



IT'S TIME, ILLINOIS...

...FOR FREEDOM OF
GENDER EXPRESSION!

Political Action for the Transgender Community

Volume 8 Issue 8

August 2002

Cook County Commissioner Mike Quigley to Introduce Gender Identity Ordinance

Cook County Commissioner Mike Quigley announced that he will soon be introducing an amendment to the Cook County Human Rights Ordinance. Commissioner Quigley made the announcement July 16th at a Chicago NOW event held at Ann Sather's. The event was a forum concerning the new Cook County Board and why women should care. Commissioner Quigley was joined by Forrest Claypool and Larry Suffredin candidates for the Cook County Board who had won their primary races for seats on the board. Both of the candidates stated their support for the amendment if it didn't pass before they are elected to the Cook County Board.

Responding to a question from It's Time, Illinois, Commissioner Quigley reiterated his support of a gender identity amendment stating that he will be introducing one this fall regardless of the status of the Chicago amendment. Commissioner Quigley stated that if the amendment did not pass he would reintroduce the amendment after the new board takes office in December giving it "2 chances".

The Amendment will probably be introduced at the September Cook County Board Meeting.

**The Next Meeting of
It's Time, Illinois
Will Take Place at 7:30 p.m. on
Thursday, August 1, 2002
at Transformations
146 N Oak Park Avenue
in Oak Park**

**It's Time TV
Friday, August 2nd
6:30 p.m.
Chicago Cable Channel 21**

Miranda Writes

By Miranda Stevens-Miller

I've been having a difficult time writing lately. It's not that I don't have anything to say... that will never happen. The problem is that I just can't stop thinking about the difficulties we are having in passing the Chicago Gender Identity Amendment. It pervades my thoughts, and it colors everything I do. So I haven't written lately because I just don't want to start sounding like a broken record.

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It's All About Me... NOT!

By Lisa Scheps

Ok, Kids, I have some disappointing news for you. I'm afraid there will be no column from me this month... No....No... No, I'm sorry, No! Now stop crying, I'll be back next month... I will... I promise... No, I do. I promise.

Right now, I'm in Prague. I have just completed my 540 mile bike ride from Amsterdam to Paris in order to raise money to help discover a vaccine for AIDS. I am resting and relaxing in Eastern Europe. (If truth were to be known, there is no such thing as relaxing when you are in a city that has soooooo much to see).



Here's a picture of me on Day 2 in freezing rain and wind... Doesn't this look like fun?

I'll see y'all in next month's newsletter. After all, It's all about me.... NOT!

WHATEVER

By Beth Plotner

Over the last few years our community meaning the T community, has come a long way towards making LGBT really T inclusive.

Many have worked long and hard to almost literally kick down some doors. But now that we're allowed into the club, it seems hardly anyone wants to go. I bring up this point because over the last couple of weeks I have been to several GLBT events and the number of Ts I've seen at not just any but all of these events I could count on one hand.

I've written on this subject before. All the communities need to support each other! The G has to support the L, which has to support the B, which has to support the T in all the various combinations. But lately I've seen almost no support from the T community to the GLB community. I realize that no one can make every event there is out there. I miss quite a few myself. But there are so many events for good organizations, organizations that support and include us we as a community should show more support, and I'm not just talking about the usual suspects.

The excuse I've heard most often is I can't afford the event. Well that's a valid reason for some. There are some fairly expensive events out there. Some are very reasonably priced. Yet, I still hear that excuse when the

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World Wide Web Address:

<http://ItsTimeIL.org>

It's Time, America!

<http://gender.org/ita>

event is free! Some of the people I've asked or invited to certain events and immediately they say they can't afford it. I inform them it's free and they still can't make it. What part of free is confusing?

There is no reason why we have to be so invisible. There are plenty of events we can go to and are welcome. So let's show our support for the LGB part of LBGT. We've gotten a lot of support from them and to really be part of the community it has to be a 2 way street.

