

Know Your Rights Manual for
the Transgender Community:

Employment Law

The National Lawyer's Guild
558 Capp Street
San Francisco, CA 94110
415-285-5067
www.nlgsf.org

This is a publication of the National Lawyers Guild Bay Area Chapter

Last updated: July 2010

First edition compiled, written, and edited in July, 2008, by Alicia Virani, Thomas Steel Intern, 2008, and Prerna Lal, Law for the People Intern, Summer 2008, using the preliminary research of Becky Straus, Thomas Steel Intern, 2007

With special thanks to Carlos Villarreal and National Lawyers Guild; San Francisco, Alex Lee and the Transgender, Gender Variant, & Intersex Justice Project, and Community Advisory Board members: Andrea Horne, Ben Lunine, Esteban Rodriguez & Michelle Syler

Revised in July 2009 by Micah Ludeke, Thomas Steel Intern, 2009, and Kelly Densmore, Law for the People Intern, Summer 2009

With special thanks to Carlos Villarreal and the National Lawyers Guild; San Francisco, Dani Williams and the Transgender, Gender Variant, & Intersex Justice Project, and the Revision Advisory Committee

Revised in July, 2010, by Micah Ludeke, NLGSF Thomas Steel Intern, 2010, and Zahra Mojtahed, NLG Law for the People Inter, Summer 2010

With special thanks to Carlos Villarreal and the

National Lawyers Guild; San Francisco, Dani Williams and the Transgender, Gender Variant, & Intersex Justice Project, and the Revision Advisory Committee

TABLE OF CONTENTS

INTRODUCTION.....	4
USING THIS MANUAL.....	4
FINDING THE LAW FOR FREE.....	4
ACCESSING LEGAL SERVICES.....	5
A NOTE TO PROFESSIONALS.....	5
DISCRIMINATION IN EMPLOYMENT.....	5
DISCRIMINATION IN THE HIRING PROCESS	6
Background Checks	6
Medical Records.....	6
Criminal Records	7
References	7
DISCRIMINATION ON THE JOB.....	7
Bathrooms	7
Pronouns	8
Privacy	8
Job Assignments	8
Dress Code	8
DISCRIMINATION WHEN TRANSITIONING ON THE JOB	8
Sex reassignment surgery expenses	8
Name and gender marker change	9
TAKING ACTION	9
RESOURCES.....	11
California Resources.....	11
Nationwide Resources.....	12
Helpful Documents.....	11

INTRODUCTION

This information was compiled by law student volunteers of the National Lawyers Guild, Minnesota, using statutory law, case law, and the work of numerous legal and non-legal organizations across the country, notably, the National Lawyers Guild, Bay Area chapter. While the information here is up to date through April 2010, it is possible that substantive changes have been made to the laws since it was last updated. Please keep this in mind while using this resource. Source and reference information will be provided for most of the content in this manual to help you verify that the information is still good before relying on it.

This manual was created for use by transgender community members and allies, by service providers who work with the transgender community, and by attorneys and legal workers who provide advocacy and legal services to members of the transgender community. For purposes of this manual, the word “transgender” is used as an umbrella term that includes transgender, gender variant, and intersex people who are at any point of self-identification or physical transition. Occasionally, the text will refer to individuals as “he or she” or “his or her.” This reference does not indicate that a statement applies exclusively to persons who identify as male or female, but instead is used for legibility and accessibility. The information in this manual does not constitute legal advice; instead, it is meant to serve as a resource to help understand the landscape of transgender law in a particular area, and to help connect readers with the current information needed to verify law or navigate a particular situation. Although we hope that this manual assists service providers and community members in locating information and resources, it is important to note that only licensed attorneys are authorized to give legal advice. If you have a question of law that is outside of the scope of information provided in this manual, you may wish to consult or refer your client to an attorney or, if you are a client, to contact one of the legal support agencies listed in the resource guide in the back. Many of the organizations listed in the resource guide provide referrals to attorneys who are familiar with transgender law and working with the transgender community.

