



Eric Garcetti, Mayor  
Rushmore D. Cervantes, General Manager

Community Services & Development Bureau  
1200 West 7th Street, 9th Floor, Los Angeles, CA 90017  
tel 213.928.9071 | fax 213.808.8999  
hcidla.lacity.org

November 21, 2017

Council File No.: 17-0356  
Council Districts: All  
Contact Persons:  
Abigail Marquez (213) 808-8462  
Julie O'Leary (213) 922-9626  
Francisco Ortega (213) 808-8458  
Sandra Cervantes (213) 808-8518

Honorable Members of the City Council  
City of Los Angeles  
c/o City Clerk, City Hall  
200 N. Spring Street  
Los Angeles, California 90012  
Attention: Michael Espinosa  
Legislative Assistant

**ARTS, ENTERTAINMENT, PARKS, AND RIVER COMMITTEE REPORT RELATIVE TO THE TRANSGENDER ADVISORY COUNCIL AND RECOMMENDATIONS ON ISSUES AFFECTING THE TRANSGENDER COMMUNITY IN THE CITY OF LOS ANGELES, INCLUDING HIV/AIDS CARE, PUBLIC SAFETY, JOB CREATION OPPORTUNITIES, AND SUPPORTIVE SERVICES FOR TRANS INDIVIDUALS WHO ARE HOMELESS**

**SUMMARY**

The Los Angeles Housing and Community Investment Department (HCIDLA) and the Transgender Advisory Council (TAC) are providing this report in response to the City Council motion (CF 17-0356: O'Farrell, Bonin, Koretz, Martinez) made on Trans Visibility Day, March 31, 2017, requesting recommendations on priorities and policy concerns directly affecting the transgender community in Los Angeles and highlights opportunities and continued challenges faced by transgender individuals.

This report informs on the work of the Transgender Advisory Council, the collaborative efforts undertaken with City Departments, City leaders, community partners, and entities around issues faced by the transgender community. Its aim is to raise awareness and understanding of challenges transgender individuals continue to face regarding housing and homelessness, employment and economic mobility, public safety and law enforcement, and healthcare and AIDS care.



## **BACKGROUND**

*Transgender* refers to people who do not identify with the gender they were assigned at birth. Some transgender people medically transition with hormone therapy and gender affirming procedures, while others do not for a variety of reasons, including obstacles to medical care. Many transgender people identify as men or women, while others identify outside this binary designation as genderqueer, nonbinary, agender, and so on. For this report, we will use the term *transgender* to encompass all of these gender identities and labels.

In July 2007, the Los Angeles Police Department (LAPD) sponsored a forum stressing the need for dialogue and improved relations between the transgender community and LAPD. Comprised of the Office of former Mayor Antonio R. Villaraigosa, the LAPD, the City Human Relations Commission (City HRC) and transgender community advocates, the Transgender Working Group formed to serve as an informal space to discuss and alleviate some of the public safety concerns the community raised. Naturally, the Transgender Working Group's effectiveness in bringing together the community with key City staff led it to move beyond the issue of public safety. Los Angeles Mayor Eric Garcetti established the TAC in March 2016 as an advisory body under the purview of the City HRC. The membership of the nine-member council represents a diverse cross-section of the transgender community. The full TAC meets once a month, with TAC committees also meeting once a month, and all meetings engage a variety of institutional and community stakeholders that directly affect members of the transgender community. The TAC held its first meeting in March 2016, creating a space for the transgender community at City Hall while actively engaging City leaders and community service providers in developing strategies to address pressing needs in the transgender community.

## **LOS ANGELES TRANSGENDER ADVISORY COUNCIL**

The City of Los Angeles in its historic mobilization of the Transgender Advisory Council—the nation's largest city to do so—aims to not only address and understand these issues, but to bring about accessible solutions to the systemic problems plaguing this community. Allies are needed, but more than anything, the community itself needs platforms of not only visibility, but agency, voice, and representation that extend beyond statistical rhetoric. Though the quantity of work ahead of the TAC may be overwhelming in scale, the TAC has the unique opportunity of setting a precedent that can serve as a model on a state and national level over the coming years.

