

# Public Hearing

## Washington State Human Rights Commission

**RULEMAKING HEARING ON DRAFT REGULATIONS (WAC 162)  
PERTAINING TO SEXUAL ORIENTATION AND GENDER IDENTITY,  
PURSUANT TO 2006 REVISIONS TO THE WASHINGTON STATE LAW AGAINST DISCRIMINATION  
(RCW 49.60)**

**Scheduled Date and Time of Hearing:** Wednesday, June 24, 2015, 6:00 PM – 8:30 PM

**Location of Forum:** Oasis Youth Center, 2215 Pacific Avenue, Tacoma, Washington

**Hearing Officer in Attendance:** Laura Lindstrand

**Note Taker (for these notes):** Laurie Rasmussen

**Start Time:** 6:02 PM

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### **WSHRC Staff and Commissioners in Attendance:**

- Steve Hunt, Commission Chair, Washington State Human Rights Commission
- Charlene Strong, Commissioner, Washington State Human Rights Commission
- Clarence Henderson, Commissioner, Washington State Human Rights Commission
- Sharon Ortiz, Executive Director, Washington State Human Rights Commission
- Cheryl Strobert, Assistant Director, Washington State Human Rights Commission
- Laura Lindstrand, Policy Analyst, Washington State Human Rights Commission
- Janice Whitman, Specialist, Washington State Human Rights Commission
- Andreta Armstrong, Civil Rights Investigator, Washington State Human Rights Commission
- Laurie Rasmussen, Civil Rights Investigator, Washington State Human Rights Commission
- Marissa Herrera, Customer Service Specialist, Washington State Human Rights Commission
- Stacia Hollar, Assistant Attorney General, Washington State Human Rights Commission

Approximately 40 members of the public in total attended this rule-making hearing. Those who signed in, whether stating that they were, or were not, making comments or did not indicate either way, follows here:

- |                     |                         |                            |
|---------------------|-------------------------|----------------------------|
| 1. Taliesin         | 13. Henry Waymack       | 25. Ronan Kelly            |
| 2. Floyd K.         | 14. Jennifer Kubista    | 26. Jonnie Crivello        |
| 3. David Ward       | 15. Victoria Quaintance | 27. Kathryn Forester       |
| 4. Jenni Wong       | 16. Lynn Goralski       | 28. Karen Williams         |
| 5. Kelly Elder      | 17. Michelle Woo        | 29. Stacy Waverell         |
| 6. Alina Stevenson  | 18. Jenni Wong          | 30. Sid Jordan             |
| 7. Mallory Sullivan | 19. Melissa Batson      | 31. Emily Thema            |
| 8. Don Mooney       | 20. William Dodd        | 32. Danni Askini           |
| 9. Mardi Clark      | 21. Seth Kirby          | 33. Bamby Salcedo          |
| 10. Brianna Schuman | 22. Matthew Wilson      | 34. Lizzi Duff             |
| 11. Anita Latch     | 23. Colleen Melody      | 35. Johanna Rosas Saavedra |
| 12. Victoree Jamiel | 24. Tobi Hill-Meyer     |                            |

Hearing Officer Lindstrand explained the Commission's authority to make rules, and the process the Commission has undertaken to formulate these draft rules. Lindstrand also described the format for this evening's forum for the public to make, and the Commission to receive, comment on these draft regulations. Lindstrand indicated that the process will be that people on the sign-up list will be called up one at a time to speak at the microphone, and are asked to state their name, organization if any, to cite the particular part of the rule they are referencing (if any), to state whether they are in favor or against the proposed rule, their reasons for being in favor or against it, and to state how the particular rule will affect the speaker. Also, IF speakers have alternate proposals, they were asked to suggest specific language for that alternate proposal. Lindstrand also indicated that tonight's rulemaking forum is being taped for the record. Lindstrand further explained that, once public comments begin, there cannot be any discussion, questions, or argument, because all speaking must occur in front of the microphone for the record. Staff will be unable to answer questions, debate, or add their own comments during the official comment period because the purpose of this forum is to provide the public with an opportunity to provide comment. Lindstrand explained that everyone will have their turn in front of the microphone who wishes to speak.