PRIDE PARADE

It's Time, Illinois once again made it's presence known at the annual Chicago Pride Parade. A number of members and supporters marched the route with a 20 foot wide banner urging support for passage of the amendment to include gender identity to the City's Human Rights Ordinance.

Following the banner was a truck plastered with signs urging passage. However, this was not the only place in the parade these signs were visible..

Arriving at the parade line up area early, It's Time Chair Beth Plotner and Political Director Miranda Stevens-Miller went up and down the line up passing out the signs and stickers urging support for the amendment. The signs and stickers were displayed by many of the parade participants ranging from the politicians to LBGT organizations to straight allies.

The banner and stickers marked a departure for It's Time from the last few parades. Due to a new city ordinance that prohibits throwing things from a parade there were no colored mini Frisbees being flung along the parade route.

The day before the pride parade the banner was carried at the Dyke March. Many of the participants at the Dyke March proudly sported the stickers as well.

Chair, Beth Plotner said "these 2 parades gave us amazing visibility in the LBGT Community as well as the public in general. Who can miss a 20 foot wide banner? Hundreds of thousands of people got to see our message. It really turned out to be a great opportunity in getting our message out."

IT'S TIME CO-SPONSORS FILM

It's Time, Illinois will co-sponsor the film "Whether You Like It or Not: The Story of Hedwig".

The film is part of the Chicago Gay and Lesbian Film Festival. Hedwig was shown on Saturday, July 27th at Chicago Filmmakers.

The Film Festival runs from July 25 through August 8th. For more information on the festival visit their website at www.chicagofilmmakers.org or call the festival hotline at 312-458-9117.

ILLINOIS STATE BAR ASSOCIATION CREATES COMMITTEE ON SEXUAL ORIENTATION AND GENDER IDENTITY

The Illinois State Bar Association has created a committee on Sexual Orientation and Gender Identity ("SOGI"). The committee was a result of the ground work done by Chicago attorney James Schwartz who is the current chair of the committee.

SOGI was first formed as a special committee of the statewide bar association last fall. After establishing a need for such a committee a mission and scope statement were presented to the ISBA's Board of Governors to make the committee a permanent standing committee. Currently, the Illinois State Bar Association has approximately 20 other standing committees dealing with a wide range issues concerning the legal profession. The members of most committees are appointed by the President of the ISBA.

SOGI's membership includes not only GLBT lawyers but straight lawyers as well. While most of the committee is from the Chicago area it is well represented from downstate as well. It's Time, Chair Beth Plotner was appointed as a member of both the standing committee and the special committee. SOGI will aim to educate the attorneys and the judiciary about legal issues related to sexual orientation and gender identity in addition to showing LBGT attorney's that they are included in the ISBA.

Miranda Writes

(Continued from Page One)

I had an interesting experience last week with our first monthly television show, "It's Time TV," on Chicago Access Network Television. It's Time, Illinois is part of a consortium of LGBT organizations, including CABN, PFLAG and the Rogers Park Gay and Lesbian Association, that shares a call-in talk show. We rotate weeks, so each of us is on once every four weeks. The show airs on Channel 21 in Chicago every Friday at 6:30 p.m.

Beth Plotner and I co-hosted the first of our series last week. We planned to spend the time discussing the origins of transgender political activism in Illinois, and we started out the show by discussing the history of It's Time, Illinois, and the discrimination documentation project. After about 30 seconds on the air, the phones started ringing off the hook. (I did mention that it is a call-in show that encourages viewer participation, didn't I?)

"Wow! Great!" I thought, "The viewers are really interested in human rights. They probably want to express concern about the epidemic of employment discrimination against transgenders. They probably want to comment on the brutal hate crimes that have left hundreds of transgender people dead over the past decade. They probably want to talk about the need to protect the civil rights of transgender people in Chicago."

