

# TALKING ABOUT

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stop discrimination

## Nondiscrimination Protections for LGBT People



Authors



Partners

2017 EDITION

## INTRODUCTION

Strong majorities of Americans support laws protecting lesbian, gay, bisexual and transgender (LGBT) people from discrimination. That support, however, cannot be taken for granted, especially because most Americans mistakenly believe that the law already protects LGBT people. And when opponents of equality introduce false, fear-based attacks on nondiscrimination laws (and in many cases, on transgender people specifically), people can often lose sight of their core values.

*Talking About Nondiscrimination Protections for LGBT People* provides proven approaches to help build and sustain solid, lasting support for nondiscrimination laws, and also factually and effectively address people's concerns about these laws.

This guide is divided into several sections as follows:

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## UNDERSTANDING HOW PEOPLE THINK & FEEL ABOUT THESE ISSUES

Before starting a conversation about nondiscrimination protections, it's important to understand the perceptions, thoughts and feelings that our audience brings to these discussions. We call our audience the *conflicted middle* because they are generally supportive but often conflicted about the issues.

**First, people are widely supportive of protecting LGBT people from discrimination.** In the past several years, Americans have begun to understand that discrimination against LGBT people is still a problem in our society, and that nondiscrimination protections are one more tool that can help ensure that everyone is treated fairly and equally.

**There is also a strong foundational belief in several core values that underline support for nondiscrimination protections.** As discussed later, at the heart of this support is a near-universal desire to be a good person and do right by others, a strong conviction that everyone should be treated fairly and equally, and a belief that people should be judged based on their job performance and qualifications.

**However, there is also a widespread misperception that our laws already protect LGBT people from discrimination.** Even though no federal law explicitly protects LGBT people from discrimination, and such discrimination is still legal under the laws of more than half the states, most people have difficulty believing that it could possibly be legal to discriminate against LGBT people in this day and age. This leads the conflicted middle to believe that we don't need to protect LGBT people from discrimination—not because they disagree with such laws, but rather because they incorrectly believe those laws already exist. Addressing this issue is a top priority.

**Some people have questions about possible effects on businesses.** While most people are not sympathetic toward businesses that refuse to serve people, fire hardworking employees, or refuse to hire qualified workers simply because they are LGBT, they do sometimes question whether and/or how nondiscrimination laws might affect business owners.

**There is a lack of basic familiarity with transgender people.** Support for protecting transgender people from discrimination is rooted in people's basic belief in fairness and in treating others as they want to be treated. However, because so few people have strong personal connections and relationships with someone who is transgender, they tend to fill gaps in their familiarity with harmful stereotypes, negative assumptions, and flawed ideas of what it means to be transgender.

**Many people have real concerns about safety and privacy in restrooms—and especially about safety for women and children.** Safety for women and children is a deeply visceral issue in our society. At some point in their lives, most women have felt threatened by men—if not in restrooms, then in other public settings, or just walking down the street. Safety concerns are real for many women, and trying to dismiss these concerns is both ineffective and alienating. However, we can easily help people understand that protecting transgender people from discrimination will not compromise safety in restrooms—and in fact, protecting everyone from harm in restrooms is a key priority shared by the conflicted middle and by advocates for LGBT nondiscrimination protections.

**Support for nondiscrimination protections can fade if such fears take over—especially when those fears overlap with a flawed idea of who transgender people really are.** Because many people are personally unfamiliar and uncomfortable with transgender people, and because they are concerned about safety in restrooms, opponents of LGBT equality seek to confuse and conflate the two. And until we help the conflicted middle better understand what it means to be transgender, and the fact that nondiscrimination laws don't allow harassment or assault in restrooms, people who may naturally be supportive of nondiscrimination laws may instead oppose them.

## TALKING ABOUT NONDISCRIMINATION PROTECTIONS FOR LGBT PEOPLE

There are four main approaches that can help build support for nondiscrimination protections: 1) Emphasize the shared values at the heart of people's support for nondiscrimination, 2) Explain why nondiscrimination laws are needed, 3) Share stories and model people's journey to support, and 4) Help people calm their concerns about businesses and restroom safety.

### Approach #1: Emphasize Shared Values

Root conversations in shared values to remind people why they support protecting LGBT people from discrimination. These values help ground our conversations in authentic and resonant ways, and also help people work through their own sometimes-conflicted feelings in ways that are consistent with their beliefs.

