

"YOUR JOBS" WORKSHOP REPORT

Saturday, 17 June, 1995

Speakers:

- *Laura Elizabeth Skaer, Attorney, Employment Law Moderator, ICTLEP*
- *Jessica Xavier, Director, It's Time America*

By Laura Skaer:

We're going to start the Saturday reports. I'll tell you, 9:00 o'clock on Saturday morning, gosh. I'm an early riser, but I find the intensity of this conference for two straight days is really draining. There are all sorts of emotions that go on, but it's draining emotionally. It's draining from a creativity standpoint, from an electrical standpoint. It's just so intense, When you get to Saturday morning it's time to let it all hang out. What you need, you absolutely need to recharge.

Well, let's see, Phyllis sticks me at 9:00 a.m. and I don't think we have the entire conference present. But we're going to get going on the Employment Law report and the Jobs workshops as we call them. We repeated some old things, and we did some new things. But I think what was really satisfying for me was the input from all of you. As last year and the year before, what really makes the sessions work is having the input so we can all share and learn. And I think we really accomplished a lot of things along those lines.

As a quick review, we haven't seen a



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whole lot of change in the law in the four years that we've been doing this conference. We haven't seen much change since the Karen Ulane case in the late '70s. There isn't a whole lot of protection out there. There's no federal job protection. There are some departments, some state agencies that have executive orders against discrimination within that department. There are companies that have nondiscrimination practices. We are starting to reach out and make efforts to get included in those things.

We're coming to realize that there are more ways than one to reach the desired result. Education and coming together with other sexual minorities, and presenting a united front, and reaching out and talking about the oppression, for all people and not just ourselves, is much more inclusive. We're starting to find out that has a positive effect in the marketplace.

I was talking to Jessie earlier, and we were talking about the fact that now I know why I've always wanted to get to that point in my life where I can go back to college and be a law professor. I always perceived that it was two years of really intense preparation, then you get students to do all your research and your updating and everything, and you're interested in the subject and you stay on top of it. And it doesn't take that much to stay on top after you get there.

I found out that being moderator of the employment law section is a lot like that. I did two intense years of research, but the last couple of years have been mostly staying up on the cases. And then this year, JoAnna McNamara, a law student at Willamette University in Oregon, did a paper on the transgendered and employment law. Now I've got a student doing the research. That's neat.

I think what's really neat is the fact that we're talking about these issues in law school. I think that's pretty neat that we're getting there. It's like with the medical profession. It's getting the information to the medical students and teaching them when they're young, before they develop a lot of prejudices.

What we found is that there are a lot of new theories being offered out there. And the fact that we see new cases with novel theories, even though many don't get past a motion to dismiss, is encouraging because it tells you that transgendered people are developing the courage to go see a lawyer about a problem, about discrimination. And it also tells you that the lawyers are looking at the law and saying, "well, there's nothing here that helps, so I've got to come up with my own theory and my own idea." And there's a lot of very basic law today that 200 years ago was a novel theory. I think sometimes we say, "That's kind of a unique theory but I don't think we're ready to buy that."

When you learn that the law reflects the mores of society you gain a great respect. You see, we talked about the recent affirmative-action 5 to 4 votes, and to a great extent, those cases reflect that we're in the middle of a cycle in our country, where the pendulum is swinging. And it has swung anywhere from the little bit to way too far to the right. And it will swing back, but I think what we're seeing is that the Supreme Court 5 to 4 decision reflects where society is. It's kind of like they're not quite sure how to grasp those issues right now. And there's a whole reanalysis going on.

In other cases like law in transgender employment law, we'll see the same kind of ebb and flow. And I think this body of law will evolve away from being one of basically no legal relief, to one of redress for discrimination against somebody because of their gender orientation or sexual orientation. This will happen as people get educated, as they become more aware, My crystal ball doesn't tell me when, but I really think we will move in that direction as the pendulum swings back towards the middle. We've gotten up to this level, and as it swings back I think we can rise.