Part of the TAC's work is highlighting a community that has invisible members and drawing attention to their pressing concerns. Through collaboration with the Office of Mayor Eric Garcetti, the Honorable Mitch O'Farrell of the 13<sup>th</sup> Council District, and the Honorable Mike Bonin of the 11<sup>th</sup> Council District, the TAC has been able to make the community visible through officially celebrating Transgender Visibility Day on March 31 and commemorating Transgender Awareness Month on November 1, 2017. The commemoration included a proclamation during the City Council meeting, which honored the Transgender Advisory Council and transgender military veterans, and an art installation in City Hall, in collaboration with the One Archives Foundation.

As an advisory body, the TAC makes recommendations on areas of policy concerning transgender issues through its established committees: Housing and Homelessness, Employment and Job Readiness, and Law Enforcement. The TAC is a link between City entities and the transgender community by acting as a trusted liaison to a community that is otherwise limited in accessing the City governing structure.



## HOUSING AND HOMELESSNESS

The transgender community faces housing discrimination, inadequate dwellings and unaffordability. The TAC is active in ensuring these barriers to housing are eliminated, but more importantly are made aware to policymakers. Through TAC's members' presence and advocacy work, focus groups have convened members of the community to voice concerns and impact future housing policy in development.

Lack of access to an apartment and affordable living relegates many transgender individuals to the streets or inconsistent housing. Personal experiences of TAC members and their work with the community underscore the urgency for accessible transgender-sensitive housing. A TAC member recalled assisting a transgender woman who was housed with eight men away from a transgender-friendly community. While attempting to shower, she was instructed to use the men's bathroom. For a cisgender individual, such a situation would be unconscionable, but transgender individuals face the added obstacle of fitting within the gender binary to arrange placement.<sup>1</sup>

In September 2017, the Los Angeles Homeless Services Authority (LAHSA) Commission unanimously approved an extension of a U.S. Department of Housing and Urban Development (HUD) directive to require providers to serve clients in accordance with their gender identity.<sup>2</sup> The policy addresses the need to guarantee the individual some dignity in the process by providing equal access to services and facilities, guaranteeing safety and respecting the individual's gender identity in interactions and the data collection process. Since approving the extension, LAHSA has begun training agencies on the policy to instruct staff on how to provide improved access to transgender individuals throughout the system. These policy changes reflect concerns raised by the transgender community and advocates regarding homeless shelter housing of transgender individuals and the need to respect an individual's gender identity. HCIDLA staff members working with provider agencies also remind them to place an individual by their gender identity to prevent discrimination and to ensure HUD compliance. The City has a grievance and complaints process established, through which service providers accept and address complaints that may arise when an individual that should otherwise be placed is turned away.

The housing crisis affecting all Angelenos hits the transgender community exponentially hard due to their social position and through the community's lack of access to employment and economic development. Transgender individuals are limited to navigating already depleted low-income housing while facing stigma and discrimination. The issue of access to housing is closely tied to poor economic outcomes across the community, according to TAC member discussions.

## EMPLOYMENT AND JOB READINESS

Lack of access to economic opportunities poses further barriers to the well-being of transgender individuals. Regularly, transgender individuals face discrimination and stigma across society and that these affect their employment choices. Ninety percent of transgender individuals reported to have

---

<sup>1</sup> Cisgender refers to an individual whose self-identity matches their biological sex.

<sup>2</sup> LAHSA, *LAHSA Affirms Gender Identity Rules for People Experiencing Homelessness*, <https://www.lahsa.org/news?article=295-lahsa-affirms-gender-identity-rules-for-people-experiencing-homelessness>, September 5, 2017. This expansion resulted from HUD's September 21, 2016 "Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Programs." For background, see also HUD *Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity*, Federal Register 77, no. 23 (3 February 2012), 5662-5676.

experienced harassment, mistreatment or discrimination on the job nationally.<sup>3</sup> The California Department of Fair Employment and Housing received 338 employment complaints relating to gender identity or gender expression in 2012, which was 18 percent of the sexual harassment complaints filed that year.<sup>4</sup> Such work environments are known to create barriers for any individual to thrive and develop professionally yet are regularly experienced by transgender individuals at work.

