

TERMINATED TRANSSEXUAL FINDS ALLIES

Wanton Web surfing or bureaucratic bigotry—what cost Tammy Fisher her job at the Oregon Department of Education? by Inga Sorensen

Tammy Fisher loved her work, and for a dozen years, headed to her job at the Oregon Department of Education with enthusiasm.

For the first eight years, she was known as he—a male employee, who, she now recounts, had no problems with superiors or colleagues. As a male employee, Fisher says she was treated with respect and fairness, her work assessed on its merits.

"I got promotions and glowing recommendations," she says.

Then, four years ago, Fisher began her transition to female. She says the life changes were accompanied by a newfound discomfort among a few ODE employees who found Fisher's transsexuality disturbing. Fisher says her immediate supervisor's reaction to her was "as different as day and night." In this case, a good relationship had morphed into something quite unpleasant.

The Salem resident says she can live with people's discomfort. After all, as a transsexual woman she has to deal with it on a relatively regular basis. But the line is crossed, she says, when her livelihood is placed in peril. And that's exactly what happened in August when she was dismissed from her job as an ODE information systems specialist.

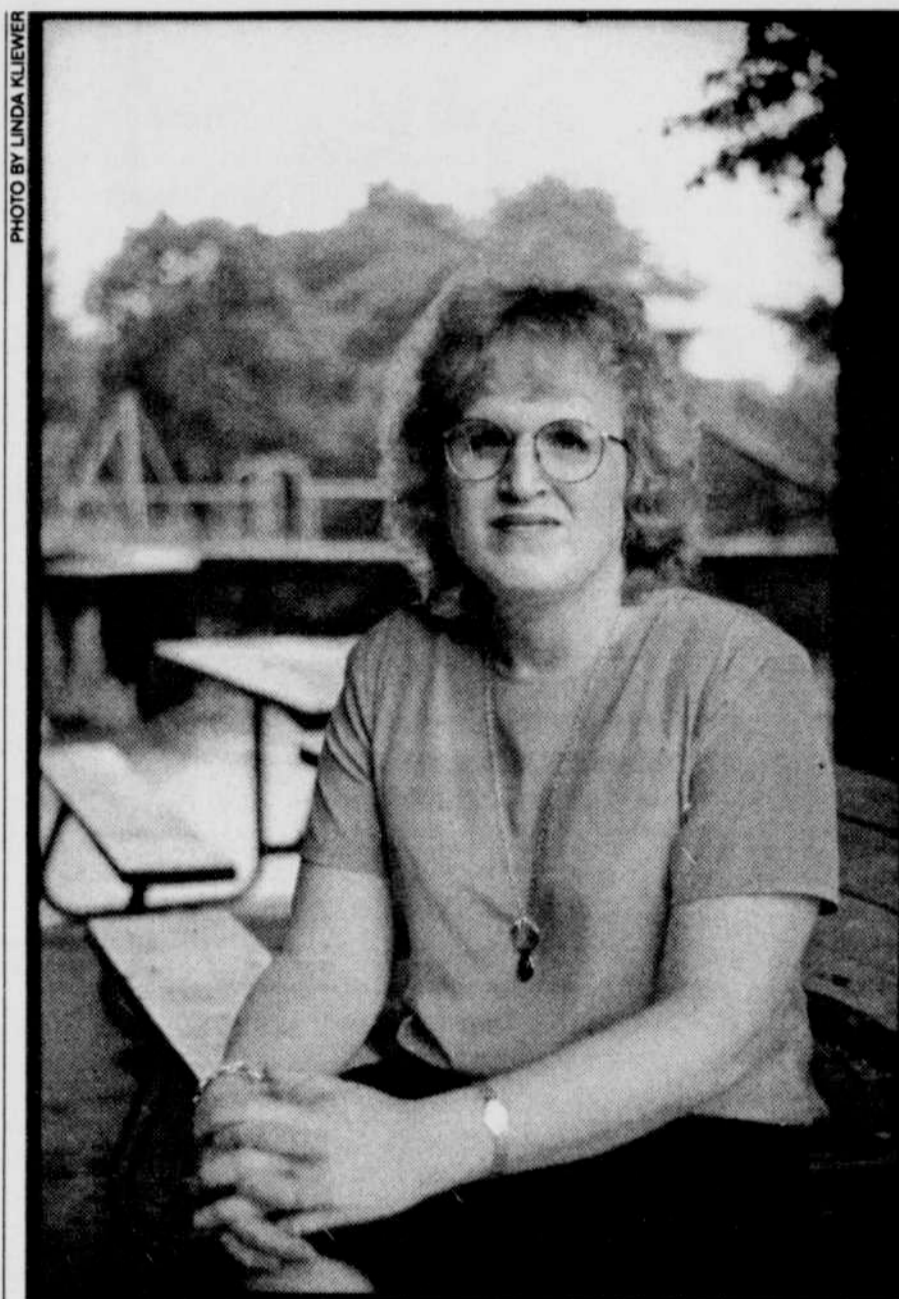
Dismissed, fired, terminated, axed. Whatever you call it, it hurt, says Fisher, not just economically, but emotionally and psychologically as well. A dozen years down the drain.