One of the interesting new theories was out of a Kansas City, Kansas case. It's a case where I think the facts were not good. If I had been the employer, I probably would have fired the person, too. Because she didn't show up for work for three days, and didn't even call in. When this person discussed her desire to transition on the job, she said she wanted an overnight transition and she wanted it soon. Her employer said that he didn't think that was such a good idea, but that he would discuss it with the company president. So then, the person didn't show up the next day, or the next, or the day after that, and didn't make any attempt to notify her employer. So her employer laid her off and sought a replacement. Based on those facts, I don't find that to be discrimination. Employment is a two-way street.

We do have a free market economy, and, Lisa Middleton, isn't it amazing how liberal dogma and Republican libertarianism can find common ground? But but we do have a free market economy, and nobody really owes you anything in that sense, but they do owe you basic human dignity. And you are owed, the world does owe you the same civil rights that everybody else has. At least this country does. We have a constitution that says that.

You have to realize that you've got to find some practical commonsense ways to approach transition. But recognize that it's a two-way street and, it's just not cool, no matter what your situation is, not to show up for work for three days and not to make any attempt to notify your employer. Those would be pretty good grounds for dismissal no matter where you were or what you were.

The theory was, I'm covered by Title 7 of the Civil Rights Act for sex discrimination, because you're discriminating against me as a male-to-female transsexual, but a female-to-male transsexual would not be discriminated against. You wouldn't have fired that person, which is a pretty neat theory. It's a very ingenious way to try to bring yourself under Title 7. The problem was, there wasn't one single fact in the record that suggested that might be what happened. So it's a great theory, and in the proper facts situation, might be fought.

What we came up with was the need for developing a body of common sense wisdom about transitions, and we had a lot of help. Jessie Xavier presented a couple of wonderful sessions within the job workshops, and they were very well received and very important to the discussion. Karen Karin updated us on ENDA, and talked about where we're going with respect to bringing the rest of the country in line with Minnesota. Then Peggy Rudd and Melanie presented a session on utilizing social workers and other professionals to help educate business on the needs of transgendered people. I really enjoyed the way that Peggy and Melanie handled this session; in the first part, they focussed on what our needs were as transgendered people in the workplace and

in society. The fact of the matter is, being in the workplace is being in society. If your needs aren't being met in society, you're not going to be a very good employee. We focussed on all kinds of needs that needed to be met, not just business needs, or economic needs, but certainly economic needs are a major element.

They shared their experiences from attending the book sellers convention, where the company that publishes Peggy's books was pushing "Crossdressing with Dignity," and "My Husband Wears My Clothes." And she's got a new one out. I have to apologize to her. I think it has something to do with crossdressers and those that love them or those in their life, but that's the general tenor of the book. And they shared with us the acceptance and the interest and the understanding of the other booksellers. And it was really a positive impact to have. Mel talked about the use of social workers, and some of the reaching out that has occurred in his professional life in the health care industry.

After that presentation, we discussed the fact that reaching out like that and helping to educate is a real individual thing, and every one needs to do it in their own way in their own space, at their own time. But everyone can do something to advance understanding, to advance education, if only the way they live their lives on a daily basis. As Ray Hill called it last night, "living with dignity."

One part that I really enjoyed was the session where a number of people shared their employment transition stories. And we were searching for this common body of wisdom. Are there transgendered people who successfully transition on the job? Are there common threads that run through their stories? Is there a common approach to various issues? And I think we found that we did have some of that. We had an emphasis on establishing value in the employment chain somewhere along the line, and making sure that your employment performance is a notch above the ordinary, recognizing that when you transition, you're going to be drawing a lot of attention to yourself, and are you ready for that kind of attention? Are you someone who has experience in being in the limelight, because you're really going to be in the limelight.