USING THIS MANUAL

This manual was created to be a first-stop reference for lawyers, service providers, and community members who need legal information about a transgender-specific issue or question of law. For ease of use, the content has been divided by common problems or needs. Case law, statutes, print and web resources, and other service organizations can be found embedded throughout the manual, referenced in the footnotes, and listed in the directory at the back of this manual. This resource was created by and for people in Saint Paul, Minnesota, and therefore much of the information is specific to Minnesota and Twin Cities-specific resources and law. We hope that this manual will be a helpful resource to readers outside of Minnesota because it includes information that is nationally relevant. However, it is important that non-Minnesotan readers pay close attention to what information appears to be specific to Minnesota or the Twin Cities, and not presume that the local information contained in this manual will transfer to other cities and states. Non-Minnesotan readers are encouraged to use the national resources listed in the directory at the back to locate up-to-date information about the laws and precedent in their state or city. Californian readers are encouraged to refer to similar Know Your Rights manuals for the transgender community in CA, which can be found at the National Lawyers Guild, Bay Area website:

<http://www.nlgsf.org/resources>

It is important to note that, although the researchers who assembled this information did our best to be accurate on points of both black letter law and how the law tends to play out in the real world, there may be inaccuracies and nothing in this manual should be relied on as legal advice. Legal advice can only come from a lawyer. This manual is, however, a good starting place to understand the law and how it affects transgender people and communities in Minnesota.

FINDING THE LAW FOR FREE

Legal documents, such as cases and statutes, are actually public documents. This means that everyone (members of the public) has the right to research and read these documents. The problem is that sometimes these documents can be hard to find or access. Here are a few tricks to locate these documents. First, by going to <https://www.revisor.mn.gov/statutes/> a person may search through an updated collection of the Minnesota Statutes. Second, if a case is cited in document and a person desires to find and read the actual case, we can find

it by following a series of steps. The first step is to avoid getting flustered by the complicated series of numbers, letters and punctuation that follows the name of the case. The next step is to simply go to <http://scholar.google.com/>, click the “Legal opinions and journals” button and type in the volume number, the journal name, and the page number from the case citation.

For example, to find the case of *State v. Jordan*, 742 N.W.2d 149(Minn. 2007). We would ignore the name of the case (*State v. Jordan*), and copy the volume number (742), then journal name (N.W.2d), followed by the page number (149). Those three things are all that’s needed to find the case on Google scholar. Sometimes the journal name will be different, but as long as the right information is copied into the search bar, Google Scholar should be able to pull it up.

ACCESSING LEGAL SERVICES

The information in this manual is not legal advice. We hope that transgender individuals and their allies will use this manual as a first step for beginning to understand applicable law, and identify when legal help is needed. Many transgender people report barriers to accessing legal services for a number of reasons. The cost of hiring a lawyer is a major issue for many, along with fears that lawyers will not be respectful of trans clients, will not know enough about how laws specifically affect transgender people, or that the court system is prejudiced against transgender people. While all of these fears are justified, attorneys, activists, and advocates across the country are making huge strides in increasing legal services and resources for transgender people. Many states have GLBT bar associations that can be helpful in locating legal information or finding lawyers who are knowledgeable about transgender law and sensitive to the specific concerns of transgender clients. Many of the organizations listed in the resource section at the end of this manual are happy to assist individuals in finding legal services. Although legal services often seem too expensive, there are a lot of organizations and individual attorneys committed to making justice more accessible. You may be eligible for pro bono (free of charge) representation or fee structures that work for you (such as contingency fees, where you only pay if you win your case). Additionally, many attorneys are happy to meet with potential clients for free to assess your case. This can be a good way to learn more about your options and whether it's worth it to you to pursue specific legal actions.

A NOTE TO PROFESSIONALS

This manual was designed to be a resource to clients, but it is our hope that service providers and legal professionals will also find it useful. Attorneys may find this manual to be a helpful starting point for legal research and a useful tool for locating additional resources. All manuals in this series contain footnotes to case law, law review articles, and statutes that we hope will assist you. As with any compilation of research, attorneys are urged to check all cited law before relying on it to make sure there haven't been substantive changes and that it will apply to your client's particular case. Many of the organizations listed in the resource section of this document provide assistance to attorneys representing clients, and can be excellent sources for information and insight. When advocating for transgender clients, attorneys can advocate for the use of appropriate name and pronoun for their client in court and other proceedings.

