



LGBT Employees and their Families

**What Every Manager
Should Know**

Written by

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About the Author

Tim Cordes is an attorney in private practice in Southfield Michigan. As a straight ally, Tim seeks to be an advocate for the LGBT community on the issues of marriage equality and discrimination. He lives with his wife Dana in Bloomfield Township, Michigan.



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About the Author (cont'd)

- Founding member and current Secretary/Treasurer of the LGBTQA Law Section of the State Bar of Michigan
- Member of the Stonewall Bar Association of Michigan since 2008, and served as President of the group from 2011 through 2014.

Objectives

- Understand the history and challenges faced by members of the LGBT community
- Increase awareness of unresolved legal issues faced by LGBT families
- Identify emerging legal issues in the workplace

History of LGBT rights

- Oscar Wilde
- Alan Turing
- Stonewall Riots
- Gay Pride Parades
- Same-sex marriage

Marriage and Children

- Marriage After Obergefell v. Hodges
- Adoption Issues
- Assisted Reproductive Technology (ART)
- Surrogate parent
- Presumption of Legitimacy

Hate Crimes

- Matthew Shepard
- Federal Laws
- 2014 Philadelphia gay bashing incident
- Christin Howard Detroit gay pride beating
- State Laws

Discrimination Issues

- Title VII – 1964 Federal Civil Rights Act
 - David Zarda skydiving case
- Elliot Larson Civil Rights Act
- Michigan anti-discrimination ordinances
 - 30 Michigan cities and three Michigan counties have enacted local ordinances

Discrimination (cont'd)

- EEOC Protection
 - Failing to hire an applicant because she is a transgender woman.
 - Firing an employee because he is planning or has made a gender transition.
 - Denying an employee equal access to a common restroom corresponding to the employee's gender identity.

Discrimination (cont'd)

- Failing to use the right name or gender pronoun for an employee because of a gender transition
- Denying an employee a promotion because he is gay or straight.
- Denying spousal health insurance benefits to a female employee because her legal spouse is a woman

Religious Freedom

- Religious Freedom Restoration Act of 1993 (RFRA)
- Masterpiece Cake Shop v. Colorado Civil Rights Commission
- Burwell v. Hobby Lobby
- Indiana and other state laws

Transgender Issues

- Language and terminology
 - Cisgender and Transgender
 - Gender dysphoria, or gender identity disorder (GID)
 - Intersex
 - Genderqueer (GQ), also termed non-binary (NB)

Transgender Issues (cont'd)

- Transition and medical issues
 - Often takes more than a year to complete
 - May or may not include surgery
 - Medical costs can be very high
- Bathrooms and prisons
 - Public vs. private accommodations
 - Trans men and women in prison populations

Resources

- Equality Michigan (equalitymi.org)
- Transgender Michigan (transgendermichigan.org)
- ACLU (aclu.org)
- Human Rights Campaign (hrc.org)
- GLAAD (glaad.org)

Thank You!

Please share your thoughts and
comments:

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