"I'm devastated," she says.

No comment was available from officials at ODE. An ODE notice dated Aug. 7, however, maintains Fisher inappropriately used state-owned equipment for personal use, in this case a computer to access the Internet.

Fisher admits she did sporadically use the computer to obtain Internet information related to, for example, personal travel plans and trans issues—a transgression even ODE deemed, via its notice, not so serious: "Not all of the material evidencing personal use of your assigned state-owned computer...carry the same level of concern. Infrequent, incidental use for generic materials of personal interest to you is not considered a serious violation of [ODE] policy. Examples include Dilbert, Yosemite, news services, recipes, and a number of articles from 'tgforum.com,' which you described as a transgender news group Web site."

But, according to the ODE document, Fisher went too far when she allegedly used the computer to view and download information with "sexually erotic and/or cruelty themes."



Tammy Fisher

The document also claims Fisher later attempted to dispose of the files by deleting them, and had a mirror in her cubicle in order to keep people from sneaking up on her while she was supposedly involved in high-tech wrongdoings.

Chris Durham, ODE's director of management services wrote, "Having these types of materials on a state-owned computer places the agency at risk of public embarrassment and risks the reputation of state employees who are entrusted with serving the citizens of Oregon in a professional manner."

He noted that a computer forensics analyst was brought in to "determine whether, even after your deletion activities, there was any proof that these materials had ever been on your hard drive. The report from that analysis contains objective evidence to confirm...the erotica had been present."

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Fisher adamantly denies she ever accessed such sites, and says her computer's hard drive had been left unsecured for many days, allowing anyone to tamper with it. In fact, she contends a co-worker's relative was spotted at her computer one evening after hours.

Fisher, who is represented by the Oregon Public Employees Union, is contesting the dismissal via the grievance process. Union field representative Bob Rossi says there is absolutely no evidence Fisher did what she is accused of doing. He further charges ODE failed to conduct a fair and impartial investigation, and firmly believes Fisher was fired because she is transsexual.

"I think that's where all the problems stem from," he tells *Just Out*, later adding, "They couldn't deal with it."

Ann Lucas, an OPEU steward who has been with ODE for 22 years, agrees.

Lucas, who worked a few cubicles down from Fisher, says her co-worker had always been an extremely professional, efficient and hard-working employee, often putting in extra hours free of charge for ODE projects.

"She bailed [ODE] out from bad decisions they'd make," Lucas says candidly.

Like Rossi, Lucas believes some department higher-ups became uncomfortable with Fisher's transition.

"There was no problem [when Fisher was a man], but when she became Tammy, there was," she says.

Lucas also says anyone could very easily have used Fisher's computer.

"There's no security," she stresses.

Rossi and Lucas aren't the only ones convinced of Fisher's innocence. In September, several faxes and letters in support of Fisher were sent to Oregon Superintendent of Public Instruction Norma Paulus' office. Other backers leafleted at ODE offices and spoke on behalf of Fisher at a state Board of Education meeting.

Jean Harris, executive director of Basic Rights Oregon, dashed off a letter to Paulus which read, in part: "Basic Rights Oregon opposes discrimination based on sexual orientation and extends its opposition to employment discrimination to include [trans] individuals such as Tammy Fisher. We appreciate your personal support of Basic Rights Oregon and of the Fair Workplace Project and hope that you can ensure that your own standards against discrimination inform and influence managers in the Department of Education."

Harris continued: "We ask that Tammy Fisher be returned to work with no loss in pay, benefits and status. We support justice for [trans] people in the workplace and cannot tolerate reprisals against transsexuals, minorities, and union activists. Knowing your long support of Basic Rights Oregon, I am certain you will soon take steps to assist Ms. Fisher's return to work and to stop discrimination against [trans] people in the workplace."

Fisher says, "It makes me feel very good that people did come forward. It is something I would do for others."

She adds she wants her job back, and will fight for it as best she can. In the interim, Fisher has found another job (in the private sector) that requires a much lengthier commute.

"I worked with a lot of really super people," she says. "It's a shame a few had a problem with who I am."

66 **T**he right to be let alone is the most comprehensive of rights and the right most valued by civilized people."

— Justice Louis Brandeis



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