#### Work Values

Most Americans share core values that define what work means to them. These values evoke a sense of shared purpose in work, and do so in ways that remind people that LGBT and straight people alike share common values and are in this together:

- **Hard work**
- **Earning a living**
- **Responsibility**
- **Providing for oneself and one's family**
- **Taking pride in your work**
- **Being judged based on performance and qualifications—nothing more, and nothing less.**

#### American Values

This second set of values reflects what people aspire to in their own lives, as well as the kind of country they want to live in:

- **Opportunity**
- **Freedom**
- **Personal responsibility**

#### Personal & Faith Values

These values are expressions of the kind of person someone wants to be, as well as the values that guide their personal relationships with others. For many, these values are rooted in faith and religious teachings; for others, they are ethical principles that can be voiced in both religious and non-religious contexts:

- **Treating others like we want to be treated**
- **Loving your neighbor as yourself**
- **Not for me to judge**
- **We are all God's children**
- **Protecting others (from discrimination)**
- **Treating others fairly, equally and with respect**

In expressing these values, it's important to speak only for oneself and from one's own faith experience, not in ways that generalize those values and apply them to others (e.g., saying "As a Christian, I believe..." rather than "Christianity teaches us..."). When we speak from a posture of humility, not aggressive moral certainty or judgment (e.g., saying "It's not for me to judge" instead of "It's not for YOU to judge"), we open the door to deeper conversations about why these values matter.

### Putting It Together

**Our shared values are always the center of our discussions about nondiscrimination laws.** The following examples weave those values together to speak to the beliefs, conscience and aspirations of our audience:

- *All hardworking people—including those who are lesbian, gay bisexual or transgender—should be treated fairly and equally by the laws of our state, and should have the opportunity to earn a living and provide for themselves and their families. That's what updating the law is all about. Nobody should have to live in fear of being fired from their job for reasons that have nothing to do with their job performance.*
- *Everyone needs to be able to earn a living, including people who are gay or transgender.<sup>1</sup> Employees should be judged on their qualifications, experience and the job they do—nothing more, and nothing less.*
- *Protecting people from discrimination, including people who are gay or transgender, is about treating others as we want to be treated. It's not for me to judge. Even though we may have different beliefs, what's most important is focusing on what we have in common—taking pride in our work, respecting coworkers and serving customers, and getting the job done.*
- *Gay and transgender people are our friends, neighbors, family and coworkers. When it comes to being able to earn a living, having a place to live, or being served by a business or government office, they should be treated like anyone else and not be discriminated against.*
- *The America I believe in is a land of opportunity and freedom—where people who work hard and meet their responsibilities have the chance to get ahead. Updating the law would help ensure that all people, including those who are gay or transgender, have a fair opportunity to earn a living, meet their obligations, provide for themselves and their families, and build a better life.*

### Approach #2: Explain Why Nondiscrimination Protections Are Important and Needed

In addition to emphasizing shared values, it is also critical to establish key facts about nondiscrimination laws, how they help people, and what the current lack of these laws means for LGBT people and their families.

<sup>1</sup> For more information on the terminology in this guide, see An Ally's Guide to Terminology at [www.lgbtmap.org/messaging-guides](http://www.lgbtmap.org/messaging-guides)



## Examples: Emphasize Shared Values

*This guide contains examples of how people can share their own journey stories and talk about the importance of protecting LGBT people from discrimination. For some other examples, visit [www.lgbtmap.org/video](http://www.lgbtmap.org/video).*

### Pastor Talking About Shared Values



**Pastor Ahrens:** When I search my heart, I believe we're called to respect the fundamental human dignity of all people and to treat others as we want to be treated, including those who may seem different from us. And when my wife and I do that, we are truly living our faith.

### Family of a Transgender Person Talking About Shared Values



**Audrey (grandmother):** Family has always been important to us. Our faith and our family is really the center of our lives.

**Laurie (mother):** Our son, Will, is transgender. Before we had a transgender son, we'd never really given any thought to discrimination against transgender people.

**Ken (father):** As your kids grow up and head out into the world, you want them to have the same opportunities as everyone else. They still have to work hard. Few things in life are easy or guaranteed. But you want your kids to have a fair shot.

