

Transgender Equal Rights Coalition Fact Sheet

The Consequences of Not Having Equal Access Protections

The Need For An Act Relative to Equal Access in Hospitals, Public Transportation, Nursing Homes, Supermarkets, Retail Establishments, and all other places open to the public.

Shelter Discrimination

Kayla*, a 20-year-old transgender woman, sought services last year at a homeless shelter outside of Boston, after leaving an unsafe family home and weeks of couch surfing with friends. Unfortunately, one of the most difficult periods in her young life was made even more difficult when shelter staff refused to let her sleep in the women's dormitory.

Instead, Kayla was made to sleep on the floor of a dusty room used to store donated clothes located around the corner from the women's dormitory, where residents had proper beds and air conditioning. For a time she shared the donation room with another transgender woman who occasionally resided at the shelter.

"I felt very disrespected," says Kayla, an aspiring poet and lyricist. She complained to shelter staff regularly about her substandard sleeping arrangement, to no avail. "They just made it seem like, "Oh, we're in charge. You have no say here. Stop undermining us."

As a result, Kayla sought outside legal advice, and at one point the Massachusetts Attorney General's office spoke with the shelter director about Kayla's situation. Things got worse after that; Kayla says she was no longer allowed access to the donations room until 9 p.m. even though the shelter allowed all residents to access the dorms and shelter amenities at 6 p.m.

Fortunately, not long after that, Kayla finally found independent housing in Boston and left the shelter.

**Kayla is a pseudonym, used to protect this woman's privacy.*

Healthcare Discrimination

Like many young people just out of college, Mycroft Masada Holmes was grateful to have landed a job that provided health insurance benefits. Shortly after taking a job at the Arlington Street Church in Boston some years ago, Mycroft chose a primary care doctor near the church who was affiliated with his new health insurance plan and set up an intake appointment with her.

During the appointment, Mycroft came out as transgender while discussing medical needs and history. The doctor became visibly uncomfortable. "She really was not pleased and just more and more seemed to want to end the interview," says Mycroft. The doctor said she would treat Mycroft as she would any female patient, but his needs as a transgender person would have to be addressed by mental health professionals, "because that's a separate thing," Mycroft recalls her saying.

When Mycroft, who had educated previous healthcare providers about being transgender, tried nicely to explain that his transgender identity could not be separated from his medical care, the doctor seemed to become more irritated. "It was like I was doing something that was a problem," Mycroft recalls. Ultimately, the doctor suggested that Mycroft might want to find a different physician.

"It was strange, disturbing and upsetting," Mycroft says of the experience. He decided to find a more supportive doctor at a different healthcare facility.

Dining Establishment Discrimination

A restaurant in Peabody in 2010 denied entry to members of a social group for transgender women and their friends one night; on the grounds some of their driver's licenses did not match their appearance. When they challenged management about being denied entry, they were then told they were being denied entry based on the length of their skirts. These transgender women had previously patronized this establishment five times prior to this incident. (On the last occasion they were inside the restaurant the owner asked the group why they "didn't go into town, where your dress code would be accepted?")

After they were turned away, one of the founders of the social group filed a complaint with the town's licensing board. The licensing board mandated mediation, but the mediation was unsuccessful. Following the unsuccessful mediation, the group's founder filed a complaint with the Massachusetts Commission Against Discrimination.

Ultimately, the local licensing board found that the restaurant had discriminated against the transgender women.

In November of 2011, the parties reached a settlement on the MCAD complaint, the details of which are confidential. However, as a result of the MCAD complaint, the restaurant's owner and its employees participated in sensitivity training around transgender people and transgender issues.