Boy... Was I ever wrong! "Why would you want to change sex?" "Don't you believe in God." "I thought you were women. You really fooled me." "Don't you ever regret what you did?" "What's it feel like to be..." The last question we caught in time before the sexual innuendo was broadcast over the airwaves. There is a little red button that we can push in case the question is off the subject, or way, way off base.

After a while, Beth and I just relaxed and started answering the personal questions that the viewers were calling in to the station. After all, these were things that they really wanted to know about. They didn't care about human rights issues, they didn't care about the

Gender Identity Amendments and they didn't care about hate crimes. What they cared about was that for the first time in their lives, they had two GENUINE TRANSSEXUALS to interact with, talk to, and ask personal embarrassing questions in a totally anonymous way.

This was not necessarily a bad thing. We just had to adjust our expectations. Here we were expecting to carry out an intelligent discussion about human rights issues with reasonable, educated adult-type people... and what we found was that Archie Bunker is alive and well and living in Chicago. We found a world full of people who are not ill intentioned, but are naïve and for the most part innocent. They had just never been exposed to a real transgender person. They never thought about gender, or identities, or trans-anything.

Oh sure they'd seen the Jerry Springer show, they'd seen the caricature of transgenders that are portrayed in the media... but they never saw the likes of us. "But we thought that all transsexuals looked like, you know, looked like MEN IN DRESSES. You look so normal." Surprise! Kind of makes you reevaluate your definition of normal, doesn't it?

For those of you who live in Chicago and have cable, It's Time, Illinois has become part of CANTV (Chicago Access Network TV) Lesbian, Gay, Bisexual and Transgender consortium. Every 4th Friday from 6:30 to 6:55 in the evening, we will be on the air live with a call in show. The other organizations in the lineup are the Chicago Anti Bashing Network. PFLAG and Rodgers Park

I have to tell you, I am actually thrilled that we are able to reach this type of audience. If there is ever an opportunity to normalize the situation, to put a human face on the transgender community, to debunk stereotypes, this is it. We can talk about specific issues, we can bring in guests to interview, and we can promote our causes. But for the time being, I am just glad to be able to talk to the people of Chicago about

who we really are, and to give them the chance to interact with us.

But this brings us back to the Gender Identity Amendment. (I did tell you that I couldn't think about anything else these days, didn't I?) If our television viewing audience is at all representative of the general population of Chicago, it is no wonder that the aldermen, their representatives in City Council, are having a difficult time relating to the Gender Identity Amendment. Why should we expect the aldermen to

know any more about transgender people than the average man on the street? Why should we expect them to know that there are thousands of us in Chicago, or that we live all over the city? Why should we expect them to know that we live and work right in their own Wards, and shop in their stores, and drive down their streets?

Many of the aldermen don't even know that we exist. And it will stay that way until you decide to do something about it. Please, please, speak to your alderman about the Gender Identity Amendment. Let them see the beautiful and intelligent faces of proud transgender men and women. Let them see the love and support of friends and family. Let them see a united LGBT community calling for them to take action on the Gender Identity Amendment.

Miranda Stevens-Miller is Political Director of It's Time, Illinois. She welcomes your comments at MirandaSt1@aol.com, and invites you to visit the It's Time website at www.itstimeil.org

Feedback . . .

Problems? Questions? Disagreements? Want to submit an article? Please write to us. We love to get mail.

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NJ Enacts Anti-Bully Law

by Beth Shapiro Gay.com

(July 3, Trenton, NJ) New Jersey Governor Jim McGreevey Wednesday signed into law a bill requiring every school district in the state to adopt and implement an anti-harassment and bullying policy, including harassment based on sexual orientation, and gender identity or expression.

It is one of the strongest anti-bully laws in the US and immediately drew praise from New Jersey activists and from the National Gay and Lesbian Task Force.

"This legislation is a critical stride forward for gay, lesbian, bisexual and transgender people," said Lorri L. Jean, executive director of the National Gay and Lesbian Task Force.