**Will:** I want to go to college, I want to get a good job...I just want to be happy.

**Laurie:** We want the same thing for Will that we want for our other two sons. You want your children to be happy, to be able to take care of themselves and their families, to be successful, and to be able to contribute their gifts and talents where they can, and to be able to make a difference in the world.

**Audrey:** This isn't about politics. It's about family and how we as people treat one another.

## Focus on Updating the Law

Laws protecting people from discrimination have been around a long time. Our country's commitment to advancing fair and equal treatment for all Americans is already reflected in laws that protect people from discrimination based on their race, ethnicity, sex, religion, and other characteristics. When people are reminded that this is simply about *updating* those existing protections to also include and protect LGBT people from discrimination, misconceptions about "new laws" fade away.

- *Updating the law will help ensure that all people in our state—including people who are lesbian, gay, bisexual or transgender—have the opportunity to be judged on their job performance and qualifications, nothing more, nothing less.*

## Establish the Absence of Legal Protections

Polls have repeatedly shown that people do not realize that it is still legal under the laws of most states to fire, refuse to hire, deny housing, and/or deny public accommodations to LGBT people. Correcting this misconception is crucial to helping people understand why nondiscrimination protections are so desperately needed:

- *I believe that all people should be treated fairly and equally. That's why it's so shocking to realize that in this day and age, it is actually still legal under our state's laws to fire a hardworking employee, deny them an apartment, deny them service in a restaurant, and otherwise discriminate against people simply because they're gay or transgender.*

## Clarify Why We Need These Kinds of Protections

Because many people don't realize that so few states bar discrimination against LGBT people, they often question whether such discrimination still occurs. When this happens, rather than talking about pervasive discrimination, talk about nondiscrimination laws as something we need to protect good workers from the few bad employers who won't do the right thing on their own:

- *Most employers want to do the right thing, but there will always be a few people who only do what's right when the law requires it. For those times when good judgment breaks down, we need laws so that all employees, including those who are gay or transgender, are hired, fired or promoted based on their professionalism, qualification and job performance—nothing more, nothing less.*

## Remind People That Nondiscrimination Laws Are an Important Tool, Not an Overnight Solution

Many people who support fair treatment in the workplace have questions about whether nondiscrimination protections can help change how people treat one another. Remind people that such laws are an important tool that can help ensure fairness and opportunity for all:

- *Changing the law won't end all unfair treatment overnight. But it will provide one more tool to ensure that all people, including those who are gay and transgender, who want to work hard and who do their jobs well are treated fairly and equally, and judged based on their job performance.*

### Describe How Discrimination Hurts Workers and Their Families

In addition to establishing that LGBT people lack legal protections under the laws of most states, we need to help people understand that discrimination is an ongoing problem that hurts real people and their families. Stories of how LGBT people have been unfairly fired or denied a job can help build support for nondiscrimination laws. Such stories can also help people reflect on LGBT people they know, and connect to their desire to see their friends, coworkers and family members treated fairly and equally.

When possible, it is ideal to have stories shared by both the person who experienced discrimination and straight, non-transgender coworkers who can talk about their interactions with their colleague, relate how hardworking and professional they were, discuss the unfair treatment the coworker experienced, and their own shock at realizing that such discrimination could still be legal. Likewise, both the worker who experienced discrimination and their supportive coworkers can focus on their shared values, as well as on the concrete harms that the discrimination inflicted on the LGBT worker and their family (see *Example* on the right).

### Approach #3: Share Stories of the Journey to Support

Americans are on a journey toward greater support for LGBT people and their families. But even some of today's strongest advocates for nondiscrimination protections covering LGBT people didn't necessarily start out being supportive.

Many people experience a gradual change of heart when it comes to supporting nondiscrimination protections. They often talk about feelings of genuine conflict, of struggling to reconcile a belief that LGBT people are already protected with information establishing that the opposite is true. And many wrestle with concerns—ranging from anxieties about safety in restrooms to concerns about effects on businesses—that we'll discuss in greater depth in the next section.

Stories of those whose attitudes have changed over time can provide a steadying hand on the shoulder of others who are struggling to do the right thing and can give people permission to embrace their own journey.