DISCRIMINATION IN EMPLOYMENT

In the State of California, the Fair Employment and Housing Act (FEHA) makes it unlawful for an employer with five or more employees to discriminate against transgender people.¹ Discrimination is illegal at all times, and might occur during the hiring process, during the course of employment, or in regard to unlawful termination. Verbal or physical harassment are both forms of illegal discrimination covered under FEHA, and applies to all companies, no matter how few employees it has. The law explicitly outlaws discrimination based on “race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation.”² In 2003, the Gender Nondiscrimination Bill (AB 196) amended FEHA to explicitly protect transgender employees by adding a gender identity specification to the definition of “sex.”³ Relief under FEHA, then, is available to those who can make a claim for discrimination based on sex, sex stereotypes or perceived gender.

In some localities in California, employees are still protected from employer discrimination based on gender identity, regardless of the number of people their company employs. San Francisco,⁴ Oakland,⁵ City and County of Santa Cruz, West Hollywood, and San Diego have all passed laws that explicitly protect employees against

gender identity discrimination. All of these ordinances cover employers within the locality and San Francisco extends coverage to employers who do business with the municipality. Again, a harassment claim, as opposed to a discrimination claim, can always be brought under FEHA regardless of the number of people the company employs.

Additionally, all California employers are bound by the California Labor Codes, two of which prohibit employers from preventing an employee's political activity, and from punishing an employee due to her or his political activity.⁶ The California Supreme Court has interpreted "coming out" by lesbian, gay and bisexual employees to constitute such protected political activity. Likewise, if someone discloses their gender identity or openly transitions from one gender to another, one may argue that these actions are protected political acts. In *Gay Law Students Association. v. Pacific Telegraph*,⁷ the Supreme Court of California decided that "the struggle of the homosexual community for equal rights, particularly in the field of employment, must be recognized as a political activity." The courts have not addressed the applicability of these laws to transgender people, but decisions related to lesbian, gay and bisexual employees are helpful precedent for any such case.

A victim of discrimination based on his or her gender identity might also find relief under federal law. Title VII, Section 703 of the 1964 Civil Rights Act asserts that it is "an unlawful employment practice for an employer to fail or refuse to hire or discharge any individual, or otherwise discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin..."⁸ In *Price Waterhouse v. Hopkins*, the Supreme Court ruled that harassment directed at a person because that person does not conform to traditional sex stereotypes is a form of sex discrimination prohibited by Title VII.⁹ Based on this landmark decision, federal common law prohibits discrimination based on sex stereotypes. While some courts have interpreted this restriction to mean that employers are prohibited from discriminating against transgender people, no court with jurisdiction over California has ruled either way.

DISCRIMINATION IN THE HIRING PROCESS

Discrimination during the hiring process is a very significant obstacle for transgender people. An applicant should make note of the potential for the following in the application process:

- An applicant should be aware of any change in behavior or attitude toward him or her between the point of contact based on resume or application, to a phone interview, and then to an in-person visit.
- Often, potential employers will note that the applicant's voice might not match his or her identification, and such a discovery could be the turning point in a potential employer's attitude toward the applicant.
- A potential employer has no right to ask about any personal details related to an applicant's past, current, or future transition, nor can the potential employer ask about private details of his or her anatomy.

Background Checks

FEHA prohibits any non-job-related inquiries of potential employees that express, directly or indirectly, a limitation, specification, or discrimination as to disability or sex, among other characteristics.¹⁰ An employer may attempt to ask such questions directly to an applicant, on a job application, or to a former employer regarding the past work of the applicant. In any case, such inquiries are illegal. Additionally, California law requires employers who are conducting a background check (it doesn't matter whether they hire an outside agency to run the check or whether the employer does it themselves) to provide the applicant with written notice that the background check is being performed and, upon conclusion of the report, send the applicant a copy.¹¹ It is important for an applicant to see what the employer is seeing about his or her background because often times the information could be inaccurate or misleading.