"The unanimous passage of a transgender inclusive bill through two state legislative chambers is an overwhelming victory. That not one member voted against this bill is a testament to the fact that trans-inclusive grassroots organizing is an increasingly effective and successful strategy."

The New Jersey safe schools bill did not originally include gender identity or expression, but a coalition of state activists worked together to add this language to the bill while it was considered in committee. Staff of the NGLTF Transgender Civil Rights Project helped draft language for inclusion in the bill, and in addition testified in support of the bill in New Jersey before both the Senate and Assembly Education Committees.

New Jersey law already prohibits discrimination based on sexual orientation in the education system. Recent New Jersey case law indicates that its sex discrimination provision should be interpreted to prohibit discrimination against transgender students as well.

Currently, two other states have either safe schools or educational anti-discrimination legislation that includes explicit transgender protection (California and Minnesota respectively). In all, seven states prohibit discrimination in education based on sexual orientation

Discrimination against Normal (IL) transsexual not based on orientation

*By Mary Ann Ford
ThePantagraph, Bloomington-Normal, Illinois*

NORMAL, July 13, 2002 ---- A discrimination case against a Normal apartment complex could go to a hearing, but not on allegations based on sexual orientation. Human Relations Chairman Bob Hathway ruled Friday that Kellyann Mullen's allegations of discrimination -- because of her sex and sexual orientation -- are not covered by the town's protected category because Mullen is a transsexual.

"Courts, the EEOC and human rights commissions, in interpreting laws regarding sex discrimination have determined the sex discrimination does not include discrimination against transsexuality," the ruling said.

The Chicago Human Relations Commission ruled in a similar case that its ordinance does not cover transsexualism.

"Sexual orientation pertains to the sex of an individual and of those to whom he or she is attracted. A transsexual, however, concerns a person's feelings about his or her own sex and is not related to the sex of the person to whom he or she is attracted. A transsexual may be straight, gay or bisexual," the Chicago commission stated.

Normal used the Chicago commission's definition of sexual orientation when sexual orientation was added as a protected class under the human rights ordinance in October.

Mullen was the first to file a discrimination complaint under that class. She alleged in February that Briarwood II Apartments, 400 Northfield Drive, discriminated against her in three areas -- sex, sexual orientation and disability -- when it refused to renew her lease.

Mullen cited a letter from the apartment complex, saying, "You have special needs that we cannot accommodate."

"As a transgendered individual, I feel that this is an act of discrimination against me, both in relation to my gender, as a result of my disability." Mullen said. She has post-traumatic stress disorder but did not specify whether that was the disability.

The commission agreed to hear the case after the two parties failed to reach a settlement. The hearing is set for July 29.

Briarwood II maintained Mullen did not have sufficient information to show a violation and asked that the complaint be dismissed.

Hathway dismissed the allegations on the basis of sex and sexual orientation, but ruled the case could proceed on allegations of disability discrimination. A hearing would determine if Mullen has a disability that is protected and if the complex discriminated based on that disability.

George Wood, the attorney representing Briarwood, maintained officials at the complex did not even know of disability and that the comment about "special needs" was unrelated.

Mullen, who did not appear at Thursday's hearing, has until Wednesday to tell town officials that she wants to continue with a hearing. Otherwise the town will recommend be it dismissed.

Jennifer Hanna of Normal's Human Resources Department said Mullen has not contacted the town since before she moved out of Briarwood when her lease expired May 31.

First TG case under 1964 Civil Rights Act is settled

by Eric Resnick

Cleveland--A transgender woman called "Mrs. Doubtfire" by co-workers has settled an employment discrimination case against United Consumer Financial Services of Westlake to her satisfaction and strengthened TG worker rights in the process.

The case was the first to hold that the 1964 Civil Rights Act covers sexual stereotype non-conformity. After mediation, it was resolved to the mutual satisfaction of both parties on June 28, said attorney Randi Barnabee of Macedonia, who represented the 60-year-old Cleveland woman.