Lindstrand also provided an explanation for why it has taken several years since WLAD was changed to add sexual orientation and gender identity as protected classes, to get to rule making. Lindstrand explained that it has been due to the economic impact of staff cuts. Finally, Lindstrand explained that this evening's rule making forum will help shape what the final rules will look like.

Lindstrand indicated that ten people signed up to speak at this evening's forum, so that means that each speaker will have eight minutes to speak in front of the microphone. Lindstrand suggested that if anyone has lengthy comments, they can summarize them orally and then submit them in writing, and/or via email at [rulemakingcomments@hum.wa.gov](mailto:rulemakingcomments@hum.wa.gov). Lindstrand specified that written comments are due by close of business on Monday, June 29, 2015.

### **Public Comments:**

1. Taliesin: Most of these rules are well formed in Speaker's<sup>1</sup> opinion. However, Speaker's concern is the \_\_\_<sup>2</sup> side of the rules, in that \_\_\_ doesn't increase \_\_\_. Speaker's history is in working for a Christian organization that made hateful comments; thinks rules cannot adequately address that hate; it is passed generation to generation. Suggests that some provision be made for adequate education \_\_\_.

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<sup>1</sup> Throughout these notes, "Speaker" is used in context to refer to the person speaking at the time.

<sup>2</sup> Underlined blank spaces represent words or phrases spoken by a speaker, which the note taker was unable to hear.

2. David Ward, attorney at Legal Voice, which advances women's and LGBT rights. Speaker will be submitting written comments. Speaker's general points: Speaker disseminated these draft rules to other attorneys in the community who work on LGBT issues, and the primary comment/concern received from those attorney is that we are stuck with the definition in the bill: the definition of sexual orientation includes gender identity, which is not commonly understood to be the same; they are different, but the legislature identified them together in the same definition. It would be fantastic if the rules could draw a clear distinction between sexual orientation and gender identity, could refer to them differently and distinctly. Also, gender expression is different from gender identity, so Speaker will suggest specific language in written comments.

Also, Speaker found several existing WACs that were not amended to include sexual orientation/gender identity/gender expression, so Speaker will point out those WACs that need to be amended as well.

Speaker will flag proposed rules 162-\_\_\_\_-\_\_\_\_: leave policies and reasonable accommodation; this needs amending. It talks about medical conditions related to sexual orientation and gender identity. Speaker can't think of any medical condition related to sexual orientation, so this pathologizes sexual orientation. And regarding gender identity, the Speaker thinks it could be very helpful to articulate provisions to make it very clear to employers that medically related care for Transgender individuals must be the same as for any other condition. Speaker thinks the rule could be pared down a lot to address that issue; often employers don't want to make changes. Speaker is concerned about when Transgender persons take leave for medical care related to their Transgender status; Speaker doesn't think such persons should have to "out" themselves as Transgender in order to take that medical leave.

In the area of Public Accommodations, the Speaker has frequently seen issues for Transgender persons, has seen lots of unwelcome behavior toward Transgender persons.

162-\_\_\_\_-\_\_\_\_ RE: gender segregated facilities. Generally, the Speaker is very pleased with the sensitivity demonstrated in this section, but it seems to establish separate rules for schools and school districts versus other places of public accommodation. Speaker doesn't see the legal basis for having separate rules for schools compared to other places of public accommodation.

Also, Speaker referenced a decision by the State Court of Appeals in Spokane a few years ago: that perceived sexual orientation is not protected under WLAD. Speaker hopes these proposed rules will clarify that perceived sexual orientation IS actually protected under WLAD. Speaker offered the example of a straight male perceived as gay, whose coworkers

subjected him to harassment based on their perception of him as gay. Speaker hopes the Commission will write rules to clarify this issue, and that such rules will be granted deference.

