

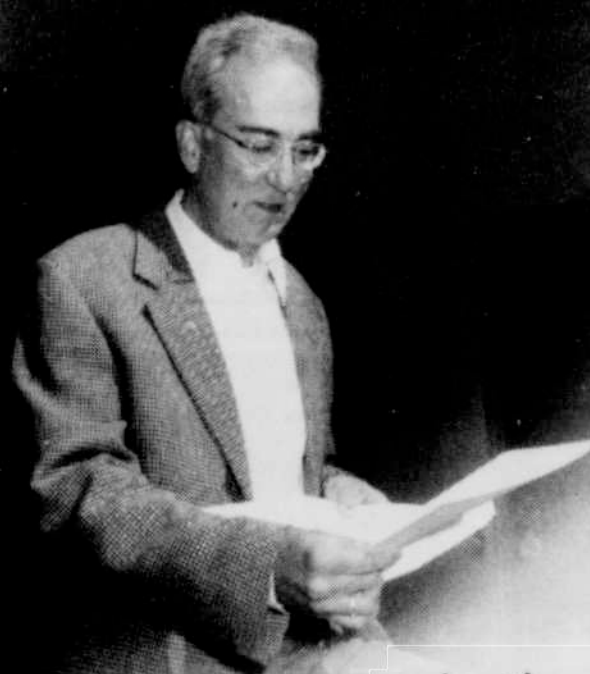


Pro Lab N.W. Inc.
133 SE Madison
Portland, OR 97214

503-231-1599

FULL SERVICE
CUSTOM PHOTO LAB

You simply deserve better...



...Better communication
-it's essential to every real estate transaction. Donald is an effective communicator with skills refined through years of successful representation, assistance and negotiation. When you're in the market for something better, simply give him a call and you will benefit from the commitment of an experienced real estate professional.

Donald Falk, GRI
Office (503) 287-9370
Voice Mail (503) 241-8945
dlf@earthworld.com



LOCAL news

RESOLUTION FOR A NEW YEAR

Continued from the cover

Doing the right thing on this particular day manifests itself via the unanimous approval of a resolution, sponsored by Katz and Kafoury, that directs city bureaus to implement nondiscrimination protections on the basis of gender identity.

The definition of gender identity in this case includes "the status of being transsexual or transgender," and refers to "a person's actual or perceived sex, and includes a person's identity, appearance, or behavior, whether or not that identity, appearance or behavior is different from that traditionally associated with the person's sex at birth."

According to Lori Buckwalter, director of It's Time, Oregon!, a group that promotes civil rights initiatives concerning gender identity, the resolution "will start a process of expanded involvement by the city in creating protections in the public and private sectors."

The resolution states the city "is in a position to demonstrate, through its own internal policies and procedures, the viability of a workplace which respects the rights of transgendered and transsexual people."

The measure gives city agencies until spring to include gender identity in nondiscrimination guidelines for employees as well as appropriate guidelines for use of city facilities. The guidelines are to be incorporated into the city's 1999-2001 affirmative action plan.

It also requests the city's pilot civil rights mediation program be expanded to include mediation services to "resolve discrimination claims based on gender identity."

(In July, the council approved a one-year, \$50,000 mediation pilot program to help settle disputes involving those who feel they may have been discriminated against due to sexual orientation. The program was spawned by ongoing legal wrangling involving a city ordinance that bars discrimination based on sexual orientation.)

The resolution also calls for city officials to explore the feasibility of offering a health insurance policy through the city's benefits program "which could cover necessary medical treatment for transgendered and transsexual people," and, by June, evaluate whether the city's equal employment opportunity certification program "can be expanded to include nondiscrimination on the basis of gender identity."

Immediately prior to the vote, nearly a dozen people representing an array of community organizations—including Lesbian Community Project, Basic Rights Oregon, Human Rights Campaign, Metropolitan Community Church of Portland, and Phoenix Rising Foundation—testified in favor of the proposal. No one spoke against the measure.

Buckwalter, who worked closely with officials in crafting the resolution, testified how she was proud to live in a city whose leaders actively demonstrated a concern for the "basic dignity of all citizens."