Medical Records

A potential employer may not access the medical records of an applicant. In California, medical records are confidential. There are only a few instances when a medical record can be released without an applicant's knowledge or authorization. If the potential job functions have nothing to do with the applicant's anatomy or medical history (as is most often the case), the law prohibits the applicant from

being required to disclose any such information.¹²

Criminal Records

California employers cannot seek from any source the arrest record of a potential employee. They can and will, however, ask about record of convictions and a potential employee must answer these questions. Specifically, the California Labor Codes mandate that an employer (public or private) cannot:

- Ask an applicant to disclose information that they were referred to and/or participated in a pretrial or post trial diversion program
- Use any record of arrest or detention that did not result in conviction or any record regarding a referral to or participation in pretrial or post trial diversion programs, to determine any condition of employment, including hiring, promotion, and termination.¹³

There is an exception for jobs in the health care industry. If the job would require the applicant to have access to patients, the employer has a right to find out about an applicant's sex-related arrests. Certain other employers, such as public utilities, law enforcement, security guard firms, and child care facilities have access to criminal records or "rap sheets." Otherwise, this information is not public.¹⁴

In San Francisco and the East Bay, an applicant may be eligible to have his or her criminal record improved through an initiative called the Clean Slate Program. People who have been arrested, convicted of a crime or been found delinquent in juvenile court could be eligible to have their criminal record "cleaned" by a simple process. Some records, such as marijuana possession and juvenile offenses, can be totally destroyed. Other records can be changed from felony to misdemeanor status.¹⁵

References

Discrimination in the hiring process could occur when a potential employer calls a past employer for a reference. The potential employers' questions must be limited to performance-related issues. California law protects those who may have a soured relationship with a past employer.¹⁶

DISCRIMINATION ON THE JOB

Many transgender people face discrimination in employment after they are hired. Below are some specific examples of discrimination in such a setting, and any legal regulations that act to prevent them.

Bathrooms

No California court has ruled on the issue of bathrooms and there is no certainty as to how a court might rule. Employees should have the right to use the bathroom that corresponds with his or her preferred gender identity, regardless of his or her sex assigned at birth. If an employer has provided a unisex single stall bathroom for use by any employee who desires increased privacy, a transgender person has the right to use it but cannot legally be required to do so. If a bathroom-related issue arises in employment, employees should speak with an attorney. It is likely that the court will be guided by favorable decisions outside of California and that the employee's case could create precedent in California.

Furthermore, rulings outside of California have shown that a transgender person's ability to use a bathroom that is different from his or her birth gender is not affected by the status of that person's sexual reassignment surgery, or lack thereof.¹⁷ Again, there is no case in California that speaks directly to this issue. Based on rulings outside of California, however, a court ought to rule that an employer does not have the right to prohibit a person's use of the bathroom that corresponds to his or her gender identity, even if he or she has not completed sexual reassignment surgery. While male or female genitalia is one indicator of sex, it is not determinative. For an employer to require sexual reassignment surgery before granting access to a particular bathroom is to create an illegitimate definition of sex. Also, regardless of an employer's definition of sex, unless such knowledge directly relates to the nature of the job, the employer has no right to know about private details of an employee's anatomy in the first place.

Pronouns

A transgender employee has the right to be addressed by the name and pronoun that corresponds to the employee's full time gender identity. Obtaining court-ordered name and gender changes can only help in successfully bringing a discrimination suit, but it is not necessary. While state law does not likely prohibit other employees from making inadvertent slips or honest mistakes about a person's name or gender, it may outlaw intentional or persistent refusal to respect a coworker's or employee's gender identity. Intentionally addressing a co-worker or employee by the incorrect name or pronoun after having been informed of that person's gender identity may be an actionable form of discrimination.¹⁸

Privacy

Akin to the hiring process, a transgender employee has the right to keep private the intimate details of his or her anatomy throughout the course of employment. Article 1, Section 1 of the California Constitution expressly protects a person's right to privacy, a right which can be interpreted to protect information regarding a person's transsexual status or intimate details of his or her anatomy.¹⁹ The privacy of a person's body is among the most fundamental of privacy rights; both the right to be clothed and the right to keep information about your body private from others. Unless knowledge of an employee's private anatomical details is an integral part of the job, or the employer can claim a compelling state interest in soliciting such information, the employee does not need to share this information at any time during the hiring process, employment, or transition.

