



Transsexual says ex-employer ignored harassment

Leslie Fulbright, Chronicle Staff Writer
Wednesday, February 25, 2009



Hardy Wilson / The Chronicle

SAN FRANCISCO -- A transsexual former employee of Burlington Coat Factory filed a discrimination suit against the company Tuesday, claiming she endured seven years of verbal and physical abuse from supervisors, colleagues and customers after undergoing sexual reassignment surgery.

Steven Wicks-Perez transitioned from a man to a woman in 2001, taking the name Maya. Perez said supervisors initially encouraged the transition but in the next seven years harassed her. Perez said she was exposed to sexual conversations and pornography; that co-workers grabbed and touched her breasts, buttocks and genitals and called her names like "he-she"; and that customers verbally and physically assaulted her.

"It was horrifying and humiliating," Perez, 42, said Tuesday during a press conference at the Legal Aid Society-Employment Law Center, the nonprofit legal organization representing her. "No other employee was allowed to be treated the way that I was."

Representatives at Burlington Coat Factory, based in New Jersey, did not return calls or e-mails seeking comment.

Perez, who worked at the San Francisco store at Fifth and Howard streets since 1996, said she complained multiple times over the years to numerous managers as well as security guards who saw the harassment on the store's cameras. She "exhausted all appropriate administrative remedies," the suit says.

"The harassment was not the same every single day, but it happened with great regularity," said Elizabeth Kristen, one of Perez's attorneys. "The management failed to take effective measures."

Before undergoing her surgery in 2001, Perez said she met with managers to discuss her plans. They were supportive, but after she transitioned, they discouraged her from dressing like a woman, according to the lawsuit.

For two years, she said she was prevented from changing her name tag from Stevie to Maya.

Perez's suit is one of the first cases brought on behalf of a transgender employee in California since the state amended the Fair Employment and Housing Act in 2004 to clarify that discrimination on the basis of sex specifically includes gender identity and expression, Kristen said.

"San Francisco is noted for its tolerance, yet Ms. Perez's experience shows we still have work to do," she said. "A large percentage of transgender individuals living in the Bay Area have experienced harassment or discrimination in the workplace. It's a serious problem that needs to be addressed."

The suit, filed in San Francisco Superior Court, seeks compensation for losses, benefits, emotional distress and future earning capacity, as well as policy changes at the store and training for managers.

In 2008, the American Civil Liberties Union won the first case to apply the Civil Rights Act to transgender people when a federal judge ruled that the Library of Congress discriminated by rescinding a job offer after finding out a veteran planned to transition from male to female.

E-mail Leslie Fulbright at lfulbright@sfchronicle.com.

This article appeared on page B-3 of the San Francisco Chronicle on 2/25/2009.