

Steps Transgender Workers Can Take If They Are Experiencing Discrimination in the Workplace

Transgender people often are the victims of workplace discrimination. If you're currently experiencing discrimination at work and it's bad enough that you're considering leaving your job you should know that you don't have to leave your job. You also don't have to dread going to work. The Supreme Court decided that transgender people and all LGBTQ+ people are covered by [Title VII of the Civil Rights Act](#) just like other workers. That means that employers can't discriminate against you because of your status as a transgender person.

If you're a victim of workplace discrimination because you are trans you can file a complaint with the [Equal Employment Opportunity Commission](#). The EEOC has jurisdiction all over the country, in all states, so it doesn't matter where you live you are protected. The EEOC also reports complaints to the state labor authorities in 44 states. If you live in one of those states and file a complaint a copy of it will be sent to the state authorities. They will investigate whether or not your employer is violating state discrimination laws.

Examples Of Workplace Discrimination

Common types of discrimination against transgender people are:

Not Getting Raises Or Promotions

If you have been denied regular raises or chances to promote and you suspect it's because you are trans that's discrimination. You will need to show that you were denied a raise or promotion because of your status as a transgender person but your employer can be forced to give you a raise or a promotion.

Targeted Bullying or Harassment

You are not alone if you have been bullied or harassed at work. Thousands of LGBTQ+ people are bullied, made fun of, harassed, and abused by coworkers or bosses. It's always discrimination for people to bully or harass you.

Using Your Dead Name

If you change your name to a name that you choose and you let your coworkers or bosses know that you should be addressed by your new name, and they refuse to stop using your dead name that's discrimination. It's also discrimination if they refuse to use the pronouns that you've asked them to use.

Filing A Workplace Discrimination Claim

If you're being [discriminated at work because you are transgender](#), you have the right to file an EEOC complaint. But first you should be sure that your employer is aware of what you're going through. If the discrimination is coming from your coworkers your boss or your boss's boss may not be aware of what you're going through.

Gather up as much [evidence of the transgender discrimination](#) as you can get. Write down detailed summaries of every incident that you've experienced. Gather a paper trail if you can by printing out messages, taking screen shots of messages or chats, or keeping copies of your schedules that show your hours being cut. Take all of the evidence that you gather to your boss or to the HR department. Tell them what is happening and show them the evidence.

If they tell you that you're imagining things or that you're overreacting or in any way indicate they won't help you then go to the EEOC's website and file a formal complaint against your employer.

You also have the option to file a claim on the state level as well. In South Dakota, to file a workplace discrimination complaint, you need to file with [The Human Rights Commission](#), under the Division of Human Rights. They will investigate your claim. When you file a claim on the state level, it will be dual filed and processed with the EEOC and vice versa, so you don't have to send same complaint twice on the state and federal level.

Remedies For Harassment and Discrimination

If the EEOC finds that your complaint is valid, and your employer is discriminating against you they could make your employer give you a raise or promotion if you were denied one. You also could be awarded a lump sum of money for pain and suffering if you were bullied or harassed.

Resources Found Via:

- <https://www.eeoc.gov/statutes/title-vii-civil-rights-act-1964>
- <https://www.eeoc.gov/>
- <https://www.employmentlawhelp.org/discrimination/discriminated-at-work-transgender>
- <https://employmentlawhelp.org/discrimination/prove-transgender-discrimination>
- https://dlr.sd.gov/human_rights/commission.aspx