There are a lot of situations where an employee may not have done something to really show that they are worth a little extra investment by their employer. And their employer may think that they're kind of a fungible commodity and that this other employee can do the same job just as well and I don't have to deal with this transgender issue. There's a good argument you can make; that that's discrimination, but it's also a fact of life, and they'll find job performance reasons not to have to deal with that. So, if you know you're going to be drawing attention to yourself, you need to give them a reason not to discriminate. Give them a reason to acknowledge their investment in you as a valuable member of their organization, and to make keeping you worth the effort that's going to take on their part as well as on yours.

One of the common strands that ran through the successful transition stories was an effort to establish value, and to make sure you communicate that value within your organization.

Stephanie told us about "don't take no for an answer the first time." What I heard Stephanie say

was that their initial reaction was, "This isn't worth it. Gee this isn't going to work." Her reply was, "Wait a minute." And she had a meeting with them, in which she laid out her value to that company, brought in the fact that their company is all over the place, that they have had successful on-the-job transitions, and actually they end up with more valuable employees.

What was neat, was when her superiors finally got to the president of the company, the president of the company said, "I don't care what she has between her legs, can she do the job? Is she doing the job? Is she making us money?" Recognize that, in our economic system, that's the bottom line. Myself, I have this Republican libertarian twist. My study of different societies and governments and economic systems shows that when you have economic freedom, you have a system that allows personal freedom. You can't have one without the other. You can't have the economic freedom without the personal liberty, and I don't believe you can have the personal liberty without the economic freedom. But all of these stories, I think, give us hope and let us know that things are changing.

The other thing we found out was, there's a plan. People have a plan, a strategy. We heard stories of people developing support groups among their co-workers, finding someone who will defend you when you're not there and the door is closed and somebody starts saying, "This is really weird. I don't think I want to work with this." And that goes on. It's real important to have somebody who's behind that closed door who will stand up for you. Whether you did or not depends on you. It's up to you to develop those kinds of friendships by being a good friend, by being there for somebody else, so they'll be there for you. That's really what it's all about.

We talked about successful transition stories that had a common attitude about them. One was about compromise, refusing to go away but not being in their face, of sitting down and letting them know that this is where you're going in your life, and being willing to help them work through this. How are we going to handle this as a company? We're finding that, if you are a valuable employee, your employee assistance programs will work with you. If you haven't had a chance to talk to Lisa Middleton and see her company's employee assistance manual, they have a 3-ring binder. It's not a couple of note pages. It's a 3-ring binder dealing with gender transition on the job.

I dare say we had none of that four years ago. So, whenever you think that we haven't come far enough, which is true, don't beat yourself up too much. We've come a long way. Two, three years ago, we started talking about developing strategies to get something in human resource manuals about transitioning, about hiring the transgendered. And we just gave it 15 minutes. The next year we spent an awful lot of time. We spent a full session and a half on it. And a year and a half after that, well, we're starting to show up in human resource policy manuals. So, you know, this law conference is pretty special. If you think about all the different kind of conventions and get-togethers and gatherings, there's no question this law conference is the one that that's doing the best job of giving people strategies and support for coping with these real-life issues, and for learning how to cope with them in life and employment and family situations. This is where people are coming together and sharing and learning how to help each other.

I'm going to tell you a little story about the Proceedings from Denver. This story comes from a

woman who was my electrologist, who is one of the greatest friends the community could ever have anywhere. Ree called me up and asked me if I would talk to one of her clients who was transitioning, going to nursing school. That was all cool, no problems at all. But she was going through a divorce, and her spouse was deeply involved in the fundamental religious right, and they were seeking to have custody and visitation and everything else denied. We have good case law in this area, because there's a Colorado Supreme Court case, *Christian v. Randall*, which allowed an F-to-M to retain custody of the children. That was based on an investigation of the state social services department, who said they saw absolutely nothing that was detrimental to the best interests of the children. That was in 1979. So it ain't all bad there on the case law.