The great news is that countless people can share these stories. LGBT people can share stories of family members, friends and coworkers who became more accepting—and straight, non-transgender friends and family can share their

### Example: Establish the Absence of Legal Protections



**Joseph:** Before our son came out, I never spent one minute thinking about discrimination in the workplace, or in society against gay or transgender people, because it wasn't part of my life. But even in this day and age, what we've learned is that people are still being discriminated against. The fact that a business could legally discriminate against a person just because of who they are was so shocking to us.

### Example: Describe How Discrimination Hurts Workers & Their Families



**Ms. Beall:** I grew up the daughter and grand-daughter and great-granddaughter of educators. I've been in the classroom 26 years. I've had a lot of students return and talk about the difference it made in their lives.

**Mrs. Burrell (co-worker):** Ms. Beall was always considered just an exceptional teacher. And it's shown in just everything she does.

**Ms. Beall:** The superintendent told the board that I should be terminated because I was gay. When he told me that I would be fired, I was really shocked. I had stellar evaluations. My personal life was never a topic of discussion in the classroom or the workplace. It wasn't relevant. But we lived in the community; we went to Pizza Hut and the park as a family. Given all the evidence about my performance, I never in my wildest dreams imagined that I could lose my job.

Family is so important to me. I have two children. I have a sister who is seriously ill that I help care for. My mother is aging. So I have a family that depends on me. And that's one of the reasons it made it devastating. What do I do next? How do I take care of the people that mean so much to me if I don't have an income, if I no longer have a job?

own stories as well. In fact, these first-person stories of well-meaning people who gradually moved from a starting point of discomfort and concern about the law to greater understanding and support are vitally important. They can help others acknowledge the unfamiliarity and discomfort they might feel, ground people in their desire to be a good person and do right by others, and identify with the journey and the values of the person telling the story.

### Example: Journey Stories

*For many, understanding what it means to be transgender is an important element of journey stories, such as the example below. For more on helping the conflicted middle build familiarity with transgender people, see Page 8.*



**Gina:** I learned from my mother the philosophy of being a servant leader, a servant manager—that you supported your team, knowing that if they succeed, you succeed.

**Rhonda:** We had worked together for almost 17 years when I learned that Gina, who I'd always known as Greg, was transgender, and was going to be transitioning from male to female. I had never known a transgender person before. The whole thing was totally new to me, and I wasn't sure what to expect.

**Gina:** I expected people might be anxious about having a transgender coworker. We're often anxious or uncomfortable with things that we haven't experienced. That's just human nature, and I get that.

**Rhonda:** But like most things, we worked through it together. It took some getting used to, but after some time, it wasn't as uncomfortable or awkward as I had initially thought.

**Gina:** We're all different in certain ways, but what matters most is what we have in common: Respect for one another and our customers, pride in our work, and doing our jobs well.

**Rhonda:** When I think about it, there are just so many times when we are confronted with something new, and you realize that if you can keep an open mind, even if you're uncomfortable, your perspective can really change.

**Remember: Journey stories must be authentic and told with empathy.** People who are on these journeys aren't "bigots" or "hateful" (words we'd never want to use in our conversations); they're well-meaning but conflicted people who care about their LGBT friends, family members, coworkers and neighbors. Over time and with thoughtful consideration, they've gradually come to understand how important it is to protect people they know and care about

### Example: Bringing Together Values, Concerns & Journey Stories

*The McHenry Family of Arizona ties together shared values, journey stories, concerns about the harms of discrimination, and the importance of updating the law.*



**Rose (Donna's mother):** My family is my life. They mean everything to me.

**David (Donna's brother):** Donna and I were always close growing up. So it's hard to admit now, but when she told me she was gay, I wasn't very accepting at first.

**Sharicka:** Family is everything to us. Donna and I have been married for over 14 years, and are raising four beautiful children.

**Donna:** Hard work is important to our family. Our paychecks help put food on the table, give a little bit back to those in need, and help to build a good future for our kids—and show them that the opportunities we have as Americans come with responsibilities.

**Rose:** We're very proud of them. But as a parent I worry, because under our state's laws, they could be fired from their jobs, evicted from their home, or refused service when they take the kids out for a family dinner, just because they're gay.

**David:** Donna and Sharicka work just as hard as I do. So I mean it doesn't really seem right that their jobs, their home and their family's future could be at risk simply because of who they are.

**Rose:** It's time to update the law so that all people have a fair chance to work hard and provide for their family.



from discrimination. Telling their stories with empathy and appreciation—without dismissing their struggle or blaming them for it—can model that journey for others and provide them with support for the road ahead.