Trans-sensitive job readiness training is necessary to address the needs of the community. Members of the community often face challenges while seeking employment, if they have a background in entertainment or sex work, or simply have been unable to establish themselves at a trans-friendly workplace. The lack of preparedness they face when explaining gaps in résumés or proving they are indeed employable limits their scope of economic opportunity. Skills-building and job-seeking programs are well-noted to increase employment opportunities for any individual when supported through local government, and must correlate with the specific needs of the transgender community.

Despite the seemingly bleak outlook, work and events carried out the last two years of the TAC's establishment provide groundwork for future work. Cross collaboration of City Departments, the City's WorkSource System, the LA LGBT Center, and the Office of Senator Kevin de León held the first transgender job fair on June 20, 2016 at Los Angeles City College, located in Council District 13. The job fair connected transgender employment seekers with employers in a welcoming setting. The outcomes of the job fair and feedback from employers and participants helped inform the need to host the TAC Job Readiness Workshop on October 27, 2017 at the Los Angeles Trade-Technical College in Council District 9. These workshops, organized in collaboration with the Mayor's Office of Economic Opportunity, St. John's Well Child and Family Center Transgender Health Program, the Workforce Development Board, the Vernon-Central WorkSource Center, HCIDLA, EWDD, the Department on Disability, Councilmember O'Farrell, the Translatin@ Coalition, and Dress for Success, aimed to prepare transgender job seekers for a November 9, 2017 job fair hosted by the LA LGBT Center. The workshop addressed the needs of the typical job seeker—résumé writing, interviewing, and proper attire. At the event, participants had the opportunity to win one of ten computers donated by Councilmember O'Farrell's Office. Through the event, workforce specialists became familiar with assisting transgender job seekers.

## LAW ENFORCEMENT

Part of the establishment of the TAC owes its origins to the work done by the Transgender Working Group in collaboration with the LAPD in addressing public safety concerns of the transgender community. The community banded together to ask for improved interactions between them and public safety agencies. The willingness and cooperation that LAPD's leadership offered the TAC provided a place for concerns around public safety and law enforcement to find a venue to be discussed openly and for the conversation to continue. The TAC's advocacy work around public safety also benefits residents in general by helping to make communities safer.

---

<sup>3</sup> Children's Hospital Los Angeles, *Combating HIV through Economic Empowerment: An analysis of employment policies & practices related to transgender individuals in Los Angeles* (Los Angeles, CA, 2015), 25.

<sup>4</sup> Aaron Celious, Ph.D., *City of Los Angeles AIDS Coordinator's Office, HIV and AIDS, City of Los Angeles: 21<sup>st</sup> Century Challenges and Approaches. Assessment and Update* (Los Angeles, CA, 2014), 23.



The highest concern of most, if not all, transgender individuals across the U.S. is their personal safety. In 2016, 19 transgender and gender nonconforming individuals were murdered resulting from hate violence.<sup>5</sup> As of November 16, 2017, 25 transgender individuals have been murdered. The number of transgender individuals murdered in all of 2016 is the same as the first eight months of 2017.<sup>6</sup> These statistics are on a consistent rise in the last few years that statistics are available, but this year's increase demands attention. Transgender people have few options for protecting themselves from violence or seeking justice due to their fear and distrust of the police. Helping ensure their safety is only guaranteeing a very basic human right to life.

Stereotypes and a lack of understanding of the community are evident when examining domestic violence. Transgender individuals face the same rates of domestic violence, yet efforts to assist the community at large are limited, due to perceived gender roles and stereotypes. Previous reports produced by the City HRC and the Transgender Working Group reported instances of police officers assuming the masculine-presenting individual to be the offender, and that there was an overall lack of awareness and resources available for transwomen experiencing domestic violence.<sup>7</sup> Thankfully, efforts to address these issues in the community resulted in amendments to the Violence Against Women Act (VAWA) in 2013, a change which expanded coverage to include anyone, not just women, experiencing domestic violence to receive services and outreach for the community facing these life-threatening situations.