Kristin Teigen, executive director of Equity Foundation, told commissioners: "You have responded to an expressed need by your workplace." She added she was pleased council members recognized that discrimination in any form is neither right nor profitable.

Elaine Lerner, president of the Northwest

Gender Alliance, talked about the need for respecting others, despite differences.

"I don't understand why people skydive, but I don't make fun of them," she said, later observing, "Being transgendered in the '90s is like being gay in the '60s."

This isn't the first time Portland city officials have pondered recognition of trans rights.

In October 1996, the now defunct Metropolitan Human Rights Commission voted unanimously to recommend the inclusion of "transsexuals and other sexual minorities" in Portland's human rights ordinance. The recommendation came on the heels of fact-finding hearings designed to assess the level of discrimination against trans folk in Portland.

"I burst into tears when they voted unanimously," trans rights activist Margaret Deirdre O'Hartigan told *Just Out* the morning after the vote. "I cried because I'm always stunned when people actually hear us. The commission heard us, and it moved me."

In early 1996, O'Hartigan requested the Portland City Council extend civil rights protections to trans people by amending the city's

[stripped MHRC].... Some suggested we did that over this issue, which is not true," he said.

Addressing trans rights in present day, he added, was like addressing unfinished businesses. It was a sentiment embraced by Kafoury, as well as Katz, who thanked the trans community for being patient with the council.

Portland is not the first governmental entity in Oregon to promote protections based on gender identity.

This past summer, by a 2-1 vote the Benton County Board of Commissioners approved the state's first nondiscrimination ordinance to include transsexual and transgendered people as a protected class.

The measure, which took effect Aug. 14, covers the unincorporated areas of Benton County—rural spots like Kings Valley, North Albany, Alpine, Blodgett and Adair. It does not cover the county's incorporated areas—its more populated sites like the cities of Corvallis, Philomath and Monroe—because the county does not have jurisdiction over incorporated cities.

The Benton County ordinance prohibits discrimination in employment, housing and public



Portland City Council members (from left) Charlie Hales, Jim Francesconi, Mayor Vera Katz, Gretchen Miller Kafoury and Eric Sten at an earlier meeting

Civil Rights Code. The MHRC hearings were the immediate result of that request.

Nearly 30 people submitted oral or written testimony during those hearings. O'Hartigan talked about discrimination she faced, while other supporters shared tales of harassment and voiced frustration with the insurance industry for denying coverage for sex-reassignment surgery. A female-to-male transsexual testified he had been fired from a job in Portland after his employer learned he is a transsexual. Others talked about being the victims of anti-transsexual violence.

The commission's report and recommendations were forwarded to Kafoury, who was to decide whether to take the proposal to the City Council.

She chose not to, saying the timing wasn't right due to anti-gay campaigns and potential legal obstacles involving the city's inclusion of sexual orientation in the human rights code.

A few months later, Kafoury and Commissioner Jim Francesconi advanced a plan that slashed the commission's budget and scope of responsibilities.

More than two years later, as he was about to cast his vote on the gender identity resolution, Francesconi recalled that trying period.

"It was painful when Gretchen and I

accommodations. The protected classes covered by the measure are race, religion, color, sex, national origin, marital status, mental or physical disability, familial status, sexual orientation, source of income, and gender identity.

The Portland resolution, meanwhile, is much narrower in scope, prompting some criticism. In a letter to *Just Out* appearing in this issue, O'Hartigan writes, in part: "Had the council's resolution actually required the city to end its discriminatory exclusion of transsexual health care from employee insurance benefits—rather than merely promise yet another study of transsexuals' needs—I might be impressed. As it is, I recognized the council's action for what it is: a lump of coal masquerading as a Christmas gift."

Buckwalter concedes, "There is still much to be done, to develop constructive trust relationships between those who have experienced gender identity discrimination, and public and private officials."

But she adds: "Issues of employment and health care are primary, and this resolution creates a tangible prospect that we can cooperate to dispel decades of misunderstanding, and make a real difference in people's lives. Portland is now a place of unique opportunity to start this important work."

Katz chimes, "It's a beginning."