

**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 Meghan Stabler

Chairman Harkin and Members of the Committee,

Thank you for this opportunity to submit written testimony in support of S. 1584, the Employment Non-Discrimination Act (ENDA), critical but incredibly simple legislation which would protect people from workplace discrimination based on their sexual orientation or gender identity. I commend the Committee for holding the first hearing on a version of ENDA that protects lesbian, gay, bisexual *and* transgender people. Protecting Americans from gender identity-based employment discrimination is critically important. Lesbian, gay, bisexual and transgender people face a high risk of job discrimination and have no adequate remedy in federal law. This bill would provide critically needed job protections.

My statement will focus on the discrimination faced by so many transgender men and women in the workplace, and its devastating implication on personal finance, health care insurance availability and even homelessness. My testimony, and that of others, is given in the hopes that you move forward with workplace protections, for all lesbian, gay, bisexual and transgender workers and help stop discrimination in any aspect of employment.

My name is Meghan Stabler; first and foremost I am a former business executive, having worked for major corporations throughout Europe and North America for the last 27 years.

Before transitioning my gender from male to female to resolve an inner sense of gender conflict that had been known to me since the age of 5, I enjoyed an amazing career with respect, increasing responsibilities, compensation, and an unlimited career path. I was married and have a wonderful teenage daughter.

Second, I am a woman, however, I am also labeled *transgender*, and more specifically *transsexual*, meaning I transitioned genders, as I mentioned, in my case from male to female. Simply and solely, because I am transgender, employers are able to fire, refuse to hire, demote, or refuse to promote or otherwise discriminate against me in 38 states, despite my job performance, history of accomplishments or the merits of my ability to perform my job.

My ability to finance health care coverage, and to provide myself with a home, is clearly linked to my ability to work and remain employed. Given the current economic climate in the USA this is tough enough; however because of discrimination in the workplace against transgender employees, it is harder still. Many transgender people face discrimination in the workplace, sometimes with employers terminating their jobs within hours of their coming out and “telling” their employer that they are transgender. Losing a job impacts access to health care, and faced with dwindling finances, can ultimately lead transgender people to homelessness. In fact, during 2006, the Transgender Law Center conducted a survey of transgender people living in San Francisco which discovered the following: only 25% of the transgender people surveyed were employed full time, and altogether 35% were unemployed. Only 4% made more than the estimated median income for a San Franciscan. ***This is a remarkable statistic***, considering that the wider Bay Area is considered “home” to my profession of software and even more remarkable as San Francisco is considered one of the most progressive cities in North America.

I, too, have experienced discrimination during and, following my transition from male to female. Let me share my story.

Since my earliest memories I felt different.

I did not feel right about my gender.

This is known medically as Gender Identity Disorder.

Simply put, my emotional and psychological gender was not in alignment with my genetic, physiological sex. This is not an acquired condition; rather, it is an intrinsic part, a lifelong aspect of my being, something that I, and many others are born with. Despite all of the behaviors that I learned in trying to deny my true identity and feelings, this condition had been the source of unease and discomfort throughout my life. Eventually I received treatment through accepted medical practices for Gender Identity Disorder. While the types of medical or other treatments range widely, I took the necessary steps to change my physical gender from male to female. Doing so did not change the person I was or my ability to perform my job, or as a matter of fact, any job, but finally dealing with this, lifted a huge weight off my shoulders.

As a male in the workplace I enjoyed what I call “entitlements”, I enjoyed a successful career, in meetings I was seen as a leader and I had employment protections. As I began to transition it changed. Initially there was no policy of protection in my place of work, but over time my employer was willing to place EEO and Sexual Harassment policies in place. As a female in the workplace I see the “other side” of the business table, yet with a societal stigmatism labeled upon me as transgender, and like the majority of transgender persons I know, I have faced workplace issues.

Since I openly transitioned, I have received a number of job demotions: I am no longer a senior executive.

As a result, I have seen significant salary reductions, along with reductions in my participation and involvement in meetings, business transactions and customer meetings. As a result, I face a monthly struggle to keep my house payments and related bills, while ensuring that I pay court-ordered child support. I have had to use much of my savings to make up shortfalls and bill payments, including my daughter's educational needs.

Having a job is so important to transgender people, without the income we may not have access to essential medications and treatments, or even expensive surgeries that enable us to slip back in to society in the new "legal" gender. Overall, I have been one of the fortunate few, yet I would like to cite a number of examples from friends that have not been so lucky.

The first is a story of a transgender friend who transitioned over 5 years ago. She was a Chief Technology Officer in a software development company, but upon announcing her need to transition from male to female, she was terminated from her position. She faced immediate workplace discrimination.

She relocated in the hopes that she could start a new life, without her male history following her. Over the coming months that evolved into years; her life savings dwindled to nothing despite her applying for jobs not only within her home state, but across the country. She was overlooked for many positions, and for those for which she received an initial call back, **she never received a second interview**. She used her remaining savings to complete a variety of necessary surgeries, as she still needed to resolve her inner need to change gender. With escalating costs and a declining source of finances, she became increasingly suicidal. Without a job and income, completing surgery was out of reach. She was very educated and qualified for positions; her knowledge of technology never changed between the day she announced transition and the day prior to transition, yet she was never hired for a job for over five years.

Second is the experience of another good friend of mine, a commercial pilot, who was placed on 'paid-administrative leave' within two hours of talking to her companies HR executives about her intent to transition genders. Within four days, the company asked her to tender her resignation.

Third is the story of another friend, who was once a manufacturing engineer in a predominantly-male business. On announcing her need to transition, she was immediately terminated. She needed to complete transition, yet her finances were reduced and she found it increasingly hard to get a job in the line of work in which she was experienced. She relocated, but still could not find a position equal to her former job. After two years, despite her engineering expertise, she was working as a housekeeper in a Denver hotel.

For transgender (*transsexual*) people, gender transition is not a choice, but is rather an essential need.

Like other transgender people, I have been, and am still a productive, responsible, dedicated, loyal and passionate employee. I wish only to be measured on the merits of the job I do, and the capability to perform to the best of my ability. It is only when we are subject to discriminatory actions and a lack of workplace protections that our work begins to suffer.

Without work, we lose income.

Without income or savings, we lack access to affordable healthcare, and sometimes healthcare is not even available to us from certain providers just because of our transitional history or status.

Without healthcare we often cannot complete transition. With the stress placed on us, often suicide is a considered option.

I hope that you are able to comprehend from mine and other stories how much lesbian, gay, bisexual and transgender Americans need you to pass the Employment Non-Discrimination Act.

For every example of workplace discrimination you hear or read today, there are thousands, more across the country who have faced, and continue to face discrimination in silence, often without any recourse at all. Their voices cannot be heard today, but I assure you that they are watching, listening, and reading what happens with regards to this bill. They are productive Americans, they are hard working Americans. They, like I, are asking for the right to work.

I hope that we can move forward and finally end workplace injustice and discrimination based a person's Sexual Orientation or Gender Identity and finally pass S. 1584 to ban discrimination against lesbian, gay, bisexual, and transgender people in the workplace and to protect LGBT people from being fired, refused a job, or harassed in the workplace.

In closing, I thank the committee for holding this important hearing on the Employment Non-Discrimination Act and for allowing me to submit written testimony in favor of this important legislation. I would like to leave you with this quote from Robert Francis Kennedy: *"Each time a man stands for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends a tiny ripple of hope, and crossing each other from a million different centers of energy and daring, those ripples build a current which can sweep down the mightiest walls of oppression and resistance."*