the victim pay with his life," Sanders said.

(An article in the Windy City Times, 11/9/95, written by David Olson)



Dee McKellar, Secretary Director, ICTLEP and Phyllis Randolph Frye at their booth at one of a multitude of conferences and events where ICTLEP presented legal workshops. One-time donations and monthly check, Visa/MC pledges are welcome to further the work of ICTLEP. Donations are tax deductible.