Impact of adding gender identity, transgender or gender expression to non-discrimination ordinances – Updated April 2012

Department Store, Women's Dressing Rooms – San Antonio, TX
Natalie Johnson was a store clerk at a Macy's department store in San Antonio. One day in 2011, she noticed a young man wearing make-up and women's clothing emerging from the women's dressing room. Ms. Johnson confronted the man, telling him he was not allowed to use the women's dressing room. The cross-dressing man complained to the store's management. What was the management's response? They fired Ms. Johnson! She violated Macy's anti-discrimination policy, which allows self-described "transgender" people to use whichever changing room they want.


Elementary School - Vacaville, CA
A female music teacher at Foxboro Elementary School, Abbey Clark, came to school and announced to her students that she was no longer Abbey Clark, but was "James Clark" and instructed the students that they must refer to her as "Mr. Clark." The parents of the school children were not informed or consulted about the situation in advance - they learned about it when their children came home from school. About two-dozen children were removed from "Mr." Clark's classes by concerned parents.

http://abcnews.go.com/US/story?id=6050076&page=1#.T57HNVG8GSo

Elementary School - Batavia, NY
A male teacher at a high school decided to undergo surgical procedures to appear as a female. Prior to undergoing surgery, the man began dressing as a woman. Outraged parents who wanted to remove their children from the man's class were denied this request, because the school claimed New York's disability laws protected the teacher.


Athletic Club - Worcester, MA
In 2006, a man, claiming to be a woman, demanded to use the women's locker room at the Bally Total Fitness Club. He was denied by the club's management. The individual, "Natasha Lee West," had breast implant surgery but in other respects had male anatomy. The case was reported in the homosexual newspaper "Bay Windows" under the headline: "Health club harasses transwoman."

http://baywindows.com/health-club-harasses-transwoman-67999

Hospital - Daly City, CA
A man who claimed to be a woman, "Charlene" Hastings, filed a lawsuit against Seton Medical Center, a Catholic hospital, after the hospital refused Hastings' request for "breast augmentation surgery." The hospital explained that, as a Catholic institution, it does not allow transgender
surgery as it conflicts with Catholic teaching. The lawsuit claimed that the hospital's denial of breast enlargement for Hastings caused him to suffer "shock, embarrassment, intimidation, physical distress and injury, humiliation, fear, stress, and other damages." Seton Medical Center eventually settled the lawsuit, paying Hastings $200,000. Discrimination against anyone who claims to be "transgendered" is illegal under California law.

http://www.foxnews.com/story/0,2933,323791,00.html

Restaurant - Auburn, Maine
A man who was a regular customer of a Denny's restaurant, Bruce Freeman, decided that he was a woman. He became known as "Brianna" Freeman, and began wearing women's clothing, makeup, and jewelry. He also started using the women's restroom at Denny's. One day a female patron complained to the restaurant management about Freeman's presence in the women's bathroom. The restaurant manager told Freeman that he would have to use the men's room. Freeman responded by filing a complaint against Denny's. The Maine Human Rights Commission ruled in 2009 that Denny's was indeed guilty of discrimination. In 2011, Denny's reached a settlement agreement with Freeman, and now allows any person who claims to be "transgendered" to use whatever restroom is consistent with their personal "gender identity." The new policy applies at all Denny's restaurants in the state of Maine.

http://www.sunjournal.com/city/story/859566

http://www.sunjournal.com/city/story/1058316

Elementary School - Orono, ME
A boy in 5th grade at Asa Adams Elementary School claimed that he was, in reality, a female and therefore entitled to use the girls' restroom. The school would not allow the boy to use the girls' restroom and instead assigned him his own, separate restroom. The parents of the boy accused the school of "implicitly isolating" their child by not allowing him to use the girls' restroom. The Maine Human Rights Commission ruled against the school, saying that it had practiced unlawful discrimination by not allowing the transgendered boy to use the restroom of his choice.


Dorm Rooms – Miami University, Oxford, OH
A transgender student filed a complaint against Miami University because the student was refused a campus housing position as a resident advisor in a male dormitory. The student, born female, identifies as male. Both the university and the town of Oxford, Ohio, have policies protecting “gender identity” and “sexual orientation” in housing, employment, and public accommodations.

Bathrooms and Locker Rooms – University of Pittsburgh, PA

The Rainbow Alliance, a student group at the University of Pittsburgh, filed a complaint with the City’s Commission on Human Relations for violating the rights of “transgender” students in accommodations. The city code identifies sex as “the gender of a person, as perceived, presumed or assumed by others, including those who are changing or have changed their gender identification.” Students want to use the locker rooms and restrooms of their choice, regardless of birth sex.

http://library.municode.com/index.aspx?clientId=13525