

The Rainbow Chamber of Commerce of Silicon Valley Condemns DOJ's New Transgender Discrimination Policy

San Jose, CA: Yesterday, Attorney General Jeff Sessions announced that the Department of Justice would no longer defend the rights of transgender Americans under Title VII of the Civil Rights Act of 1964. This unconscionable reversal is just the latest example of this administration's open hostility toward the LGBT community. We condemn this unwarranted attack on our transgender community, and we call upon all members of our LGBT and local community to stand up for the rights of transgender Americans.

The Civil Rights Act of 1964 prohibits discrimination "on the basis of a person's sex." It has long been recognized that this includes discrimination based on gender norms and gender stereotypes. In the past 20 years, *every* U.S. Appeals Court to address the issue, along with more than a dozen U.S. trial courts, has found that discrimination against transgender individuals falls within this prohibition, and in 2012 the U.S. Equal Employment Opportunity Commission recognized this consensus in the landmark decision of *Macy v. Holder*. The DOJ's decision to reject this consensus means that it will stand alone on the wrong side of the law and the wrong side of history.

The DOJ's decision isn't just bad law, however, it is also bad policy. Transgender Americans face shocking and outrageous levels of discrimination in the workplace. According to the National Transgender Discrimination Survey, 97% of transgender workers has faced on the job harassment, while 47% have been fired, denied a promotion, or simply not been hired because of their gender identity or expression. As a result of this alarmingly high level of discrimination, transgender Americans are twice as likely to be unemployed, homeless, and/or live in poverty.

These statistics illustrate why it is so deplorable that the Department of Justice has chosen to target these especially vulnerable members of our community for second-class treatment. We condemn, in no uncertain terms, the decision of Attorney General Jeff Sessions to turn a blind eye to this discrimination against our fellow Americans.

As the representatives of more than one hundred LGBT and ally owned business in Silicon Valley, the Rainbow Chamber of Commerce of Silicon Valley rejects discrimination of any kind against the members of our local business community. As business owners and employers we recognize our unique and important responsibility to welcome the transgender members of our community with open arms and to create workplaces where they can not only be safe but thrive. This not only benefits our businesses and our employees, but also our local and national economies.

We call upon all members of our local business community and other Chambers of Commerce to welcome transgender Americans into your businesses, to create a safe environment for them to work, and to reject those who would perpetrate or tolerate discrimination against them.

We call upon our local communities and local governments to ensure that protections are in place to protect our transgender community in both public and private accommodations. And we call upon our state leaders to be partners in this effort to create a safer and more just California.

And finally, we call upon the Department of Justice to end this unconscionable attack on the rights of our fellow citizens immediately.

Established in 1999, the Rainbow Chamber of Commerce Silicon Valley represents over 100 LGBT and ally owned businesses, business owners, and professionals in the great San Jose-Silicon Valley area. Our mission is to create a vibrant LGBT supportive business community through development, education, and advocacy.

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