The TAC hosted a second Public Safety Forum on November 2, 2017 for community members to gather and express concerns in a safe space to share the challenges transgender individuals face. Participants expressed distrust of public safety officers, experience of disrespect of their preferred pronouns, and criminalization of the community. These discussions will be revisited with the assistance of the LAPD at a future forum to continue the work around public safety. Additionally, other public safety agencies such as the Los Angeles Sheriff's Department and the Los Angeles Fire Department are engaged with the TAC and collaborate toward identifying best practices when serving the transgender community.

The TAC actively organizes and participates to enhance awareness and public safety is the "Midnight Stroll," a late-night resource distribution and outreach effort in the Hollywood area. Collaborative partner agencies offer resources, referrals and services to transgender and homeless individuals they encounter during late-night weekend hours when other providers are closed. Individuals are often introduced to these services and options through their contact with volunteers. In collaboration with the Offices of the Mayor and Councilmember O'Farrell, the Midnight Stroll will expand its scope to provide additional resources through dedicated staff and by providing beds and showers for individuals to access.

#### HEALTHCARE AND HIV/AIDS CARE

Data collection on health disparities among transgender people is very limited, but the data available reveals severe disparities in meeting the needs of the transgender community. Relative to cisgender individuals, a lower proportion of transgender people count on regular health and dental care and

---

<sup>5</sup> Emily Waters and Sue Yacka-Bible, National Coalition of Anti-Violence Programs, *A Crisis of Hate: A Mid Year Report on Homicides Against Lesbian, Gay, Bisexual and Transgender People*, (2017), 6.

<sup>6</sup> Ibid.

<sup>7</sup> City of Los Angeles Human Relations Commission, *Recommended Model Policies and Standards for the Los Angeles Police Department's Interactions with Transgender Individuals*, (July 2010), 20.



23 percent did not seek healthcare due to fear and lack of access.<sup>8</sup> This fear often stems from prior experiences when accessing healthcare, as transgender individuals often report verbal, physical or sexual harassment, outright refusal of services or inappropriate questioning. The community is in vital need of mental health services arising from stigma and societal rejection. Forty percent of transgender individuals report suicide attempts at some point in their life, in comparison to the 4.6 percent reported by the general population.<sup>9</sup>

The Los Angeles County Division for HIV and STD Programs estimates that 15.1 percent of transgender women and 0.6 percent of transgender men are living with HIV in Los Angeles County, compared to 0.7 percent of the general population.<sup>10</sup> Transgender Latinas and Black women make up the majority of Los Angeles County HIV patients diagnosed at 85 percent; 55 percent are Latina and 30 percent are Black.<sup>11</sup> These disparities echo patterns of racial and ethnic access to healthcare that cisgender populations face, yet are widened due to the formidable barriers transgender individuals face when accessing services. Through these findings, the AIDS Coordinator's Office (ACO) shifted a significant part of their work toward addressing the needs of transgender individuals living with HIV.<sup>12</sup> They have noted concerning trends in HIV transmission in community members and are consequently targeting transgender women as a high priority group.<sup>13</sup> The Office is committed to addressing these disparities by making funding accessible to nonprofits and clinics already serving the transgender community, such as the LA LGBT Center's Transgender Economic Empowerment Project and St. John's Well Child and Family Center's Transgender Health Program to leverage resources and by including a funding category addressing the community's HIV risk into future Request for Proposals. As noted by the ACO, the trends noted in HIV diagnoses are a result of combinations of "participation in sex work, economic insecurity, substance use and housing instability" that place the community at a much higher risk of contracting HIV.<sup>14</sup> This correlation of the community's health status with housing and workforce concerns reiterate the importance of amplifying access to services to strive for an overall healthier society.