They were fighting this battle and Christine asked if I would call and talk to her lawyer. And I did, and we set an appointment and I brought the Proceedings down. We went through it and she kept my copy of the proceedings for a while, and I told her if she won her case she had to buy a copy for her own library. She took that, and then she asked me if I knew anything about this expert they were bringing in, a guy named Paul Cameron. [Boy, listen to the snickers out there!] So, I got with Diana Cicotello, the author of the two employment transition books; one for the employer and one for your co- worker. She put out a call on the internet for any information about Paul Cameron, and did it come pouring in!

All of a sudden we realized this guy has been stripped of his license in virtually every jurisdiction he's ever been in. We got quotes out of some California cases where judges have ripped him a new one. It was pretty special. So, when he came in, Christine's lawyer challenged him as an expert witness, and challenged his credentials and his qualifications. When she got done with her cross examination of this expert, having used the Proceedings and the information that we pulled off the internet, the district court judge found that he was not an expert in transsexuality or transgendered issues and therefore he could not testify in the case. They had brought him in from Washington D. C. and all of that. To make a long story short, Christine has full visitation, co-custody rights with her kids, and it's a success story.

It's thanks to this law conference and the Proceedings that we put out, and the stories that we hear from all of you, and the input that you give us that we have have these successes. You really do make this law conference. It's true, it wouldn't exist without Phyllis Frye, there isn't a person here that would deny that. It succeeds because of you people coming here. That's exactly why it succeeds.

Back to the transition stories. Another common thread we found was mutual respect; if you want respect for your transition, you've got to reach out and give respect. I told someone, "It took me 41 years of on-and-off hormones, fast track to Trinidad to 5 years of a beard and mustache and a total purgatory of just continuing to struggle like that. It took me 40 years of going through all of that to find congruency and peace and happiness in my life and in my heart; and to finally have heart, mind, body and soul being together in spirit. If it took me that long to deal with this issue that was so real in my life ever since I can remember, maybe I ought to give you more than 24 hours to come around, you know, just maybe. Maybe if I can be that flexible, we might find a way to make this work.

Flexibility is your strategy, being willing to step back a step until it's time to take two more steps. Some real common sense stuff. We heard about the value of sitting down with your business peers, with your superiors, your supervisor, your boss, your co-workers, on a one-on-one basis and giving them an opportunity to react. I think we found that the most successful transitions have been those that have been, as Lisa Middleton would say, "one stick at a time."

Lisa is a good role model and since she just did it, it's still fresh, it's right there and, Lisa, you make a really good model to talk about. You really do. You did it right.

It's important that we have recorded the success stories in these Proceedings, and we hope that as people read them, they will take strength from them and find ways to make their transition work. It doesn't guarantee success but it greatly increases the odds.

We learned we now have a group of people, diversity consultants, who are making a living consulting with employers about diversity issues, all kinds of diversity issues. We learned about an Asheville, North Carolina, City Ordinance that provides full employment, public accommodation, et cetera, protection without using any of these so called red flag words, without using gay, lesbian, bisexual, transgender. It basically focussed on this interpretation of employment: if anyone is released for anything other than job relevant criteria – and I'm paraphrasing – that's discrimination. Can they or can't they do the job? That's an attempt to codify what we would all like to see, to be the standard out there.

Before I finish up with the report, I wanted to interact with those who were there in the audience, and to give them as much opportunity to participate. The idea was to give a forum for input, recognizing that nobody's input is necessarily better than another's, but the sum of all of our inputs can be pretty powerful. So keeping with that, if there's anyone who would like to take about 10 or 15 minutes to finish up. If anyone would like to take over the next 10 minutes and add anything to the report, this is your law conference. This was your employment law session, so if there's anyone else who would like to comment, feel free to do so.

