



505 Fifth Ave. Suite 901, Des Moines, Iowa 50309

www.aclu-ia.org

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**ACLU of Iowa Files Civil Rights Complaint for State of Iowa Male Employee
Denied Use of Men's Bathrooms, Locker Rooms, Medical Benefits
Because He is Transgender**

Des Moines, Iowa – Today the American Civil Liberties Union of Iowa, the ACLU LGBT Project, and cooperating attorney Melissa Hasso with the Sherinian & Hasso Law Firm in West Des Moines filed a complaint with the Iowa Civil Rights Commission on behalf of Jesse Vroegh, a long-time Iowa Department of Corrections (DOC) nurse.

The DOC has denied Mr. Vroegh use of the men's restrooms and locker rooms solely because he is transgender. It has also denied him health care coverage for medically necessary treatment and procedures because he is transgender, even though the DOC provides coverage for similar procedures for non-transgender employees.

Mr. Vroegh said all he is asking is to be treated equally in his workplace. "In this country and in Iowa, everyone should be treated fairly in the workplace – especially when your employer is the State," says Vroegh. "Rather than setting a good example for other Iowa employers, the State has denied me the use of gendered spaces as well as the health insurance coverage I need, simply because I am transgender. I hope my fight for fairness in the workplace will make a difference for the many other transgender people who have faced similar discrimination at work."

Rita Bettis, ACLU of Iowa legal director, said, "All Iowans are entitled to fair and equal treatment in the workplace, and that includes those who are transgender. The state should be setting an example by creating a work environment that is free from discrimination on the basis of gender identity. But here it has done just the opposite, violating our client's rights to nondiscrimination in employment under the Iowa Civil Rights Act and equal protection under the Iowa Constitution."

Since 2007, the Iowa Civil Rights Act has required employers to provide all their employees access to single-sex spaces, such as restrooms and locker rooms, on the same basis – meaning that transgender employees, like everyone else, should be able to use the facilities that match their gender identity. Employers must also provide to transgender employees the same benefits, such as healthcare, that they provide to employees who are not transgender.

John Knight, senior staff attorney at the ACLU LGBT Project, said "Transgender people have faced rampant discrimination for many, many years in all aspects of their lives, including the workplace. Sadly, employer after employer has gotten away with denying transgender persons jobs, demoting or firing them, or denying them restrooms or adequate health insurance coverage simply because they are transgender. The fact that it is the State of Iowa discriminating here makes it all the more tragic."

Last fall, Mr. Vroegh's supervisors at DOC told him and his union representative that Vroegh would not be able to use the employee locker rooms and restrooms corresponding with his gender identity. Instead, he would be required to use a unisex private restroom to dress and store his belongings, isolating him from all of his co-employees. Also, the unisex restroom doesn't have a shower, so unlike his co-workers, Vroegh has no option for showering at work.

According to Bettis, it is valuable for employers to make gender-neutral spaces available

to employees who wish to use them. But what employers cannot do is require an employee to use the private spaces and deny him access to the communal facilities, solely because he is transgender. Forcing an employee to use a separate space isolates the employee and sends the harmful message that he or she is abnormal and “less-than” his or her colleagues.

The DOC has further discriminated against Mr. Vroegh by denying him coverage for his medically necessary healthcare for no reason other than his being transgender. The same type of surgical procedures that Vroegh needs are covered for state employees who are not transgender. This is the kind of discrimination Iowa law prohibits.

A copy of the complaint can be found at:

http://www.aclu-ia.org/iowa/wp-content/uploads/2016/07/Vroegh-stamped-ICRC-complaint_Redacted.pdf

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The ACLU of Iowa is a private, non-partisan organization that fights to advance civil liberties for all. It is the state affiliate of the national American Civil Liberties Union. The ACLU prides itself in upholding everyone’s civil liberties, no matter who they are or what they believe. We work to assure the rights of all Iowans – from atheists to devout Christians, from labor unions to businesspeople and more – to make sure the constitutional rights of all are preserved. For more information, please go to www.aclu-ia.org.