



A Resolution Directing The City Manager To Adopt A Policy Of Non-Discrimination Regarding Transgender Municipal Employees And Supporting Statewide Anti-Discrimination Protections For Transgender Individuals

FREQUENTLY ASKED QUESTIONS

What does this resolution do?

The proposed resolution would require the City of Portsmouth's City Manager to adopt a policy of non-discrimination that explicitly forbids discrimination based on an individual's gender identity and expression. The City Manager would then communicate this policy to all city employees so that there is a consistent approach to all municipal employment decisions. The resolution would further communicate the City of Portsmouth's support for statewide anti-discrimination protections for transgender people in the areas of employment, housing, and public accommodations.

What is gender identity or expression?

"Gender identity or expression" is a gender-related identity, appearance, expression, or behavior of an individual, regardless of the individual's assigned sex at birth. For transgender individuals, their gender identity may not match their assigned birth sex, in which case they may take steps to transition their gender in order to live their lives consistent with their gender identity. This concept is different from sexual orientation, which refers to the romantic, emotional, and physical attraction a person has to either the same or different gender.

Why is this resolution necessary?

Transgender employees provide valuable contributions to their employers when they are able to work free of discrimination or harassment. This resolution will ensure that municipal employees are treated fairly and all employment decisions are made based on performance.

A [national survey conducted by the National Gay & Lesbian Task Force in 2011](#) found that transgender people face a host of challenges simply because of who they are, including:

- **Double the rate of unemployment:** Survey respondents experienced unemployment at twice the rate of the population as a whole.
- **Near universal harassment on the job:** Ninety percent (90%) of those surveyed reported experiencing harassment or mistreatment on the job.
- **Significant career interruption:** Forty-seven percent (47%) had experienced an adverse job outcome, such as being fired, not hired or denied a promotion.
- **High rates of poverty:** Fifteen percent (15%) of transgender people in the sample lived on \$10,000 per year or less—four times the rate of the general population.

While many forms of employment discrimination are explicitly prohibited by the state's nondiscrimination statutes, transgender people are not explicitly protected under state and federal employment discrimination laws. This resolution protects all people who are current or potential municipal employees in Portsmouth from being fired, denied a job or promotion, and harassed while at work solely on account of their gender identity or expression.

Would Portsmouth be the first place to explicitly protect people from discrimination on the basis of gender identity or expression?

No. Passing this resolution would put Portsmouth in the company of 17 states (California, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Illinois, Iowa, Massachusetts, Maine, Minnesota, New Jersey, New Mexico, Nevada, Oregon, Rhode Island, Vermont and Washington), the District of Columbia, and almost 200 municipalities that already have nondiscrimination laws or policies that protect transgender people.

Why is it important that Portsmouth adopt this resolution?

Explicit protections for transgender people in Portsmouth send a strong message that discrimination against transgender people is wrong and unjust. Passing this resolution will demonstrate to the New Hampshire Legislature that protections for transgender people are necessary, easy to implement, and beneficial to the entire state. This resolution would continue Portsmouth's long tradition of being a welcoming and accepting city that supports all of its citizens to live their lives free of discrimination and harassment.

Won't this hurt businesses?

Companies and municipalities that include gender identity and expression in their nondiscrimination policies attract and retain creative, educated workers who want a work environment that honors individual dignity and inclusivity. Major New Hampshire institutions like UNH and Dartmouth University are already seeing the benefits of having an inclusive nondiscrimination policy that protects transgender employees and job seekers.

About TransGender New Hampshire

TransGender New Hampshire (TG-NH) is an organization created to promote transgender visibility, education, support and civil rights in the state of New Hampshire. TG-NH provides resources, community building, educational programs and advocacy to assist transgender NH residents, as well as significant others, friends, families, allies and helping professionals. TG-NH's primary goal is to foster acceptance for trans-identified people and to help celebrate the diversity of all gender expressions.

About GLAD

Through strategic litigation, public policy advocacy, and education, Gay & Lesbian Advocates & Defenders works in New England and nationally to create a just society free of discrimination based on gender identity and expression, HIV status, and sexual orientation.