

United States Senate
Committee on Health, Education, Labor, and Pensions

“Employment Non-Discrimination Act: Ensuring Opportunity for All Americans”
November 5, 2009

Prepared Written Statement of Allyson Robinson

Chairman Harkin and Members of the Committee,

My name is Allyson Robinson. I serve as Associate Director of Diversity at the Human Rights Campaign (HRC), the nation’s largest lesbian, gay, bisexual, and transgender civil rights advocacy organization, where I am staff lead for issues of concern to the transgender community. Prior to my tenure at HRC I was an ordained Baptist minister, serving congregations in the U.S. and Europe for nearly a decade. I am a 1994 graduate of the United States Military Academy at West Point (nominated by Senator Arlen Specter) and served five years as a U.S. Army officer in Europe and the Middle East. I am also a transgender woman.

A recent, first-of-its-kind comprehensive national survey of the transgender community¹ found that we are unemployed at distressing rates – overall, 13% of respondents, nearly twice the national average at the time of the survey, reported being out of work. Even more alarming is the finding that 97% had experienced harassment or mistreatment on the job solely due to their gender identity. As a result, 15% of respondents reported incomes below \$10,000 a year, again, over double the rate of the general population.

Behind each of these statistics are stories, thousands of them. They are the stories of men and women who worked hard to prepare themselves in America’s high schools, colleges, and universities. (A 2008 study of the transgender population in California by the Transgender Law Center found we are almost twice as likely to hold a bachelor’s degree as the general population.)² They entered the workforce with high hopes and high ideals, devoted themselves to building successful careers and productive lives, and earned the respect of their managers and peers along the way – only to see it all vanish the moment they made the agonizing decision to be open and honest about who they were.

But standing unseen behind these brave men and women are others – wives, husbands, and children – who saw their own hopes and dreams dashed by discrimination as well. These families are frequently ignored or forgotten when discrimination against transgender people is discussed, but their suffering is

¹ National Center for Transgender Equality and National Gay and Lesbian Task Force, “National Transgender Discrimination Survey, Preliminary Results,” http://docs.google.com/fileview?id=0BwKC1EI_YwUWOTc1M2M2ZGQtN2JhMS00YTc0LWI2ODctNWl3MDE4NGEwOWJl&hl=en (accessed November 2, 2009).

² Transgender Law Center, “The State of Transgender California Report: Results from the 2008 California Transgender Economic Health Survey,” http://www.transgenderlawcenter.org/pdf/StateTransCA_report_2009Print.pdf (accessed November 2, 2009).

very real. Most Americans assume that a married or partnered adult's decision to change genders necessarily means divorce from their spouse and estrangement from their children. Today, this is far less likely to be the case than it was decades ago. As a result, workplace harassment and employment discrimination against transgender people has a negative impact that increasingly reaches far beyond the target to the families they support, and that have supported them through their gender transition.

My own family's story illustrates the point. I have been married to my wife, a West Point classmate of mine, for 15 years, and we have four young children together. She and the children were my closest allies and strongest supporters throughout my gender transition. But in December, 2007 I began a transition of another kind that would test us all: I completed a graduate degree at Baylor University and began my first job search as an openly transgender woman.

As a family, we had prepared well for this career transition. We saved up several months' worth of income, organized our household for a potential move, and put our children's school records in order. I spent much of my last semester of graduate school researching the job market, working with a career counselor, and expanding my network. Given my West Point degree, my excellent military record, my high academic achievements, and my proven leadership ability in the non-profit sector, we believed I would receive a job offer within a relatively short amount of time.

Unfortunately, this proved not to be the case. Though I sent out dozens of resumes, I was rarely asked to interview and received no offers. As our savings began to dwindle, we were forced to look to our birth families to provide housing for our family of six. Though my own parents were very supportive of my gender transition and would have loved to host us, their homes were simply too small to accommodate our family. My wife's parents had a large home, but would only allow my wife and children to live with them; they refused to support my gender transition, pressured my wife to divorce me, and would not even speak to me. As a result, we had no choice but to enter into a very difficult arrangement. My wife and the children moved in with her parents in Billings, Montana, a home environment which was openly hostile to my gender transition, while I moved in with my mother in Phoenix, Arizona. We endured this painful separation for almost ten months.

Though I was eventually offered an excellent position and our family was reunited, the effects of our forced separation, particularly on our children, linger to this day. My work requires me to travel often, and the children suffer tremendous separation anxiety, even if I'll only be away from them overnight. Recently, while watching a children's film with them which featured a subplot about a child separated from his parents, my seven-year-old daughter began to weep uncontrollably and could not be consoled. And this is to say nothing of the strain that unemployment and separation placed on our marriage relationship or our financial situation. We were forced to spend much of our retirement savings to support ourselves, money we had set aside years ago while still serving in the Army. Pastoral counseling, offered by our church, has helped my family begin to overcome the emotional effects of this painful experience.

My work with the Human Rights Campaign takes me all over the United States, speaking with groups of transgender people and listening to their stories. I've heard stories of marriages which survive the very

real challenges presented by a spouse's gender transition, only to collapse under the pressure of job termination and prolonged unemployment. I've listened to a transgender man describe having to live with his partner and their two-year-old son out of their van for nearly a year because he was fired from his job in journalism for transitioning and could not find work. I've hugged a transgender woman while she told me through tears of being forced because of underemployment and poverty to choose between purchasing medication she herself needed or asthma medicine for her son. I've listened to transgender people tell of enduring years of brutal workplace harassment, terrified to seek a more inclusive employer because they believed they'd never find another job, who turned to alcohol or drugs to deal with the trauma. The effect of this on their families was just as traumatic. Many of the stories behind the statistics are like this – stories of sons and daughters, husbands and wives, who suffer needlessly because someone they love has chosen to follow the medically prescribed path to health, wholeness, and inner peace.

Our family has been very fortunate, and yet even we have learned that a happy ending alone sometimes doesn't heal the pain of the journey. To be sure, we aren't the only family that has had to endure a long separation – families do it every day and suffer the negative consequences. In our case, however, as with that of so many families like ours, these experiences are unnecessary and avoidable. It should not be so difficult for transgender people to find meaningful work through which we can support ourselves and our families. Our decision to live in ways that are honest, faithful to ourselves, and supported by the very best wisdom America's medical and mental health professionals can offer, should not be a barrier to gainful employment.

It is perhaps a sad fact of human nature that we tend to marginalize those whom we do not understand. In America, however, we have a proud history of rising above this nature and striking down policies and practices based on unawareness, misinformation, or bias. I urge the Senate to add to that proud history by passing the Employment Non-Discrimination Act in its fully transgender inclusive form as soon as possible.

Thank you most sincerely for receiving this testimony and holding this important hearing.