

## Statement of The Bar Association of San Francisco President on the Landmark EEOC Ruling Advancing Transgender Rights

**May 9, 2012** - The Bar Association of San Francisco (BASF) applauds the recent landmark ruling of the Equal Employment Opportunity Commission (EEOC) in *Macy v. Holder* (U.S. EEOC Apr. 20, 2012), holding that Title VII of the Civil Rights Act of 1964 protects transgender workers. Specifically, the EEOC held that discrimination against a transgender employee on the basis of the employee's gender identity is prohibited sex discrimination under federal law. While a number of federal courts have issued similar decisions, this clear guidance from the EEOC is unprecedented. See, e.g., *Macy*, at 14 ("intentional discrimination against a transgender individual because that person is transgender is, by definition, discrimination 'based on ... sex' and such discrimination ... violates Title VII."). The EEOC's decision means that transgender employees across the country who experience workplace discrimination can now - for the first time in U.S. history - file a claim with the EEOC at any of its 53 field offices across the country.

BASF recognizes the significance of this moment for LGBT equality, and in particular for the impact it may have on the safety and security of transgender people in the workplace. BASF has long supported the struggle for transgender rights through BASF's Equality Subcommittee on LGBT Issues ("LGBT Subcommittee"), founded over 20 years ago. Within the San Francisco legal community and beyond, the LGBT Subcommittee has worked to advance the understanding of transgender issues and increase fairness and equality for LGBT people through CLE panels and community events, raising awareness of the tremendous challenges transgender people face. In 2007, the LGBT Subcommittee issued a groundbreaking Report on LGBT issues with particular attention to the unique concerns of transgender lawyers.

In addition, over the past several years, BASF's delegation to the California Conference of Bar Associations has sponsored legislation protecting transgender rights.

BASF's active engagement on transgender issues is also on-going. This year, the LGBT Subcommittee, chaired in 2012 by Ron Triche of Trucker Huss PC and Amy Todd-Gher of Valdez Noor Todd & Doyle LLP, has already developed key educational programming focused on transgender issues. We know our work is not done.

BASF remains steadfast in its support of the transgender community, and salutes the Transgender Law Center (TLC) and its client Mia Macy, on achieving this tremendous victory. TLC is a San Francisco-based, national legal and public policy organization committed to advancing the civil and human rights of transgender people. Ms. Macy is a military veteran and former police detective who was denied a job by the federal bureau of Alcohol, Tobacco, Firearms and Explosives after coming out as transgender.

BASF congratulates and thanks all who have worked for this day.

## **Statement of The Bar Association of San Francisco President on the Landmark EEOC Ruling Advancing Transgender Rights (continued)**

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The Bar Association of San Francisco (BASF) is a nonprofit voluntary membership organization of over 8,000 attorneys, law students and legal professionals in the Bay Area. Founded in 1872, BASF is one of the largest and most dynamic metropolitan bar associations in the U.S., with a long and distinguished record of community action, public service and service to the legal profession.