PATHS TO ACCEPTANCE

By Jessica Xavier:

One of the things we talked about, what lawyers do is try cases. Unfortunately, a lot of the cases of discrimination committed against transgendered people do not end up as case law, basically because this is a very impoverished community. This is also a community dealing with tremendous shame issues. For us to step forward and to admit that we've been discriminated against is a tremendous act of courage, and it also takes a little bit of money. If we get 5 to \$10,000 together we'd rather do our surgery than pay that to a lawyer to try a case.

So what we're left with is a tremendous gap of knowledge of documentation. What we need to do

is to start organizing ourselves to document cases of discrimination that occur in our community that do not end up in front of judges. The best way to do this is by using the "It's Time" model. A lot of the "It's Time" groups have begun documentation projects within their particular local areas. What that involves is creating some sort of knowledge or consciousness that this goes on. We all know of individual horror stories, of cases where friends of ours have been horribly discriminated against; have lost jobs, have been beaten up, have been victims of hate crime, have been verbally harassed; but we don't talk about these things because it's painful. Nobody likes to relate a story of pain when they've been victimized. Nobody likes to admit that they got beat up because they didn't pass last Saturday night, or, lost their job because, well, they just really don't quite pass yet.



Jessica Xavier
Director, It's Time America

There are all sorts of other reasons why this happens, but what we need to do is start documenting this stuff and this is one of the things that the "It's Time" groups are doing.

We start by just asking people to give you things in their own words, which relate their story of how they were victimized. You're looking for people to use their own language and their own words. That's powerful testimony. It should be short, no more than a page, and they should leave out their name and they should leave out their employer's name or whoever the perpetrator was, because these are documents that are going to get circulated. Where do we take these things? Once we get a nice documentation report together of the discrimination that's happened, we can take these things to the local Human Rights Commissions. We can take these things to our local representatives, at the city level, the municipal level, the local county levels. We can take them to the state levels, to our delegates and state senators. And we can show them what is going on in our states, what is going on right underneath our noses. That discrimination against transgendered

people happens every single day, that this is part of our lives, that this is a community in peril, and this is what we're facing.

This is the what I call the space in between the law and everything else that's going on. And I have a feeling that there are far more cases of discrimination that don't end up in front of the lawyer, in front of a judge, than we really have any idea of, and we've got to be able to start catching those.

Another thing we can do has to do with Human Rights Commissions. Human Rights Commissions basically started up in the '60s and '70s as a result of the African-American Civil Rights Movement, to hear cases of discrimination committed against people of color. And then eventually as the women's movement got stronger, they started taking on sex cases. If you start filing complaints with them, they may say, "There's nothing we can do for you," even though they are sympathetic bodies. But, there is something they can do for you. They can start taking the record of these types of cases of discrimination committed against transgendered people. And once we start getting a body of knowledge together, we can go to some of these human rights commissions as San Francisco did, and we can ask them to hold hearings, public hearings. That would require testimony from some of the cases where other have been discriminated against. That's not that hard. I've got people in "It's Time Maryland" who are quite willing to go to Annapolis to testify in front of the legislature, of how they are victimized.

This is going to be painful. It's going to take some courage, but it can be done. Look at what Cissy Conley did last year when she stood up and fought back. She's the role model. She's the prototype. It can be done. It can be done. Courage is one of the key elements of change. To stand up and to be counted. When you stand up and admit that you've been victimized because of who you are, you're also transcending the shame that you carry for being stigmatized by an uncaring ignorant society that doesn't understand you. It's not that hard. Once you say the first words, everything else is easy.

So, discrimination reports are one of the keys. Going to human rights commissions, that's another good key there. Politicize. If you get cases, another thing you can do, is you can collect cases from the media, from the gay and lesbian media, from the straight media, of cases where you see people who have been discriminated against.