## Approach #4: Help People Calm Their Concerns

Opponents' attacks on nondiscrimination protections can sometimes cause people to second-guess their support and lose sight of their core values. The concerns and fears opponents raise may seem irrational and unfounded to people who have in-depth familiarity with the issues, but they can be very real for the conflicted middle.

When people are successfully able to navigate their own concerns, they can come back to their core values and support for nondiscrimination laws. The approaches below can help them do that when it comes to concerns about impacts on business owners, or on bathrooms and safety.

### Concerns About Business Owners

When it comes to public accommodations, opponents of nondiscrimination protections frequently latch onto claims by a tiny number of business owners who say they should be allowed to deny services to LGBT people because serving them would violate the business' religious beliefs. To address this concern, we first need to affirm what fair-minded people already believe: that businesses should serve all people equally and not discriminate:

- *As a nation, we decided a long time ago that businesses that are open to the public should be open to everyone on the same terms. Nobody should be turned away from a business or denied service in a restaurant simply because of who they are.*

Second, we want to return to our shared values and beliefs that remind people of why they support protecting LGBT people from discrimination in the first place.

- *Gay and transgender people are our friends, neighbors, family and co-workers. They work hard, serve in the military, and pay taxes. When they walk into a business that's open to the public, they should be treated like anyone else and not be discriminated against.*

Opponents of nondiscrimination protections may also argue that small business owners should be able to fire or refuse to hire an LGBT person because working with LGBT people is contrary to their religious beliefs. While most people think that such discrimination is wrong, they also want to provide small business owners with flexibility in how they run their business. So it can be helpful to acknowledge that smaller employers and landlords are usually exempt from employment and housing nondiscrimination provisions, and that churches and religious organizations will continue to enjoy the religious freedoms granted under the Constitution:

## Elevating the Voices of Business Owners

*The voices of business owners and leaders who support nondiscrimination protections not in spite of their values and beliefs, but rather because of them, can help remind people that we have important values and priorities in common.*



**Howard:** We've built our business from the ground up by treating people as we want to be treated.

**Pat:** It's how our Christian faith guides us, and it's also just good for business.

**Howard:** So we were shocked to hear some people in our industry say that they flat-out won't hire or do business with gay or transgender people.

**Pat:** We can't pick and choose customers or employees based on gender, race or religion. That's discrimination, and it's already against the law for businesses big and small.

**Howard:** But it was troubling to learn that our state's laws don't protect gay and transgender people from discrimination. And the fact is, some businesses will only treat people fairly when the law requires it.

**Pat:** It's time to update the law. We're all God's children, and we should all be treated equally under the law. Nobody should be denied a job or refused service just because of who they are.

- *It's about striking a balance. Updating our state law would protect gay and transgender people from discrimination while including reasonable exemptions for small business employers and landlords, and protecting the constitutional rights of churches and religious organizations.*

The same approach can also help reassure people that an updated law would not prevent businesses and employers from holding all their employees to standards of professional conduct in the workplace:

- *It's about striking a balance. We can give everyone, including gay and transgender people, the opportunity to earn a living and hold everyone to the same professional standards of conduct and appearance in the workplace.*

Pro-business voices and others who speak from personal experience can affirm the importance of serving all customers on the same terms, as well as connecting that principle back to shared personal and faith values:

- *Protecting people from discrimination, including people who are gay or transgender, is about treating others as we want to be treated. It's not for me to judge. Even though we may have different beliefs, what's most important is focusing on what we have in common—taking pride in our work, respecting coworkers and serving customers, and getting the job done.*

## Concerns About Restrooms and Safety

As the number of cities and states with nondiscrimination protections for LGBT people has grown, opponents of these laws have tried to claim that protecting transgender people from discrimination in public accommodations will lead to sexual predators targeting women and children in public restrooms. These claims are untrue.

For those who are upset by these claims, it's important to provide information that allows them to think through their concerns calmly and reasonably, and return to their core values.

