



## Rep. Frank, gay rights advocates divided over job bias protections for transgender workers

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WASHINGTON – Rep. Barney Frank, a leading gay rights champion in Congress, on Thursday urged fellow gay rights advocates not to let their dispute over protecting transgender workers doom a job discrimination ban that could mark a major civil rights advance for gays in the workplace.

The debate over including transgender people has sharply divided gay rights activists, many of whom are trying to kill a stripped-down bill without protections for transgender workers that Frank and Democratic leaders hope will win House passage this year.

**“We’re not going to be split off this way,” said Matt Foreman, executive director of the National Gay and Lesbian Task Force. “We’re driven by principle. No civil rights movement has ever left a part of its community behind – and we’re not about to be the first.”**

Frank, D-Mass., one of two openly gay members of Congress, supports transgender protections, but said they don’t have the votes.

“Politically, the notion that you don’t do anything until you can do everything is self-defeating,” he said.

Frank said the public has more awareness because gay activists began educating people about the unfairness of prejudice based on sexual orientation a long time ago.

“These things take awhile,” Frank said. “The transgender issue is of relatively recent vintage.”

Legislation banning workplace discrimination against gays, lesbians and bisexuals – but not those who have had sex-change surgery or cross-dressers – has stalled after an outcry from the transgender community and its allies, including many gay rights organizations.

“Transgender” is an umbrella term that covers transsexuals, cross-dressers and others whose outward appearance doesn’t match their gender at birth.

The Employment Non-Discrimination Act would make it illegal for employers to make decisions about hiring, firing, promoting or paying an employee based on sexual orientation or gender identity. Churches and the military would be exempt.

But when Democrats took vote counts and realized the measure would fail, they substituted a new scaled-back version dropping transgender people from the bill. A second bill to ban workplace discrimination against transgenders was also drafted.

Gay rights groups that oppose a ban that leaves out transgender people have waged an aggressive lobbying campaign.

“Fighting your friends can sometimes be difficult,” said Frank.

**Foreman agreed.**

**“I never thought in a million years we would be on the opposite side of Barney Frank and it is painful,” he said.**

Federal law bans job discrimination based on factors such as race, gender and religion. Nineteen states and the District of Columbia have laws against sexual orientation discrimination.

However, only nine states specifically protect transgender people from discrimination: New Jersey, Minnesota, Rhode Island, New Mexico, California, Illinois, Maine, Hawaii, Washington. The District of Columbia also has a similar law.

By January, laws also will be in effect in Iowa, Vermont, Colorado and Oregon.