### **SUPPORT FOR THE TRANSGENDER ADVISORY COUNCIL**

The TAC relies on its members and allies to keep its work moving forward. The TAC does not fundraise for its programming. Like many commissioners, TAC members are volunteers and their extensive advocacy is generously done on a pro bono basis while maintaining outside employment and personal commitments. The TAC relies on the HCIDLA's Commissions and Community Engagement Unit to staff and manage day-to-day operations, coordination, and printing costs. TAC activities and updates are presented monthly at the City HRC board meeting. Through leveraging these resources and their networks, the TAC hosts events through collaborating with City entities and departments. Most notably, the TAC has relied upon the generous contributions of Councilmember O'Farrell's office in assisting with event coordination and hosting and for being a consistent ally in carrying out its mission.

---

<sup>8</sup> Sandy E. James, Jody L. Herman, Susan Rankin, Mara Keisling, Lisa Mottet and Ma'ayan Anafi, National Center for Transgender Equality, *The Report of the 2015 U.S. Transgender Survey*, (Washington, DC: 2016), 3.

<sup>9</sup> James et al., 12.

<sup>10</sup> Children's Hospital Los Angeles, 2.

<sup>11</sup> Celious, 25.

<sup>12</sup> The AIDS Coordinator's Office, housed under the Department on Disability, develops and supports policies and programs that address the quality of life affecting persons with AIDS and aim to prevent HIV transmission.

<sup>13</sup> Celious, 28.

<sup>14</sup> Ibid, 25.



## **SUPPORT FOR THE TRANSGENDER COMMUNITY**

Even with the commendable progress made by the TAC, transgender advocates, and allies, transgender people in Los Angeles continue facing many daunting issues that affect their everyday lives, from gender identity-based discrimination at work, healthcare access, combating violence based on gender identity, facing high poverty rates and increased homelessness.

## **LEGISLATIVE MILESTONES**

There is still no comprehensive nondiscrimination law that includes gender identity. However, policy developments in recent years have moved in the right direction. The federal government's Equal Employment Opportunity Commission and the Department of Education have taken steps to include transgender people under existing nondiscrimination protections. A federal executive directive issued by the Obama administration in May 2016 mandates for school districts to allow transgender students to use the restroom or bathroom that best matches their gender identity. Councilmembers O'Farrell, Bonin and Martinez introduced a motion (CF 16-0673) to revise and update Section 63.44 of the Los Angeles Municipal Code to reflect the directive and to be in compliance with State law relative to extending those protections in relation to use of public bathrooms.<sup>15</sup>

Openly rejecting such discriminatory proposals through a legislative approach solidifies a response against discrimination far beyond the reach of social media. Councilmembers Bonin and O'Farrell co-presented a resolution (CF 17-0002-S101), seconded by Councilmember Koretz, to allow Federal civil rights law to interpret the terms “man” or “woman” as referring to their genetic sex and rejecting the proposal to exclude gender identity or transgender status from protected class status.<sup>16</sup>

Our own California State legislators are active in increasing protections to transgender individuals. Recently, Governor Jerry Brown approved SB 396, authored by Senator Ricardo Lara (D - Long Beach) to require employers to train supervisors in preventing harassment based on gender identity, gender expression and sexual orientation.<sup>17</sup> Prior to adoption, Councilmember O'Farrell introduced a resolution (CF 17-0002-S111) in support of the bill, seconded by Councilmember Koretz.<sup>18</sup>

On an individual basis, the widespread lack of government-issued documents accurately reflecting gender identity and expression can have an impact on every area of their lives, including access to emergency housing or other public services. To be clear, without identification, one cannot travel, register for school, or access many services that are essential to function in society. Many states require evidence of medical transition—which can be prohibitively expensive and is not something that all transgender people want—as well as fees for processing new identity documents, which make them unaffordable for some members of the transgender community. Governor Brown approved SB 179 authored by Senators Toni Atkins (D-San Diego) and Scott Wiener (D-San Francisco) on October 15, 2017 to begin addressing some of these concerns.<sup>19</sup> The bill would offer a nonbinary gender option to driver's licenses and birth certificates and allows parents of transgender youth to correct gender on a birth certificate.