Speaker also pointed out that “Transgendered” is used in the rules, but should not be used because it is not a word.

Also, the rules refer to “opposite sex couples”; Speaker suggested that the reference should instead be to “different sex couples.”

3. Brianna Schuman: Speaker indicated that “Transgendered” is not a word. Also, [WAC section] \_\_\_, Leave and Reasonable Accommodation: one potential issue is, when an employer asks a person why they are taking leave, so then such a person has to “out” themselves as Transgender and the status of their genitals, which is extremely private. Also, this opens the door to harassment behind the scenes.

Also, Speaker referenced police harassment and employer harassment (DSHS) based on Transgender status: an employer making repeated reference to the wrong gender even after Speaker repeatedly informed employer and police that gender is female, Speaker was continuously referred to as male. Speaker indicated that State agencies need to be advised that this is not okay.

4. Anita Latch, New Commissioner in the Tacoma Human Rights Commission and President of Pride at Work. Speaker will be making comments in writing, via email. Speaker noted that it is clear that staff prepared for the rules change since the law changed. Speaker welcomed the Commission to Tacoma.
5. Victoria Quaintance: Board Member, Gender Alliance of South Sound: Regarding WAC 162-\_\_\_ - \_\_\_, General Purpose and Scope: Speaker echoes the previously-expressed concern about perception of sexual orientation and gender identity; Speaker cautioned the Commission to remember that, when someone is being discriminated against, whether they are gay or not, it is because of their gender expression: their hair, walk, talk; it has nothing to do with their sexual orientation, it is their gender identity or their gender expression.

Under [WAC] 162-\_\_\_ 020: Speaker notes there are five instances of referring to “sexual orientation or gender identity”; this is no problem. But from [WAC] 162-\_\_\_ -030 and forward, there are six instances of referring only to sexual orientation with no corresponding reference to gender identity. Speaker thinks both sexual orientation and gender identity should be referred to in every instance. For example, a Transgender man who leaves to have a baby. This is not a sexual orientation issue; it is a gender identity issue. So every reference

throughout 162-\_\_\_\_-030 and 162-\_\_\_\_-040 should be amended to include both sexual orientation AND gender identity in every instance.

6. Melissa Batson: President of Emerald City Club in Seattle, the oldest Transgender group on this coast. Speaker is speaking for self, not the club. Speaker echoes the comments of David Ward. Speaker urges the Commission to give David Ward's comments serious thought and careful consideration. Also, Speaker works for Costco (doesn't represent Costco though). Speaker works openly as Melissa, even though Speaker obviously doesn't pass, but it is not a problem. The law being amendment in 2006 gave Speaker the courage to come out. Speaker is thankful to the Commission that work and for the work on the rules; these will make it a lot easier for restroom use in restaurants, or when someone says something at work; Speaker will know Commission's thoughts, in order to take these issues up with an employer or a manager of restaurant; Speaker appreciates it very much.
7. Seth Kirby, Executive Director, Oasis Youth Center: Speaker thanks the Commission for this forum. Speaker echoes David Ward's comments. Regarding [WAC] 162-\_\_\_\_-030, Leave and Reasonable Accommodation: it would be useful to further clarify sexual orientation and the disability section.

It would also be useful to be clear that Transgender persons undergoing gender reassignment is protected health information, to the extent that all other health information is protected.

Also, a few more examples under harassment would useful.

Also, it would be useful to continue to clarify sexual orientation, gender identity, and gender expression so that people are not being subjected to harassment on any of those bases.

8. Toby Hill-Meyer, Gender Justice League: Speaker thanks the Commission for its work, appreciates the clarity. There are a few areas the Speaker would like to address and bring to the Commission's attention, to expand. [WAC] 162-32-030, Benefit packages: this section specifically mentions benefit packages pertaining to sexual orientation and gender identity. Employers who provide health benefits that have Transgender exclusion clauses will be considered illegal discrimination, especially since the [Office of the] Insurance Commissioner released its bulletin on this subject.