UCFS finances consumer purchases of Kirby sweepers and World Book encyclopedias.

Because the initial complaint alleged that UCFS violated the woman's right to privacy, her identity has not been made public and the amount of the settlement is also confidential.

Prior to filing the federal civil rights suit, the woman turned down UCFS's offer to settle for \$1,500.

Barnabee told the Gay People's Chronicle in May 2001 that she felt the case had merit and would not allow her client to settle for less than a substantial amount.

UCFS fired the woman July 11, 2000 after she had worked ten days as a temporary worker through Reserves Network. The case was filed in the United States District Court of Northern Ohio in January 2001.

Notes kept by the temporary agency were used to document the woman's satisfactory job performance and the unusually thorough background check conducted by UCFS. The notes also record UCFS personnel officer Debbie Woodworth asking a Reserves Network representative if she "noticed anything peculiar about [the employee]."

Woodworth then told the representative, "Employees here have named her Mrs. Doubtfire . . . but they don't say it to her face."

Woodworth was also present at a July 10, 2000 meeting with collections manager Brian Davis and UCFS vice president William Ciszozon.

At that meeting, Ciszozon asked the woman if she was a man dressed as a woman, and what her gender was because, "by looking at [her], [Ciszozon] can't tell." Ciszozon also wanted to know if she had an operation.

When the woman protested the line of questioning, she was told that another employee had complained that "a man dressed as a woman was using the ladies restroom."

UCFS notified Reserves of the woman's termination the following day.

UCFS was represented by attorney Lee Hutton of Duvin, Cahn, and Hutton of Cleveland, who asserted during initial mediation that the woman was unable to perform the essential functions of the job.

Hutton filed a motion to dismiss the case, claiming that Title VII of the 1964 Civil Rights Act cannot protect transsexuals. He said a court ruled in a 1984 case, *Ulane v. Eastern Airlines*, that Congress had a narrow definition of "sex" in mind, excluding transsexuals, when the act was passed.

However, Judge Kathleen McDonald O'Malley rejected Hutton's motion, finding that the 1989 U.S. Supreme Court decision *Price Waterhouse v. Hopkins* says a person cannot be discriminated against for not conforming to the gender stereotype behavior expected by another person or social norms.

This was the first time a court allowed a transgender person to sue an employer for discrimination on the basis of sexual stereotype non-conformity, according to Barnabee, who is transgender herself.

According to Barnabee, this case, "opens the door a little bit" to protect transgender workers, who otherwise have no discrimination protection.

Barnabee has submitted O'Malley's opinion to be published in the Federal Supplement, a collection of opinions used as guidance by federal courts.

Barnabee believes facts of the case had merit, too, but said that had a jury found in UCFS's favor, it could have weakened the persuasive value of O'Malley's opinion on future cases.

Barnabee stressed that the major success of this case was O'Malley's opinion replacing the old *Ulane* decision and allowing Title VII to protect transgender people.

"It's helpful, too," said Barnabee, "that [O'Malley's court] is part of the Sixth Circuit, which is notoriously conservative."

Thanks to Our Contributors

Thanks to the following individuals who have contributed articles to this month's newsletter:

Beth Plotner	Miranda Stevens-Miller
Lisa Scheps	Windy City Times
Gay.com	The Pantagraph

Gay People's Chronicle

Application for New or Renewal Membership

YES, I would like to join or renew my membership in It's Time, Illinois!

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Name to Be Used on Mailing Label (if different from above) _____

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How would you like to be involved with It's Time Illinois? (Please check all that apply.)

Keep informed by newsletters

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Participate in actions

Join a working group or committee

Liaison with other human rights groups. Please specify _____

Do you have any special skills that could help us out? (legal / legislative, artistic / design, technical / computer) Please specify: _____

Have you ever been a victim of a hate crime or discriminated against because of your gender identity, expression, or image? Yes No

If yes, may we document your case for our report? Yes No

Please mail, along with your check or money order, to:

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