---

<sup>15</sup> Los Angeles City Council File 16-0673, June 8 2016.

<sup>16</sup> Los Angeles City Council File 17-0002-S101, July 26 2017.

<sup>17</sup> Employment: gender identity, gender expression, and sexual orientation, S. B. 396, Chapter 858 (Cal. Stat. 2017).

<sup>18</sup> Los Angeles City Council File 17-0002-S111, August 23 2017.

<sup>19</sup> Gender Identity: female, male or nonbinary, S. B. 179, Chapter 853 (Cal. Stat. 2017).



## **CONCLUSION**

The TAC is in its infancy as an advisory entity, but the members have accomplished a lot. They have organized the transgender community to develop a voice to communicate to City leaders the most pressing issues facing their community. There are future challenges, such as how the TAC will evolve legislatively, continuing advocacy roles for the community, and what are the priority topics to pursue. There is room for dialogue and much information to gather to help City leadership respond most appropriately to TAC concerns. We must address many specific issues and relay the policy questions to the City HRC, Mayor, and City Council for future work. The TAC will focus on specific policy in the near future.

## **POLICY QUESTIONS**

- The need to address transgender-sensitive healthcare remains in the background. The TAC advocates for an expansion of services addressing mental health. Such services should also consider past trauma arising from harassment and mistreatment at medical facilities.
- Updates to the VAWA bill underscore a need to recognize a shortage of services for domestic violence victims, and begin service delivery to transgender survivors, recognizing their experiences challenge providers to think beyond the gender binary.
- The City HRC and TAC appreciate the support of the Economic and Workforce Development Department and the Workforce Development Board and their outreach to the community around employment development and opportunities. The collaboration with the WorkSource System so far will serve as a model in meeting the needs of transgender employment seekers. Future partnerships will consider practices through which the WorkSource Center System can continue assisting transgender job seekers.

## **RECOMMENDATIONS**

In the two years since its establishment, the Transgender Advisory Council has tirelessly advocated for the needs of the transgender community. Given the pressing nature of the issues faced and limited capacity of the TAC members to address all issues, it is crucial to provide as much assistance to the community as possible.

It is the experience of the City HRC that advocacy work for the needs of disenfranchised communities is crucial for the well-being of the City. TAC members are vital in advising on policy that addresses practices in housing, healthcare, workforce development and law enforcement relating to equal access. Without the TAC's contributions, the City risks losing significant progress as far as gender equity and human rights are concerned. The City risks reinforcing existing disparities that jeopardize everyone's public safety and put their well-being at risk. It would be wise to leverage the resources and leadership provided by the TAC membership to collaborate with the community in meaningful ways.

The HCIDLA, City HRC, and TAC hereby recommend that the City Council with the approval of the Mayor:

1. Instruct HCIDLA, City HRC and TAC to monitor all legislation affecting the transgender community.
2. Instruct HCIDLA, City HRC and TAC to work with LAHSA to report on how transgender individuals are housed in homeless shelters .



3. Instruct HCIDLA, City HRC and TAC with LAHSA's assistance to report on progress on incorporating gender nonbinary individuals when referring to transgender individuals in the community at large.
4. Instruct the Personnel Department to work with the City HRC and TAC to assess the cultural sensitivity training offered and needed for staff citywide, including sworn and proprietary, on how to address and serve the transgender community.
5. Instruct City HRC to work with TAC and the AIDS Coordinator's Office on identifying and coordinate funding and programs that serve the transgender community.
6. Request the Housing Authority of the City of Los Angeles report on its procedures and records in resolving complaints of denied vouchers to transgender tenants.