Job Assignments

Issues may arise when employers claim that, while they are comfortable with employing a transgender person, their customers will be uncomfortable, which will adversely affect the company. One common consequence is that employers will place transgender employees on job assignments that keep them away from customer interaction. In some employment settings this result has little affect but, in others, there could be a significant pay difference or discrepancy in career advancement opportunities. While California law does not prohibit an employer from making job assignments based on sex so long as those assignments are otherwise in compliance with state law, it does prohibit employers from assigning an employee to a particular position based solely on his or her transgender identity.²⁰

Dress Code

California state law explicitly prohibits an employer from denying an employee the right to dress in a manner suitable to that employee's gender identity. An employer who enforces gender based dress codes must do so in a non-discriminatory manner. This means not only allowing a transgender woman, for instance, to dress the same as other women, but that her compliance with such a dress code cannot be judged more harshly than the compliance of biological women.²¹

DISCRIMINATION WHEN TRANSITIONING ON THE JOB

Transgender people have the right to transition on the job and have the right to be treated equally while out in the workplace as a transgender person. A good working relationship before transition can be a key factor to avoid any conflicts. If an employee is in bad standing, the employer could take advantage of this relationship to let the person go, when in reality the employer is motivated by prejudice which would constitute illegal discrimination. A good working relationship can also have a positive influence on the court as they attempt to determine if the employee was discriminated against.

Sex reassignment surgery expenses

Some private employers provide insurance that includes coverage for sex reassignment surgeries (SRS), but not all. There is no law that requires private health providers to award payments for SRS's. The policy to which an employee subscribes will vary from employer to employer and, very often, will not include such coverage. California's Insurance Gender Non-Discrimination Act, enacted in 2006, does prohibit insurance plans and healthcare service plans from discriminating on the basis of gender in the provision of benefits or coverage.²²

In terms of public employers, the City of San Francisco is thus far the only jurisdiction in the United States to

remove the exclusion for gender identity disorder from its health coverage of city and county employees. State health programs such as Medi-Cal will cover some procedures, such as sex reassignment surgery and hormone treatment. It is true that Medi-Cal regularly tries to deny coverage for sex reassignment procedures. However, California courts have, on several occasions, overruled these denials and ordered Medi-Cal to pay for the procedures.²³

Name and gender marker change

Some employers believe that an employee must get a court order to legally change the employee's name, but this is not correct. California explicitly recognizes "common law" name changes for a majority of people in the state. A common law name change means that, without going through the court system, a person can legally change his or her name simply by using the new name consistently and exclusively.²⁴ Furthermore, an employee does not need to get court recognition of a change of gender prior to requesting that an employer change the employee's gender marker in records and on identity documents. An employer also should not require such an order prior to effectuating such a request.²⁵

TAKING ACTION

Before entering into a potentially expensive legal battle, it is important for an employee to determine whether the issue can be resolved out of court. If the discrimination happened on the job, he or she should notify a supervisor and contact a Human Resources representative to report the abuse. He or she should be sure to document all incidents of discrimination and any efforts to alleviate them. If these attempts do not solve the problem, a legal course of action may be appropriate.