Also, regarding [WAC] Section 162-\_\_\_\_-040(2)(b): Disclosure of sexual orientation to cause distress is prohibited, but it does not mention gender identity. This is of concern *especially* since the previous section DOES mention gender identity; the exclusion of gender identity could be interpreted to mean that disclosing a person's gender identity to intentionally cause

distress is okay.

Also, the section on dress codes: Speaker has a friend who works at a place where a complaint was lodged against her because of her having long hair. The complaint said a man should not have long hair. The employer's rule was only enforced against Speaker's friend, not other females. Speaker's friend was threatened with a write-up, but none of the other female coworkers were threatened with a write-up. It was clearly an example of selective enforcement of a policy, so it would be useful to draw this example out in its own right. Also, Speaker was discussing with a co-worker who uses a wheelchair issues regarding restroom accessibility, and Speaker got in trouble for discussing bathroom talk at work. Speaker's friend who uses a wheelchair was talking about her own issues with accessibility and was not told she couldn't talk about bathrooms or her personal life. No one else got in trouble for talking about their personal life. So selective enforcement can be used to discriminate. Speaker would appreciate the rules addressing this issue.

9. Ronan Kelly: [WAC] 162-32-040, harassment. Speaker works in health and social services, and frequently hears trans-phobic comments from coworkers, in which they mis-gender coworkers and patients. Also, in the harassment section, regarding preferred names: few employers require legal names on nametags, but such a requirement would out someone [who is Transgender], and this is a safety issue. Speaker spoke for self: it is a safety issue, but the employer was not interested in listening.

Also, in health coverage: Speaker cautions employers not to have Transgender exclusion clauses or provisions, even when such a health insurance policy covers same sex partners.

10. Jonnie Crivello: Speaker spoke to harassment in the workplace and how companies deal with it. As a Transgender woman, Speaker has dealt with it in the workplace and outside the workplace. Speaker would like rules to include employers' conduct and response regarding harassment off of the workplace [sic]. Speaker thanks the Commission for these rules and for future protection regarding these rules.

Also, Speaker notes that, if someone is uncomfortable, THEY are the ones that need to use the other restroom.

11. Kathryn Forester: Waived the opportunity to speak.
12. Danni Askini: Executive Director of the Gender Justice League. Speaker will point out sections. Speaker thanks David Ward, Jenny Wong, Seth Kirby. Speaker points to some sections that have shared jurisdiction with the Insurance Commission. WAC 162-32-030: Speaker suggests including some information from the Insurance Commissioner's bulletin on

Transgender- related benefits being on parity with other benefits provided by an employer. Speaker continues to face issues regarding adequate access and coverage. Also, Speaker raised the issue of informing employers that they have a legal obligation to provide equitable benefits for same sex versus different sex spouses.

Also, Speaker raised a couple of issues from the community: A Pagliacci employee was harassed by a customer. [WAC] 162-32-040 should clarify and employer's obligation to protect employees who are harassed by customers, and to create a safe environment, because [harassment by customers] creates a hostile work environment. Speaker has seen employers dismiss LGBTQ employees because they were harassed by customers.

Also, Speaker raised the topic of voice discrimination by Speaker's bank: when Speaker changed Speaker's legal name, answered all the bank's security questions, the bank refused to give access to the Speaker's account based on the resonance of the Speaker's voice. Speaker is aware of this when bank employees say, "You sound like a man" or "You sound like a woman." Speaker's mother called for Speaker, and the Speaker's bank then allowed the account change.

Also, Speaker raised concerns regarding differences [in the section of the rules pertaining to] schools compared to those pertaining to non-schools, regarding gender segregated facilities. Speaker asserted there is no justification for having a different standard; the law doesn't call out for a different standard between the two. The Speaker noted that 83% of Transgender students experience bullying in school, so it is very important to have gender appropriate facilities.

Also [in the section of the rules that pertain to] health leave, carefully worded letters [from health care providers?] are needed so as not to out Transgender persons; Speaker would appreciate this being taken into account in the rules.

