



NEW YORK STATE SENATOR

Thomas K. Duane

Senator Duane Speaks at Governor Paterson's Signing of Gender Identity and Expression Executive Order

THOMAS K. DUANE December 16, 2009

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GOVERNOR PATERSON SIGNS GENDER IDENTITY AND EXPRESSION EXECUTIVE ORDER

Executive Order Will Protect State Workers from Discrimination Based on Gender Identity

Governor David A. Paterson today signed Executive Order No. 33 that will prohibit New York State agencies from discriminating against any individual on the basis of gender identity and expression in any matter pertaining to employment by the State. Executive Order No. 33 directs the Office of Employee Relations, in consultation with the Executive Director of the Division of Human Rights, to develop and implement clear and consistent guidelines prohibiting gender identity and expression discrimination from all State agencies.

“For generations, New York has been a national leader on civil rights, yet the State has lagged far behind in securing basic civil rights for transgender New Yorkers. I am proud to sign this important measure to not only bring workforce protection to the transgender community under the law, but to bring greater equality and civil rights to the State of New York,” Governor Paterson said. “From now on, transgender New Yorkers will be protected from discrimination because of who they are.”

Currently, 13 states and over 90 municipalities and counties – including the City of New York – prohibit discrimination on the basis of gender identity and expression by statute, and numerous others have imposed such a ban through executive action or policy.

In addition, there is no evidence that any such statute or policy has undermined in any way the functioning of a workplace, and to the contrary anti-discrimination practices are important tools to attract and retain competent and effective employees.

As a longtime civil rights activist, Governor Paterson has supported the LGBT community throughout his public service career, in addition to his support of marriage equality. Shortly after taking office in 2008, the Governor issued a memorandum directing State agencies to afford recognition to same-sex couples legally married outside of New York to the full extent permitted by law. In 2007, he walked the floor of the New York State Assembly in support of the marriage equality bill.

For a copy of Executive Order No. 33, please visit <http://www.ny.gov/governor/>.

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The following quotes are in support of Executive Order No. 33:

Senate Majority Conference Leader John L. Sampson said: “For too long, transgender New Yorkers have been denied the basic rights and legal protections others enjoy. Today, New York joins a proud chorus of states, cities and counties across the country who are standing up for the transgender community by prohibiting baseless and inexcusable discrimination. I applaud Governor Paterson for his leadership on this issue and commitment to the civil rights and equal rights movement.”

Assembly Speaker Sheldon Silver said: “By signing an executive order today banning discrimination by state agencies based on gender identity, Governor Paterson has made it unmistakably clear that

New York has zero tolerance for discrimination. He has joined with the Assembly Majority, which has consistently supported equal rights, equal benefits and privileges, and equal protection under the law for all New Yorkers including members of the LGBT community. We hope this important step will help transgender New Yorkers to live their lives openly and without fear.”

Senator Thomas K. Duane said: “Governor Paterson deserves great credit for once again demonstrating his commitment to the entire LGBT community. He has carried the cause of transgender rights very far on his own today by prohibiting discrimination on the basis of gender identity or expression for employees of New York State agencies. Now, we must redouble our efforts to pass The Gender Expression Non-Discrimination Act (GENDA), which would ban discrimination against transgender and gender non-conforming people across New York State in housing, employment, credit, public accommodations, and other areas of everyday life. I have been pushing for this measure since 2002 when then-Senate Minority Leader Paterson and I fought for its inclusion in The Sexual Orientation Non-Discrimination Act (SONDA) and we will not stop working until equal protection under the law is a reality for all New Yorkers.”

Assemblyman Richard N. Gottfried said: “Governor Paterson knows that working for the people means all the people, including transgender New Yorkers. His executive order will protect State government employees against discrimination in their workplace and help lead the way for enacting GENDA – the Gender Expression Non-Discrimination Act – which would extend New York’s anti-discrimination laws to protect transgender people.”

