

October 2012

TO ALL CUPE CHARTERED ORGANIZATIONS

## NOVEMBER 20 – TRANSGENDER DAY OF REMEMBRANCE

Dear Sisters and Brothers:

On November 20, we remember those around the World who have lost their lives to anti-transgender violence. It is also a day for us to reflect on trans struggles and accomplishments. Transgender people are still subject to vicious violence. They continue to encounter discrimination and harassment on a daily basis. The transgender person who agonizes over the clash between their birth-assigned sex and their own internal sense of being a woman or man may also be shut out of opportunities to earn a living, or may not be accepted in their community. In the face of fear and hatred, resilient activists continue to transition and to fight for trans rights.

We applauded several important trans rights victories in 2012.

In April, the Ontario Human Rights Tribunal ruled that sexual reassignment surgery is not required to change gender identity on birth certificates. This historic decision followed a challenge by a trans woman who noted the injustice of refusing to recognize her lived identity unless she had surgery. The tribunal agreed that the requirement was discriminatory because it perpetuates the disadvantage, prejudice and stereotyping experienced by trans people.

Then in June, after more than a decade of lobbying by trans activists, *Ontario's Human Rights Code* was amended to include explicit protection for gender identity and gender expression. That same month, Manitoba also added gender identity to its human rights act. Trans people in those provinces now have legislative recourse when they experience discrimination or harassment in housing, services and employment. The change sends a clear message about the trans person's right to be treated fairly and to live and work in dignity, in a respectful, harassment-free environment.

Activists in other regions must continue lobbying to get protection for gender identity and gender expression into all provincial and territorial human rights legislation.

Support is needed for federal Bill C-279, the private member's bill that would include protection against discrimination and hate crimes based on gender identity and gender expression in the *Canadian Human Rights Act* and the *Criminal Code of Canada*. It passed second reading in June and is expected to come back to the House of Commons for third reading and the final vote when the House resumes in the fall.

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Education and awareness are essential to make our workplaces and our communities safe and welcoming places for trans persons. CUPE continues the proud tradition of activism and outreach with an anti-bullying campaign launched this past spring. "Speak Out! Stop Bullying" is a call to action in the workplace that highlights the high rates of bullying experienced by members of the LGBTTI community. Many copies of the new brochure along with the popular pink frisbees and bandanas have been distributed at Pride Parades, Division Conventions, conferences and youth events across the country.

Courageous CUPE members are also raising awareness on the front lines. Deidra Roberts of CUPE 21 in Regina spoke about transitioning in her workplace at the Transgender Day of Visibility rally held in front of the Saskatchewan legislature last March. The event was part of Saskatchewan's first celebration of Transgender Awareness Week.

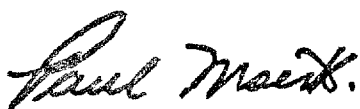
A soon to be released documentary film tells the story of Martine Stonehouse, trans activist and member of CUPE Local 4400 at the Toronto District School Board, as she prepares for sex reassignment surgery. *Transfixed* shows Martine's struggle to get funding for her surgery after it had been delisted by the Ontario Ministry of Health, and her role in the legal battle to restore access for all trans people in the province.

As a member of the negotiating team for CUPE 7000 in BC, Annaliese Hunt successfully pushed for gender identity to be included in the non-discrimination clause of her local's new collective agreement.

Members, staff and officers all have a part to play in building a more inclusive workplace, union and society. Here are some suggestions on what you and your Local can do to make change:

- Educate yourself and others about trans issues. Invite a trans activist to speak at a union event, ask for the Pride in CUPE Workshop to be given in your Division, or promote the use of educational resources like the CLC's *Workers in Transition* – an invaluable guide about gender transition for union representatives.
- Put trans members' needs forward at the bargaining table: for example, anti-harassment policies and procedures, additional medical coverage, leave benefits, accommodations including washroom and change room accessibility.
- Partner with community groups to lobby for the addition of gender identity and gender expression as grounds for discrimination and harassment in your province's human rights legislation.
- Contact your Member of Parliament to express support for the federal private member's Bill C-279, that would include protection against discrimination and hate crimes based on gender identity and gender expression in *the Canadian Human Rights Act* and *the Criminal Code of Canada*.

In solidarity and pride,



PAUL MOIST  
National President



CHARLES FLEURY  
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