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TESTIMONY

Judiciary Committee Public Hearing
March 19, 2008

Senate Chairman McDonald
House Chairman Lawlor

H.B. No. 5723 (RAISED) AN ACT CONCERNING DISCRIMINATION

Distinguished Members of the Judiciary Committee:

Good afternoon and thank you for the opportunity to appear before you today in support of the essential civil liberties and individual rights of the citizens of the State of Connecticut.

My name is Rachel Goldberg and I reside in the City of Stamford, Connecticut. I am an attorney employed by the City of Stamford and I maintain a small private law practice. I am also Treasurer of the Gender Public Advocacy Coalition (“GenderPAC”) Board of Directors, the national organization working to ensure that classrooms, communities and workplaces are safe for everyone to learn, grow and succeed – whether or not they meet expectations for masculinity and femininity.

In the words of Martin Luther King: “injustice anywhere is a threat to justice everywhere.” We are here today seeking justice in the form of an amendment to the Connecticut General Statutes which will provide explicit protections for individuals who may be victims of discrimination because of their *gender identity or expression*. We believe that these issues are a part of a larger civil rights struggle for basic fundamental human rights – freedom, human dignity and justice.

I am here today to urge you to support and pass Raised Bill #5723: “An Act Concerning Discrimination.”

Transgender people are everywhere; in corporate boardrooms, in academia, on factory floors, preaching from pulpits, in hospital operating rooms, in court rooms; working as

nurses, doctors, lawyers, managers, artists, research scientists, and politicians. We are in schools, in theater on airplanes and standing next to you in the grocery store checkout line.

Unfortunately, transgender people often face serious discrimination in the workplace, housing and public accommodations. All too frequently, transgender people are fired the moment their employers learn of their background. They are often targeted as they try to find a place to live and are regularly asked to leave restaurants, hotels, stores, medical facilities and educational institutions and are subjected to embarrassment, public humiliation and even physical harm. I believe that this discriminatory conduct is born of homophobia and lack of education and understanding.

As an attorney practicing law in Connecticut I have represented a number of transgender individuals who were threatened with the loss of their jobs because they decided to transition (change their gender identity and/or expression). Prior to the year 2000 every one of those clients lost their jobs.

On January 31, 2000, I filed a petition with the Connecticut Commission on Human Rights and Opportunities asking that they issue a Declaratory Ruling that the statutory prohibitions against discrimination based on sex encompasses discrimination of transgender people. On November 9, 2000, the CHRO passed that Declaratory Ruling.

The Declaratory Ruling has been somewhat successful. Unfortunately there are a number of employers who have disregarded the Declaratory Ruling - arguing that it does not correctly reflect the Connecticut General Statutes. In each of those cases my clients were terminated. By passing HB 5723 you will make the law in Connecticut explicit and uniform.

The corporate world has begun to recognize the value of its transgender employees and customers. Today more than 230 major corporations have added "gender identity and expression" to the internal HR policies, including important Connecticut companies such as Aetna, The Hartford, Pitney Bowes, Xerox, UBS and RBS.

Colleges and universities are beginning to understand the importance of eliminating discriminatory injustice towards their transgender employees and students. Here in Connecticut; Yale, Wesleyan and Connecticut College have added *gender identity and expression* to their policies.

Five years ago I became the first employee of the City of Stamford to publicly transition on the job. In contrast with the experience of the clients I mentioned earlier, my experience has been very positive. Almost without limitation everyone with whom I interact in the performance of my job has been professional, accepting and/or supportive, be they

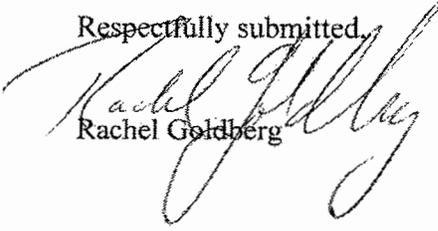
politicians (local, state or federal – from both sides of the aisle); government employees; consultants; contractors; and ordinary citizens.

I hope that with the passage of HB 5723 everyone covered by this law will enjoy a similar experience; that companies who currently question the CHRO Declaratory Ruling will be able to look to and abide by a clear and uniform state law.

Civil rights are positive legal prerogatives; the right to equal treatment before the law. No one should lose their job or be denied a place to live because of their gender identity or expression.

I urge you to pass Raised Bill 5723.

Respectfully submitted,


Rachel Goldberg