Depending on the person's residency and the location of his or her employer, he or she will file local, state, and federal claims. In San Francisco, she or he should file a complaint with the **San Francisco Human Rights Commission** reporting a violation of Article 33 of the San Francisco Charter and administrative Code. Outside of San Francisco, victims of employment discrimination should contact the municipality's local human rights commission and, if they don't have one, check with the City or County Clerk. Unfortunately, local laws like these often are of limited value to victims, because California state law bars someone from bringing a lawsuit under these local laws. Therefore, if investigation or mediation does not result in a satisfactory resolution, the Human Rights Commission or similar agency can take no further action to enforce the law, and the employee has no other recourse under local law. He or she must therefore pursue the complaint with the appropriate state or federal agency.²⁶

For a state claim, a person must first file a complaint with the **California Department of Fair Employment and Housing** (DFEH) in order to report the Fair Employment and Housing Act (FEHA) violation. There is no charge to file a complaint, and one can do so without an attorney. FEHA requires that individuals must exhaust their administrative remedies with DFEH before filing a lawsuit. Upon investigation, if DFEH cannot alleviate the situation, they will issue a "right-to-sue" letter that enables the individual to file a lawsuit. DFEH will accept requests for an immediate DFEH "right-to-sue notice" from people who have decided to proceed in court without going through the DFEH investigation. The DFEH complaint must be filed within one year from the last act of discrimination or he may lose his right to file a lawsuit under the FEHA. The individual should be sure to request that DFEH cross file the claim with the Equal Employment Opportunity Commission in order to obtain a similar "right-to-sue" notice for a federal claim. Federal claims, brought to allege a violation of Title VII of the Civil Rights Act, may only be brought against employers or companies with 15 or more employees.

- 1 Cal. Gov. Code, §§12900-12996.
- 2 Cal. Gov. Code, §12940 and Cal. Code Regs. tit. 2, §7287.6.
- 3 For the sake of consistency, AB 196 adopted the definition of gender in California's Penal and Education Code, which includes a person's "identity, appearance, or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with the person's sex at birth."
- 4 San Francisco Police Code, § Section 3303.
- 5 Oakland Mun. Code, ch. 9.44.
- 6 Cal. Lab. Code, §§ 1101-1102.
- 7 *Gay Law Students Assn. v. Pacific Tel. & Tel. Co.* 24 Cal.3d 458 (1979)
- 8 Civil Rights Act of 1964, § 703 (1976).
- 9 *Price Waterhouse v. Hopkins*, 490 U.S. 228 (1989)
- 10 Cal. Gov. Code, §12940.
- 11 Cal. Civ.Code, §§ 1785-1786.
- 12 Cal. Civ.Code, § 56.
- 13 Cal. Lab. Code, § 432.7.
- 14 Cal. Lab. Code, §432.7; Cal. Pen. Code, §§11105, 13300.
- 15 See The National Lawyer's Guild's *Know Your Rights Manual for the Transgender Community: Criminal Law*.
- 16 Cal. Lab. Code, §1050, prohibits employers from intentionally interfering with former employees' attempts to find jobs by giving out false or misleading references.
- 17 *Kastl v. Maricopa County Community. College Dist.* (Jun. 3, 2004, No. Civ.02-1531PHX-SRB).
- 18 *Advancements in State and Federal Law Regarding Transgender Employees*, (April 2006) National Center for Lesbian Rights & Transgender Law Center, <[http:// www.nclrights.org/site/DocServer/complianceguideemployers.pdf?docID=1201](http://www.nclrights.org/site/DocServer/complianceguideemployers.pdf?docID=1201)> (as of June 19, 2008).
- 19 Cal. Const. art. I, § 1.
- 20 Cal. Gov. Code, §12940.
- 21 Cal. Gov. Code, § 12949.
- 22 Assem. Bill No. 1586.
- 23 *Medi-Cal and Gender Reassignment Procedures*, (May 2002) The Transgender Law Center & The Community Health Advocacy Project <<http://transgenderlawcenter.org/pdf/MediCal%20Fact%20Sheet.pdf>> (as of June 19, 2008).
- 24 Cal. Civ. Code, § 1279.5.
- 25 *Advancements in State and Federal Law Regarding Transgender Employees*, (April 2006) Transgender Law Center <<http://transgenderlawcenter.org/pdf/Advancements%20in%20State%20and%20Federal%20Law%20Regarding%20California%20Transgender%20Employees.pdf>> (as of June 20, 2008).
- 26 *Gender Identity Discrimination: Employment Rights for Transgender Workers Fact Sheet*, Legal Aid Society Employment Law Center <<http://www.las-elc.org/GenderIdentDiscrim.pdf>> (as of June 19, 2008).