13. Bamby Salcedo: President of Translatino Coalition. It was brought to Speaker's attention that it has taken almost ten years for the community to have this hearing; Speaker remarked "how fucked up it is", for this body or this organization, the HRC, to [take so long to] come together and address specific issues that continue to happen to this community. Speaker requests that the Commission: 1) get to know the community, and notes that this weekend is Trans<sup>3</sup> Pride in Seattle. Speaker invites the Commission to really get to know the community. Speaker also invites the community to participate; the voice of the community needs to be heard, and needs of the community need to be included because of issues that affect the community. Again, it has taken almost ten years. Speaker invites the Commission to unite with the Transgender community. Structural violence continues to be perpetuated

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<sup>3</sup> This Speaker named this event using the word "Trans" which is short for "Transgender."



against the Trans community. Speaker invites the Commission not to participate in that violence. Speaker also invites the Commission to celebrate with the Transgender community and wants to encourage the Commission to act, to act in a way that is beneficial and [that makes] tangible changes in the community, so that the community doesn't have to wait ten more years for this to happen. Speaker is here to support the Commission's work.

14. Lizzi Duff, Gender Justice League: Speaker stated that the proposed rules do not address voice discrimination; Speaker has an active charge with the Seattle Office of Civil Rights ["SOCR"] regarding Speaker's call to Speaker's bank to get account balance. After 10-12 security questions, compared to two that were required previously, Speaker was put on hold, bank representative talked to the bank manager and came back to the call and told Speaker that the bank could not give account information to Speaker because bank records list the customer as female. When Speaker said "that's me; I'm female," the bank representative hung up on Speaker. This situation provided strong lessons: the bank is stonewalling, SOCR is wonderfully ineffective. Speaker wants the bank to accept gender sensitivity training from Gender Justice League and wants the bank to change its employees' trans-phobic attitudes. Speaker implores the Commission to include [in its rules] discrimination against Trans people based on voice. Speaker hopes the HRC can become more effective. When the law does not provide justice, people take to the streets to demand justice.

15. Johanna Rosas Saavedra: Translatino Coalition. Speaker's sister was brutally attacked and nearly killed. Speaker requests that the Commission make a difference in Speaker's community. Speaker requests to please make sure the audience is inclusive and protects Transgender people fully. It is time to make a true difference in the community.

Hearing Officer Lindstrand indicated that everyone who signed up to make comments has done so. All testimony and communication will become the official record of the hearing. Hearing Officer Lindstrand will review comments, written summaries of comments, then will begin work on final rules on sexual orientation and gender identity. The final rules are scheduled to be adopted July 31, 2015, and will go into effect as soon as they are adopted.

An audience member asked if there are others who want to comment, is there time? Hearing Officer Lindstrand indicated that yes, there is time.

16. Jennifer Kubista, Director of Student Life at Tacoma Schools, and Board Member of Tacoma AIDS Foundation and Oasis. [WAC] 162-32-06: Speaker will be sending written information and potential language as well. Speaker suggested that the Commission consider removing "EXCEPT schools and districts." WHY would the Commission have rules that have inclusive language that excludes? Speaker works very hard with kids in schools and with schools to have bathrooms available for gender preference. This language would set back that progress. The other section Speaker remarked on is regarding schools and locker

rooms: suggests removing “in most cases”. Speaker is working very hard to help kids feel comfortable using the bathrooms and locker rooms of their preference, which is a BIG part of kids feeling comfortable.

17. Dominique \_\_\_\_\_, Member of Emerald City Club. Speaker has experienced discrimination in the past year for being Transgender. Speaker applauds rules as extremely important, especially for young people. Speaker has a couple of comments: Speaker suggests being as clear with gender identity issues [in the rules] as the rules are with sexual orientation; Speaker thinks this is very important. One thing that struck Speaker is that Speaker’s wife is a teacher of 25 years, and one thing that resonated is how gender identity is treated in schools. Speaker notes that having exclusion for children in schools is almost unconscionable; that is where it all starts. Speaker’s wife sees it every day in schools: kids don’t know how to deal with it and schools don’t know how to deal with it; they’re trying but they NEED guidance. Speaker thanks the Commission for its for work; it is extremely important.