It's crucial that we start by emphasizing our shared values around safety for everyone in public restrooms. We cannot assume that people know or remember that there are already laws in place protecting public safety in places like restrooms—especially when opponents are aggressively trying to scare, confuse and mislead them. Additionally, we need to remind people that updating our nondiscrimination laws doesn't change existing public safety laws that already make it illegal for anyone to enter a restroom to harass or assault someone, or invade their privacy. For example:

- *"Safety and privacy in restrooms is important for all of us. That's why we already have laws in place that make it illegal to harm or harass people, or invade their privacy. Anyone who does that can and should be arrested and prosecuted. Police use these laws to prevent assault, keep people safe, and hold*

### In-Depth Messaging Resource: *Talking About Transgender People & Restrooms*

The recommendations in this section are adapted from *Talking About Transgender People & Restrooms*, MAP's in-depth guide for effective conversations about transgender people and restrooms in a variety of contexts, including: education about who transgender people are and the issues they face, building support for (and helping people calm their concerns around) nondiscrimination protections, and opposing harmful anti-transgender "bathroom ban" laws.

To download and read *Talking About Transgender People & Restrooms*, visit [www.lgbtmap.org/messaging-guides](http://www.lgbtmap.org/messaging-guides).

*offenders accountable. Updating our nondiscrimination laws won't change that."*

In addition, we can help people think through their safety concerns by factually establishing that nondiscrimination protections for LGBT people have passed in a large number of cities and states, with no increase in public safety incidents. Mentioning some of the cities and/or states is important and helps ground people in the facts. When possible, list states or cities that are less expected or that reflect the values and geography of the city or state currently deliberating an updated nondiscrimination law. Visit [www.lgbtmap.org/cities-states](http://www.lgbtmap.org/cities-states) for a list of cities and states you can use as examples.

- *"We all care about safety in restrooms, which is why it's important to know that nondiscrimination laws have been around for a long time. More than 200 cities and 19 states across the U.S.—including places like Kansas City, MO, Gainesville, FL and Kalamazoo, MI—have enacted and successfully implemented these laws to protect lesbian, gay, bisexual and transgender people from discrimination. There's been no increase in public safety incidents in restrooms in any of those cities or states. And that makes sense, because if nondiscrimination laws actually opened the door to sexual predators, no one would support them."*

We can also remind people that the basic rules and customs involved in public restroom use won't change because of a nondiscrimination law; that separate restrooms for men and women still exist; and that transgender people will use the restroom that corresponds with the gender they live every day. For example:

- *"This law will not change the fact that separate restrooms exist for men and women. What it would do is allow a transgender person to use the restroom that matches the gender they live every day."*

Bringing people back to the fact that nondiscrimination protections are about much more than restrooms is also important. Bringing the conversation back to examples of discrimination that involve employment and housing, as well as examples of public accommodations discrimination like the denial of service in restaurants, helps bring the conversation back to our shared values. Also, be sure to emphasize the protections these laws provide to LGB people, as well as to people who are transgender:

- *"Unfortunately, there are still people out there who want to be able to fire people, deny them housing, or refuse to serve them in stores or restaurants, simply because they're gay or transgender."*

Finally, we must bring our conversations back to the values we share, and remind people that updating the law allows us to both protect people from discrimination **and** keep people safe:



- *“We can protect people from discrimination and continue to hold offenders accountable. That way everyone can have a fair opportunity to earn a living, be safe, meet their responsibilities, and build a better life.”*

**It is especially important to make sure that conversations do not stay fixated on restrooms.** While helping people calm their concerns is important, doing so doesn’t necessarily build a case for why the law is needed, or remind people why they support nondiscrimination protections in the

first place. Instead, help calm restroom-related concerns quickly, beginning with and always returning to an emphasis on shared values and explaining why nondiscrimination protections are important and needed. See Approach #1 (“Emphasize Shared Values” on Page 2) and Approach #2 (“Explain Why Nondiscrimination Protections Are Important and Needed,” on Pages 2-4) for additional information. This guide’s Talking Points at a Glance (see Page 11) can also serve as a quick reference version.

## Building Familiarity with Transgender People & Acknowledging That Many People Aren’t Quite There Yet

Because relatively few people personally know a transgender person, they can often feel stuck and frustrated by their lack of familiarity and the discomfort that results. This frustration and discomfort can make it impossible to hear and participate in conversations about transgender people, especially when it comes to the importance of nondiscrimination protections and helping people calm their concerns about restrooms.