Assemblywoman Deborah Glick said: “I congratulate and thank Governor Paterson for signing this executive order to end discrimination on the basis of gender identity and expression. The modern gay

rights movement began with the Stonewall Riots in 1969, and members of the transgender community played a key role in that rebellion. While we have gone on to see many anti-discrimination laws enacted, the transgender community continues to face more discrimination and the most severe hate violence. This is a significant signal that New York State will not tolerate bias.”

Assemblyman Matthew Titone said: “Governor Paterson truly takes to heart that all people are created equal, and he has used the power of his office to ensure equal rights for all New Yorkers, including people of transgendered experience. We could all learn from the Governor’s example.”

Assemblyman Micah Z. Kellner said: “Discrimination against the transgender community – and against people that may not identify as such, but don’t look the way people expect them to – is unacceptable, but all too common. In this difficult economy, workers have enough problems without having to worry that they could lose their job due to bigotry without legal recourse. I am proud to stand next to Governor Paterson today and be part of this important announcement that protects our State employees. Soon, I hope the Gender Expression Non-Discrimination Act (GENDA) will pass both houses of the legislature, so that all New Yorkers may enjoy these protections.”

Assemblyman Daniel O'Donnell said: “I applaud Governor Paterson for taking bold action to ensure that transgender individuals have additional protection against discrimination. No person should be denied employment or harassed on the job because of gender identity. This policy will benefit not only the transgender community, but all of New York State.”

New York City Council Speaker Christine C. Quinn said: “Today, Governor Paterson took an important step in extending crucial employment protections to Transgender New Yorkers. This important Executive Order will bring workforce protection to the transgender community at all state agencies. I applaud the Governor for rightfully recognizing that government must use all the tools at its disposal to ensure our citizens are protected with full civil rights, be it by statute, executive order or policy. In 2002, NYC passed the Transgender Civil Rights bill, which outlaws discrimination in NYC based on gender identity and expression in all public accommodations. We call on the NY State Senate to act now and pass the Gender Employment Non-Discrimination Act (GENDA), as a first step towards full civil rights protections for Transgender New Yorkers.”

Michael Silverman, Executive Director of TLDEF, said: “Like everyone else, transgender employees deserve to be judged on their ability to do the job, and not on who they are. This executive order will ensure that hard-working transgender employees of New York State can work without fear of discrimination, and provide for themselves and their families. We applaud Governor Paterson for taking this important step for transgender equal rights, and for recognizing that transgender New Yorkers should have the chance to earn a living and provide for their families without being refused a job or fired for reasons that have nothing to do with their ability to do the job.”

Alan Van Capelle, Executive Director of the Empire State Pride Agenda, said: “Now transgender New Yorkers who work for the State will no longer have to worry about on-the-job discrimination simply because of who they are. This is a big step forward for the basic civil rights of transgender New Yorkers and we are extremely grateful for Governor Paterson’s leadership on this issue.”

Melissa Sklarz, Director of the New York Trans Rights Organization (NYTRO), said: “Being transgender can be hard and the journey difficult. But stability can be achieved with a roof over one’s head and a job to maintain it. The transgender community of New York thanks Governor Paterson for his leadership in recognizing that all New Yorkers need a stable workplace to create stable lives. Perhaps the legislature can follow his lead and pass GENDA to provide all trans New Yorkers basic civil rights and a legal identity.”

Pauline Park, Chair of the New York Association for Gender Rights Advocacy (NYAGRA), said: “Governor Paterson has taken an important step in helping members of the transgender community secure full legal equality under state law in New York, and we applaud him for this historic executive action. In extending protections from discrimination based on gender identity or expression in State employment, the Governor creates momentum for enactment of the Gender Expression Non-Discrimination Act (GENDA). We in NYAGRA call on the State Senate to follow the Governor’s lead and take action on GENDA now.

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Photo Credit: Bill Alatraste, New York City Council

Additional news available at www.ny.gov/governor/press

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