RESOURCES

Below is a brief list of resources that may be especially helpful. This collection is only a small representation of transgender-welcoming services in California and the United States. Searching online for additional resources may yield more specific information or assistance. Resources are divided by California-specific organizations, national organizations, and general resources, which includes legal documents, publications, research tools, and “know your rights” resources. For ease of use, we have specified whether organizations provide direct or support services, and to what extent they serve the LGBTQI (Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex) communities, and specifically, to what extent they serve transgender communities. National Lawyers Guild Interns spoke with representatives of almost all of these organizations to ensure that our description of their services is correct and up-to-date, and that they are explicitly welcoming of transgender community members.

CALIFORNIA RESOURCES

Legal Aid Society – Employment Law Center, www.las-elc.org

600 Harrison Street, Ste. 120

San Francisco, CA 94107

Phone: (415) 864-8848

Holds worker’s rights clinics throughout San Francisco to provide information to low-income workers about their legal rights, and helps LGBTQ workers address discrimination and harassment they face at work.

Out & Equal Workplace Advocates, www.outandequal.org

155 Sansome Street, Ste. 450

San Francisco, CA 94104

Phone: (415)694-6500

Out & Equal Workplace Advocates champions safe and equitable workplaces for lesbian, gay, bisexual, and transgender (LGBT) people. They advocate building and strengthening successful organizations that value all employees, customers and communities and provide “Transgender Diversity” trainings for employers.

Transgender Economic Empowerment Initiative, www.teeisf.org

1800 Market Street

San Francisco, CA 94102

Phone: (415) 865-5632

TEEI is designed to assist transgender individuals find financial self sufficiency through stable employment in jobs by linking them with employers. TEEISF provides support for transgender job seekers and newly placed employees, and assists in improving the safety in San Francisco workplaces.

Transgender Law Center, www.transgenderlawcenter.org

870 Market Street, Room 823

San Francisco, CA 94102

Phone: (415)865-0176

Email: info@transgenderlawcenter.org

The Transgender Law Center (TLC) is a civil rights organization advocating for transgender communities. TLC provides direct legal services, engages in public policy advocacy and education and works to change laws and systems that fail to incorporate the needs and experiences of transgender people.

NATIONWIDE RESOURCES

National Employment Law Project, www.nelp.org

75 Maiden Lane, Suite 601

New York, NY 10038

Tel. (212) 285-3025

Fax (212) 285-3044

The National Employment Law Project (NELP) has advocated for over 30 years on behalf of low-wage workers, the poor, the unemployed, and other groups that face significant barriers to employment and government systems of support.

Sylvia Rivera Law Project, www.srlp.org

147 W 24th St, 5th Floor

New York, NY 10011

Phone: (212) 337-8550

SRLP provides free legal services to transgender, intersex and gender nonconforming low-income people and people of color in the New York area. SRLP provides advice and referral for a wide variety of legal issues.

Sometimes, they can also provide more help, such as advocacy, help with a case you are bringing on your own, or, more rarely, representation in a legal action. .

National Center for Lesbian Rights, www.nclrights.org

Legal Helpline: (415)392-6257 (9AM-5PM PST)

Toll free: (800)528-6257 (9AM-5PM PST)

The National Center for Lesbian Rights helps GLBT individuals and families nationwide through litigation, public policy advocacy, and public education. NCLR offers a legal helpline during regular business hours, and the best way to request assistance is by filling out an online help form on NCLR's website. NCLR provides referrals, assistance locating GLBT-aware attorneys, and offers limited direct services. The National Center for Lesbian Rights is committed to serving transgender communities, and is very welcoming to transgender clients.

HELPFUL DOCUMENTS

Transgender Law Center, *California Transgender Law 101*.

www.transgenderlawcenter.org/pdf/ca_trans_law_101_overview.pdf

A brief review of California state laws as they affect transgender people. Updated in April, 2009.