An audience member asked whether questions could be asked. Hearing Officer Lindstrand replied that audience members can ask questions, but HRC Staff can’t answer because this is the public’s opportunity to comment.

18. Michelle Woo, Oasis Center: Thanks the Commission for these rules. Speaker has a comment on [WAC] 162-12-040 regarding pre-employment inquiries. Speaker’s comment is not so much about this section, but about after employment; Speaker knows people are able to get a job, but then are passed over for promotions, are only eligible for certain back office positions that aren’t “public facing;” this has a big impact [on Transgender people].

Also, regarding medical leave: [Transgender employees] are not sure of their situation when coming back from medical leave; [employers are] required to keep their position, but not necessarily the status of that position; [Transgender employees returning from medical leave] may have been bumped down because of their leave.

Hearing Officer Lindstrand clarified that, if audience members would like to come up to the microphone to have questions on the record, that is possible, but staff can’t provide answers. There was no audience response.

Lindstrand further clarified that what can be done is that, after the official part of this hearing is over, which will be in just a few seconds, Staff can answer questions at that time, but it won’t be official or on the record, but Staff would be happy to discuss with members of the audience and answer questions. There was no audience response.

Rules hearing concluded at 7:08 PM.

①

6:02 PM

rulemaking comments @hom.wa.gov by 6/29

Taliesin most of rules are well formulated, my concern punitive side of rules.

father condemned stonewall, father didn't know gay - closest door open for us, but closed door on hatred bigotry.

They are in closet - Chisholm.org hating people - after that those things never said in my presence rules can't address the hate - some providing education instead of punitive or monetary

DAVID WARD legal voice, Atty advance legal LGBT, women rights - took 29 yrs to get law passed - will be submitting comments in writing - primary comment from atlys-defendants - S.O, gender identity all under same category - would be good if rules could separate this out - gender expression not used in WACS - we will suggest some lang, clarity a wonderful thing

WACS not amended to incl. gen iden, SO, gen exp. for consistency in WACS

Sec. 162-32-020 - Amending - med. cond. relative to sexuality (?) Transgender <sup>medical</sup> for any other med condition - issue transition ill. care does not have to out themselves to employer - harassment pub acc see repeatedly - enormous dist of in P.A - great help

(2)

Gender segregated facilities - sup rules for school dist  
don't see legal basis for sep. rules as sches are  
places of P.A. ; Spok case - perceived S.O. is protected  
language - transgendered used - should not be used,  
opposite sex vs. different sex couples

~~Don~~ DRIANNA SHUMAN 162-32-060 (3) Transgendered  
? Leave due to SO or G.I. - of leave to  
tell employer if they reassign out's me.  
<sup>3/16</sup> DSHS CPS - as trans woman, they use male  
& I am female - problem w/ state agencies,  
pass on to state agencies & appreciate work.

Aneta Hatch - New TACHR Comm, Pide@work -  
will submit written comments thank you wels to Tac.

Victoria Quantenro - Gender Alliance Project SWD  
162-32-010 - gen purpose - perception of S.O.  
not just fact happening to LGBT people?  
Discr. gender expression is identity  
030 - 5 instances S.O., G.I. no prob  
030 & forward 16 instances S.O. only ADD G.I.  
disambiguos - i.e. male leave to have baby

Melissa Bortsov - Pres. Emerald City Club - Sec - not  
speaking for club - per in DAVID WARD comments,  
work for Costco Essquah - work openly as Melissa  
not problem, 2006 guide me courage to come out.

