



Transgender-Inclusive Workplace Protections

Introduction

Virtually every employer in the United States promotes equal protections in the workplace. This is consistent with the common belief that **all hardworking Americans should have a fair chance to earn a living and provide for their families** without fear of being fired for reasons that have nothing to do with their job performance. Most Americans share these beliefs about all hardworking employees, including gay and transgender workers. To ensure all workers are protected, employers should enact transgender-inclusive workplace protection policies.



Americans Support Employment Protections

- Corporate America gets it. **Transgender-inclusive policies are good for business.** As of 2007, one-hundred-twenty-five of the Fortune 500 companies maintain transgender-inclusive employment protection policies, compared to only three in 2000.¹
- Government is catching up. 13 states and the District of Columbia have laws providing workplace protections to transgender workers.²
- The cities of Tucson, Phoenix, Tempe and Scottsdale maintain transgender-inclusive workplace protection policies for their employees.³
- **225 college and university campuses** nationwide, including **Arizona State University** and the **University of Arizona** include protections for transgender workers and students in their nondiscrimination policies.⁴
- Arizonans get it. 58% of Arizonans believe that transgender-inclusive laws should exist not only for workplace protections, but also for protections in housing and public accommodations.⁵
- 90% of Americans believe employment protections should exist for gay and transgender workers.⁶

Inclusive Workplace Protection Policies

Workplace protection policies are often referred to as “Equal Opportunity Employment” or “Nondiscrimination” policies. *Inclusive* policies contain all protected classes, including *sexual orientation* and *gender identity or expression*. **Gender identity or expression** refers to a person's gender-related self-identity, appearance, expression or behavior, regardless of the person's assigned sex at birth.

Transgender Workers Face Unfair Treatment

- Most people do not realize that it is still legal to fire someone in Arizona just because they are transgender. That's right—**hardworking Americans can be fired from their jobs just because someone doesn't like who they are.**
- Unfair treatment in the workplace is a reality for transgender people. Transgender workers often experience harassment on the job. Because of this, many transgender employees live in constant fear of people noticing the incremental steps through transition.
- In six studies conducted between 1996 and 2006, **20% to 57% of transgender respondents reported having experienced employment discrimination** at some point in their life. More specifically, 13%- 56% were fired, 13%-47% were denied employment, 22%-31% were harassed, and 19% were denied a promotion based on their gender identity.⁷

Action Steps

In the absence of statewide protections, it is essential that employers and local governments expand existing workplace protection policies to include *gender identity or expression*.

1 Human Rights Campaign (2007). *State of the Workplace*.

2 National Gay and Lesbian Task Force (2008). *Issue Maps*.

3 Equality Arizona (2008). www.equalityarizona.org.

4 Gender Public Advocacy Coalition (2008). www.gpac.org.

5 Wright Consulting, Inc. (June 2008). *Poll of 603 likely Arizona voters*.

6 Human Rights Campaign (2009). *Corporate Equality Index*.

7 Williams Institute-UCLA School of Law (2007). *Bias in the Workplace*.