Prepared by:

  
SANDRA CERVANTES  
Management Assistant

Reviewed by:

  
FRANCISCO ORTEGA, Director  
Commissions and Community Engagement

Reviewed by:

  
JULIE A. O'LEARY  
Director of Consolidated Planning Division

Reviewed by:

  
ABIGAIL R. MARQUEZ  
Assistant General Manager

Approved by:

  
LAURA K. GUGLIELMO  
Executive Officer

Approved by:

  
RUSHMORE D. CERVANTES  
General Manager

Exhibits:

- Exhibit 1: Council File 16-0673
- Exhibit 2: Council File 17-0002-S101
- Exhibit 3: Council File 17-0002-S111



**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Subsection F of Section 63.44 of the Los Angeles Municipal Code to allow for transgender rights in any bathroom, locker room, changing or dressing area in a park.

**THE PEOPLE OF THE CITY OF LOS ANGELES  
DO ORDAIN AS FOLLOWS:**

Section 1. Subsection F of Section 63.44 of the Los Angeles Municipal Code is amended to read as follows:

**F.** In any bathroom, locker room, changing or dressing area in a Park or Park building or structure, no Person over eight years of age shall enter or use any facilities designated exclusively for a Person of the other gender except that a transgender Person has the right to use any bathroom, including a gender-segregated public multi-occupancy bathroom, locker room, changing or dressing area consistent with his or her gender identity, regardless of the transgender Person's assigned sex.

**Sec. 2. Urgency Clause.** The City Council finds and declares that this ordinance is required for the immediate protection of the public peace, health and safety for the following reason: in order for the City of Los Angeles to protect the civil rights of transgender Persons. The Council, therefore, with the Mayor's concurrence, adopts this ordinance to become effective upon publication pursuant to Los Angeles City Charter Section 253.

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all its members, at its meeting of \_\_\_\_\_.

HOLLY L. WOLCOTT, City Clerk

By \_\_\_\_\_  
Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By   
VALERIE L. FLORES  
Senior Assistant City Attorney

Date 2/27/17

File No. \_\_\_\_\_



## RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to pending before a local, state or federal government body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, a growing and disturbing anti-transgender sentiment has seeped into our national policy discussions with the introduction of HR 2796, the Civil Rights Uniformity Act of 2017; and

WHEREAS, the Civil Rights Uniformity Act of 2017 seeks to prohibit the words "sex" or "gender" as "gender identity," and states no federal civil rights law shall be interpreted to treat gender identity or transgender status as a protected class, unless expressly designated by the Congress and not through the Executive branch; and

WHEREAS, HR 2796 also requires that the term "man" or "woman" be interpreted to refer exclusively to a person's genetic sex, for the purposes of determining federal civil rights laws, regulations or guidelines; and

WHEREAS, many citizens in Los Angeles see this as a blatant attempt to marginalize the transgender community and remove them from full protection under the law; and


WHEREAS, Los Angeles is an inclusive city that accepts and respects a person's religion, sexuality, and gender identity; and


WHEREAS, the City of Los Angeles has moved away from restrictive policies that focus on gender identity and sexuality in city facilities; and

WHEREAS, the City of Los Angeles opposes HR 2796, and recognizes the rights of its entire citizenry and will work to oppose any attempt to rollback or deny equal rights to all, as suggested by this bill;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2017-18 Federal Legislative Program OPPOSITION for HR 2796 (Olson), which requires the term "man" or "woman" to be interpreted to refer exclusively to a person's genetic sex; and prohibits federal civil rights law from being interpreted to treat gender identity or transgender status as a protected class.

CO-PRESENTED BY:

  
MIKE BONIN  
Councilmember, 11<sup>th</sup> District

  
MITCH O'FARRELL  
Councilmember, 13<sup>th</sup> District

SECONDED BY:



JUL 26 2017

OFFICE  
OF THE  
CITY CLERK  
JUL 26 2017

RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, current law requires all supervisors employed in companies with 50 or more employees to receive at least two hours of training and education in the prevention of all forms of sexual harassment; and

WHEREAS, on June 28, 2017, Senate Bill 396, authored by Senator Ricardo Lara, was amended to specifically include as part of that mandatory training information on preventing harassment that is based on gender identity, gender expression, and sexual orientation; and

WHEREAS, SB 896 would also require employers to post in a prominent and accessible location in the workplace an informational poster regarding transgender rights at work; and

WHEREAS, according to an Assembly legislative analysis of SB 396, in 2016, the Department of Fair Employment and Housing received 15,832 FEHA employment discrimination complaints, of which over 500 were sexual harassment complaints and more than 800 were sex/gender discrimination complaints, including complaints alleging discrimination on the basis of gender identity or gender expression.