3

Sarah Kirby - Echo what WARD said re: leave policies - clarify disab section - protected health info when talking w/ employer  
Barass - few more examples

Toby Hillmire - Gender Justice League - 162-32-030  
benefit packages for diff sex partners / same sex P  
providing health benef that have diff. clauses  
would be discrim - put it in

040-(2)(b) - doesn't mention GI

DSO - dress codes - friend works @ place where  
man should not have long hair - she has to pull  
hair back - tied it back some - but  
told she would be written up - selective  
enforcement of policy.

Bathroom accessibility - I trans, am in  
wheelchair - I was fully bathroom tank -  
she in wheelchair was not warned - DSO's tank  
about personal life - As address that

Ronan Kelly - 162-32-<sup>?</sup>30 - w/ Health + Soc. Services -  
misgendering - preferred names on name tags vs legal names  
health coverage - may not cover health needs  
because of health exclusion

(A)

Johnny Casullo? - harassment how companies deal outside of workplace - thank you for bathroom facility section

~~Johnny Casullo~~ Danny Gender Justice League  
w/ig to expand ins. coverage w/ OLC, trans pride week - point out - 162-32-030 - incl. some info from OLC bulletin, still expense barriers, informing 'ers that they need to extend benefits last yr. Pagglici - clarifying 'er obligations re: harassment even if from public  
Voice discrim - bank acct. - pitch resonance even if you can meet all other security questions didn't believe I was who I said I was  
Schools vs non-schools - Umpf -  
Protecting related health info - not forced to disclose health or info about genitals w/ 'er

Salsedo

Damb? Pres, trans latina coalition - 10 yrs for community to have hearing, now find up it is, request to get to know community - this weekend trans pride invite comm. to participate - invite you to unite w/ trans movement, continued violence, part trans & of color get to know who we are as individuals - act in beneficial way & not want 10 yrs - need to support

8

Lizzie  
~~Dana~~ Duff? - voice discrim - peoples bank -  
complaint w/ SOCR. answered all security  
question - put on hold - said can't give  
you account info - Lizzie says - female  
bank is stonewalling + getting away w/ it  
demand <sup>Bank</sup> accept training - pls include voice  
discrim - hope group can be effective - SOCR  
offers no protection - was Saturday taking  
to streets

Johanna - TRANS Latina Coalition - sister brutally  
attacked 2 yrs ago - make a diff in my  
community - protect trans people fully

Jennifer Student Life TAC Sch Dist -  
Dasis + AIDS found Bd member  
162-32? - sending written language  
Why lang that causes exclusion vs inclusion:  
(3) - schools - remove "in most cases"  
submitting lang.

Don? Emerald City Club - in last yr. discor  
trans, imp't to everybody esp. you people, alien  
w/ G.I. as w/ S.O., last yr wife + I have  
gone thru a lot, she is school teacher - exclusion  
for children in schls is unconscionable, she sees it + sees  
how it know how to deal w/ it +

(6)

Michelle WO Oased staff member - Thank you -  
No 2-12-140, pre emp. - people passed over  
for promotions or ~~partly~~ work in back  
of the house, medical leave - keep employnt  
but not their status

7:08 PM







(#1)

page

Making Comments?

YES or NO

E-mail

Organization

Name

Brian Schuman	self	BUSCHMAN@gmail.com	YES!	no
Andreta Armstrong	SELF	andreta.armstrong@comcast.net		
Anita Latha	Peace at work	Tacoma Human Rights Commission		yes
Victorie Jamiel		anita.latha@gmail.com		
Henry Waymack	Rambow Center & Tacoma T-Ten	chellawapboie@gmail.com		
Shanifer Kubista	Tacoma School District	hwaymack@gmail.com		
Laurie Rasmussen	HRC	kubistat@comcast.net		no
Victoria Gaintance	GASS	laurie.rasmussen@num.wa.gov		
Mariisa Herrera	HRC	victoria.gaintance@comcast.net		yes
Lynn Gorsalki	OASIS			no
Michelle WOO	OASIS	LYNN@OASISVAULTCENTER.ORG		
Jenni Wong	ACLU-WA	Michelle@oasisvaultcenter.org		no
Melissa B...	Emerald City	jwong@aclu-wa.org		
William Dadd	self	melissay200@gmail.com		yes
		dadd.william@hotmail.com		NO



7.1.4

Name

Organization

E-mail

Making Comments?