In Florida, there's the case of Alicia Edenfield, who was horribly discriminated against and harassed by Home Depot over a period of two years until finally she was assaulted at work and quit. And now she's got a lawyer and now that case is there. But it was still publicized. A lot of the times you've got to balance this thing, too, because a lot of times when a case is going to court you can't really publicize it, because you're going to jeopardize the case. We really want cases that have been brought to court before or whatever. But talk to the people, talk to the people. Get their permission. Beg them. Tell them this is part of a movement that's happening now. And if it's going to end, we've got to take steps, positive steps, to make it end. And that means going out on limb sometime.

You can assure them that they're not a nonentity. You don't need their name. You don't need their employer's name. What you do need is someone to say, "I'm a 48-year old crossdresser who was verbally harassed and then beaten up by a gang of teenagers on my way to a support meeting last

Friday night." That's what you need. You need surface detail like that. "I'm a 23-year old transsexual woman in transition working as a waitress, and one of my former classmates outed me when he visited the restaurant, and the manager turned around and fired me." "I'm a 17-year old transsexual boy who was harassed over a year by other male students in my high school, simply because I got better girls than they did."

I mean, these are cases that we need to hear about. It's simple stuff like this. It's mundane. It's the routine, but it's the part of the transgendered reality that gets swept under the rug. Nobody likes to talk about this stuff because it's unpleasant, because it hurts, because we've been victimized.

Discrimination reports and the HRCs are really important. And I think those are the two things we were talking about the most, or at least I was talking about the most, in those two workshops.

By Laura Skaer:

Thank you, Jessie. I appreciate your adding that. That's really the strength that Jessie brought to the conference. What she had to say flows into the next part of this employment law report. As Jessie mentioned, shame is a major issue for our entire committee. One of the corollaries of shame is anger. Martine and I were having a cup of coffee this morning and listening to some music and discussing our community, discussing the law conference, talking about how far we've come. Some of the things that seem to inhibit us, that seem to act as paralysis. It's the shame and the anger. And a song that came on while we were talking about this, we were listening to Don Henley, the Age of Innocence. And that CD ends with a song called "The Heart of the Matter." Since we've had all sorts of music here, when I get done preaching, we're going to finish up this report with "The Heart of the Matter" because the words are pretty powerful. Because Don Henley says we all need a little tenderness, and he says that we've been trying to get down to the heart of the matter. I think the shame and anger issue is really at the heart of the matter because it really does paralyze us and, I'm going to offer another strategy for dealing with shame and anger. And that's a strategy of forgiveness and unconditional acceptance.

I wonder why we as a community continue to want to beat up that part of society which doesn't understand us. We tend to be more focussed on beating up society than on trying to educate society, to help society understand. Yvonne Cook used to say that our own dysfunctionality becomes a log in our eyes, and it blinds us from the dysfunctionality of others. Martine and I talked about sharing some of our own experiences with each other, of the need, of the importance of focussing on helping each other to understand each other's dysfunctionality; that we take responsibility and to educate people on our dysfunctionality and show a willingness to help others.

I think we'll find that we'll create an atmosphere for acceptance, for unconditional acceptance. If we want unconditional acceptance transgendered persons, then as hard as it is, as tough as it is, we've got to learn to give unconditional acceptance to others. If we want it back, we've got to learn to give it. I would like to see a focus on trying to identify some of the dysfunctionality out there that lead to intolerance and lead to oppression and that are the core of fear. And what you can do

to overcome someone's fear and overcome your own is to work on your own internal shame, and learn to become comfortable with who you are.

Successful employment transitions work because your business peers, your company, your co-workers sense, that you are comfortable. Talk to people who have transitioned, and they'll tell you about having the meetings with people who for the first time are seeing you in the other gender, and you find out that these people are real apprehensive. They aren't quite sure how they're supposed to act or anything. And one after another you will hear them saying that it all went away in about 30 seconds, because it was so obvious that you were secure, and in your own identity and yourself, and you were really comfortable, and you made it real easy for them to get comfortable with you.