WHEREAS, on multiple occasions, the City of Los Angeles has expressed its strong commitment to support policies that protect against any form of discrimination based on race, ethnicity, national origin, religion, sexual orientation, and disability, including the establishment of a Transgender Advisory Council to advise the City's policymakers on critical issues facing the transgender community, such as economic development, public safety, and public awareness.

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby include in its 2017-2018 State Legislative Program SUPPORT for Senate Bill 396 (Lara), which would require employers to train their supervisors in the prevention of all forms of harassment based on gender identity, gender expression, and sexual orientation.

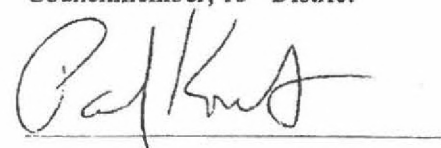
ORIGINAL



PRESENTED BY:

  
Mitch O'Farrell  
Councilmember, 13<sup>th</sup> District

SECONDED BY:



NOV 23 2017



AMENDED IN ASSEMBLY SEPTEMBER 7, 2017

AMENDED IN ASSEMBLY AUGUST 31, 2017

AMENDED IN ASSEMBLY JUNE 28, 2017

AMENDED IN SENATE APRIL 4, 2017

**SENATE BILL**

**No. 396**

---

**Introduced by Senator Lara**  
(Coauthor: Assembly Member Thurmond)

February 15, 2017

---

An act to amend Sections 12950 and 12950.1 of the Government Code, and to amend Sections 14005 and 14012 of the Unemployment Insurance Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

SB 396, as amended, Lara. Employment: gender identity, gender expression, and sexual orientation.

The California Fair Employment and Housing Act (FEHA) makes specified employment practices unlawful, including the harassment of an employee directly by the employer or indirectly by agents of the employer with the employer's knowledge. FEHA requires employers with 50 or more employees to provide at least 2 hours of prescribed training and education regarding sexual harassment to all supervisory employees within 6 months of their assumption of a supervisory position and once every 2 years, as specified.

This bill would additionally require employers with 50 or more employees to include, as a component of that prescribed training and education for supervisors, training inclusive of harassment based on gender identity, gender expression, and sexual orientation.

SB 396

— 2 —

FEHA requires each employer to post a poster on discrimination in employment, which includes information relating to the illegality of sexual harassment, in a prominent and accessible location in the workplace.

The bill would also require each employer to post a poster developed by the Department of Fair Employment and Housing regarding transgender rights in a prominent and accessible location in the workplace.

The California Workforce Innovation and Opportunity Act makes programs and services available to individuals with employment barriers and creates a board, composed of the Governor and Governor-appointed members who represent specified interests, including representatives of the state workforce, to carry out specified functions in furtherance of that act.

This bill would expand the definition of an "individual with employment barriers" to include transgender and gender nonconforming individuals. The bill also would authorize the appointments to the board representing the state workforce to include representatives of community-based organizations that serve transgender and gender nonconforming individuals.

*This bill would incorporate additional changes to Section 14012 of the Unemployment Insurance Code proposed by AB 957 to be operative only if this bill and AB 957 are enacted and this bill is enacted last.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 12950 of the Government Code is
- 2 amended to read:
- 3 12950. In addition to employer responsibilities set forth in
- 4 subdivisions (j) and (k) of Section 12940 and in rules adopted by
- 5 the department and the council, every employer shall act to ensure
- 6 a workplace free of sexual harassment by implementing the
- 7 following minimum requirements:
- 8 (a) (1) The department shall amend its current poster on
- 9 discrimination in employment to include information relating to
- 10 the illegality of sexual harassment. This amended poster shall be
- 11 distributed to employers when the supply of the current poster is
- 12 exhausted. One copy of the amended poster shall be provided by