YES or NO

5

Johanna S

Johanna Rosas Sacueda Translation Coalition  
Translation Coalition org. yes

Introduction

Welcome – Hearings Officer

Name time and place -

6/24/2015

Oasis Youth Center  
2215 Pacific Ave Tac.

Sign in and get a copy of the proposed rules - check if you wish to provide oral comment.

Legal notices of this hearing were published in the Washington State Register on June 3, 2015. Notices of the hearing were emailed to those who expressed interest in receiving emails related to rulemaking.

Job is to make sure everyone speaks and to get a record of your testimony

Introduce other staff - Thanks to Oasis for hosting  
Steve Hunt, Charlene Strong, Clarence Hendersch.  
Brief explanation of reasons and process

Law passed in 2006 adding protected class. This agency has rulemaking authority to create rules to clarify and explain the law, and we are in the process of doing just that. In 2012, the WSHRC conducted workgroups around the state to receive ideas and discussion about possible rules. That information was used to create the proposed rules. This is your opportunity to give your opinion about those proposed rules, and help shape what the final rules on SO/GI will look like.

Process - name called, speaker will come to podium and provide comments, state name and if you represent an organization, state the name of the organization. State the section number of the proposed rule you are commenting about, and if you are pro or con. We would appreciate your reasons for being pro or con, and to know how the rule will affect you. If you have alternate proposals, give us specific language.

Comment length – limited to \_\_\_\_\_ minutes to make sure everyone has an opportunity.

Summarize lengthier comments, or repetitive ones.

You can also submit comments in written form.

Once the comments begin, there cannot be a discussion. This is the opportunity for each of you to provide your comments. You can ask questions for the record, but will not be able to answer them.

We also ask that you do not engage in discussion or argument, or question each other. Each person will have an opportunity to speak, and the recorder will not be able to distinguish if there is more than one person talking.

Public Hearing - Rulemaking on Sexual Orientation and Gender Identity  
June 24, 2015

1. Sign-in – sign in sheets and copy of the proposed rules available
  - a. (Staff/Commissioners should be available to greet people)
2. Introduction
  - a. Purpose of Rulemaking
  - b. Process
    - i. Everyone who wishes will get a chance to speak
    - ii. We may need to limit speaking time depending on number of people
    - iii. Each person will need to:
      1. Identify who they are
      2. If they represent a group
      3. Identify the proposed rule they wish to address
      4. If they agree or disagree they should explain why
      5. Explain how the rule affects them directly
      6. Offer alternatives, with specific language.
  - c. The Public Hearing is being recorded
  - d. One person speaks at a time. In order for all to be heard, there can be no discussion, or questions directed at the speaker. If the speaker asks questions, they must be for the record only, as we cannot answer them during the testimony.
3. Questions?
4. Testimony
  - a. People will be called in the order that they signed up
  - b. Time limit depending on number of people signed up to testify
  - c. (No discussion, arguments, asking questions of the speaker, or answering questions that the speaker asks)
  - d. (This is the time for *public* comment. Staff or Commissioners will not be able to comment, or engage in discussion during testimony. If they choose to comment, they will do so on their own time, must sign up to do so, and shall not introduce themselves as connected to the agency.)
5. Closing remarks
6. Adjourn – (staff should remain available for questions after hearing is over)

Questions.

Call in order that you signed in. Be sure to state your name and organization for the record.

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Closing

All testimony and written comments will become part of the official record for this hearing. After this we will review all comments, and do a written summary of the comments. Then we will begin to work on the final rule. Scheduled to be adopted by July 31, 2015 and will go into effect a month later.

Thank you.

Hearing adjourned at \_\_\_\_\_.