That's attacking the shame issue. I really believe that forgiveness, that unconditional acceptance, is what's needed to get at the core of that. It's really cleansing, and a lot of this shame and anger that I've had inside of me, and that all of us have had to different degrees, needs to be cleansed. If you work on cleansing that, you put yourself in a position to develop a pretty good strategy for a successful employment transition, and you also put yourself in a position to have a successful life within our society.

You will learn to love yourself, and if you learn to love yourself, other people will love you because society's just a reflection back to you of what you give it. And until you get at the heart of the matter, at the shame and at the anger and release it and cleanse it, it's going to paralyze you.. For me and my life experience it was coming to that stage of taking the shackles off, starting to forgive people for not understanding me, and working hard to live my life in a way that they would begin to understand me, and reaching out to them. I found two tons of bricks lifted off my shoulders and the yoke coming off, and all this created energy that I had inside of me that was jailing me because it was paralyzed. It became free and it became something that really energized me and excited me.



Jessica Xavier
Director, It's Time America

As I shared this with Martine, she echoed very similar but different life experiences, coming to the same place. And if you talk to a whole bunch of you that have come to grips with the issue of shame and have done something about it, you find it's really liberating and it's really free.

And I really know that is the heart of the matter, and I'd like to close this jobs report with Don Henley's "The Heart of the Matter."

By Phyllis Frye:

Laura, may I just say something before we play it?

I agree with what you're saying, and as usual Laura does her brilliant job of heading a workshop and making a report. We are going to play the song. For copyright reasons, we're not going to put the song on the tape. We've been skirting in the gray area of doing little snippets during introductions and we'll continue that, but we're not going to put a whole song on a tape and run into a copyright problem.

I would suggest that the listener get Don Henley's CD, "The Age of Innocence" because it's a very good CD. But I also wanted to add one thing, about the shame and things in employment. Obviously, many of you know the horrible stories that I had in the engineering profession, but that was back in the 70s and I'm sure there are some other horrible stories to be told in the future. However, there are other success stories I would suggest to you in attendance today, and I would suggest to the listener that you go to your public library and ask for a back issue of Esquire magazine. Many of the larger metropolitan libraries and university libraries keep back copies of a lot of periodicals. If you get the April issue of 1995 of Esquire magazine, they did a 12-pager on our community, and I was very blessed with one and a half of those pages. It went through my day down at the courthouse, how I was received there, and interviews with prosecutors and defense attorneys and judges that dealt with me. One of the judges remarked to the reporter, the reason why I got along so well with everybody was because I was so open about who I was.

One of the things that everybody down at the courthouse knew for sure was that I was transgendered. They knew that. Most everybody thought I'd had surgery, which is fine. I never really brought up the point that I was a nonsurgical transsexual, because quite frankly, when I finally made it through all those barriers and was accepted, I really didn't care to go to the point of saying, "Oh, and by the way, now that you've gone through all of this, here is something else for you to think about."

But I took the article and I made a copy of that page and a half and I gave it all 98 judges down there, and I gave it to about 300 of my professional peers down there. Everybody down there knows now that I'm nonsurgical, and I got not a single negative comment, and that was five weeks ago. Not a single negative comment. I got a lot of positive comments, and people are more receptive to me now than they were before. And again it's because I've been so open and I've

carried my head high. That formula may not work every time, and it may fail on a per case subjective basis from time to time; but in the overall, global scope, objectively and on the average it does definitely work, so why don't we play the song.

By Laura Skaer:

Thank you, Phyllis for sharing. That, too, is part of this shame issue. It's part of the heart of the matter, as is being honest: being honest with yourself and honest with society and life in general. You'll find that it will come back to you.

Since the song will close the session, I want to thank all of you for making the employment law session, the job sessions rewarding to me. Thank you for your input in giving us something of real substance to build on for next year. So, thanks a lot for your attention, and for coming to this law conference, and for participating. Without your participation, it would not be anything. Thank you.

(Whereupon the Don Henley CD was played.)