Fortunately, a simple acknowledgement of that unfamiliarity can be a powerful way to help people realize that what they’re feeling is normal, and that others may feel the same:

- *“It can be hard to understand what it’s like to be transgender, especially if you’ve never met a transgender person.”*

This simple message helps people focus less on their own discomfort, and opens them to re-engaging with their own values and their desire to protect transgender people.

Acknowledging that initial unfamiliarity is only the first step. We must also help people build a more accurate understanding—which means describing what it means to be transgender with accessible, easy-to-understand words and concepts that build on people’s own lived experience of gender. To do this effectively:

1. Identify a transgender person as transgender at the outset, so that people have a point of reference for what follows.
2. Point to the fact that a transgender person’s body at birth doesn’t match who they know they are on the inside.
3. Note that they always (or from an early age) felt that their gender did not match their body at birth.
4. Mention that they transitioned to live every day as the gender they’ve always known themselves to be (though without talking in detail about the transition process).

5. When speaking about a particular individual (or one’s self), clarify one’s “direction of transition” so that people can follow a transgender person’s path in terms they can understand. Don’t assume that even common terms like “transgender man” or “transgender woman” are self-explanatory or accurately understood—they are not.

Pulling these elements together can be easy, and can be done in a variety of ways:

- *“I’m a transgender woman. I was born and raised as a boy, but inside I always knew I was female. So I transitioned, and now I live every day as the woman I’ve always known myself to be.”*
- *“I’m a transgender man. I was born and raised as a girl, but inside I always knew I was male. Many years ago I transitioned from female to male, and now I live life as the man I’ve always known myself to be.”*
- *“A transgender person is someone who grows up knowing that their body doesn’t match who they know they are on the inside—so they transition and live as the gender they have always known themselves to be. For example, a transgender woman is born and raised as a boy, but knows from an early age that she is a girl. So later in life she transitions to live as a woman.”*

While it’s important to remember that transgender women are women, and transgender men are men, some transgender people identify as neither male nor female. While this can be harder for the conflicted middle to understand and identify with, it can be described in ways that are simple, clear and relatable. For example:

- *“Most people know from a very young age that they are either male or female. But that is not true for everyone. I’m a person who has never fit into either gender. Eventually I went through a transition—changing my name and the way I dressed—so I could live life every day as my authentic self.”*

## Explaining How Transgender People Are Hurt By the Lack of Nondiscrimination Protections

*While it's important to prioritize examples of employment and housing discrimination when talking about nondiscrimination laws, thoughtfully showing how harmful it can be to force transgender people to use the wrong restroom—and how updating the law can help prevent that kind of mistreatment—can help build support for the law and calm concerns raised by opponents.*



I'm a transgender woman. I was born with a male body, but inside I always knew I was female. So I transitioned, and now I live everyday as the woman I've always known myself to be.

It can be hard to understand what it means to be transgender, especially if you've never met a transgender person.

In most states, our laws don't protect transgender people from discrimination in public places—or when it comes to using the restroom, something we all need to do every day.

I've lived as a woman for many years. Most people, when they stop and think about it, they realize that when businesses can legally force me to use the men's room, it puts me at risk for harassment and violence.

Safety and privacy in bathrooms is important for all of us. It's already illegal to enter a restroom to harm someone, and anyone who does that can and should be arrested.

Updating the law to protect gay and transgender people from discrimination won't change that—but it would help ensure that people like me aren't mistreated when we need to do something as basic as using the restroom.

To watch this ad ('Restaurant') and other videos online, visit [www.lgbtmap.org/video](http://www.lgbtmap.org/video).

## THINGS TO AVOID

**Don't descend into name-calling.** Calling anti-LGBT opponents "bigoted" or "hateful" can alienate those who are honestly wrestling with the issues. Using measured, relatable language does more to create empathy and a sense of how opponents' efforts to thwart nondiscrimination protections hurt LGBT people and their families.

**Don't use terminology that can confuse or alienate people.** Terms like "cisgender," "nonbinary," "genderqueer" and "gender non-conforming," while familiar and comfortable for many in the LGBT community, tend to confuse and alienate conflicted audiences and are seen as insider-speak or talking over their heads. Instead, use everyday language that describes such concepts in more relatable, non-insider ways; for example, *people who are not transgender* (instead of "cisgender"), or *someone who doesn't identify as either male or female* (instead of "nonbinary"). Always explain terms that might be unfamiliar; even a term like "transgender man," used without explanation, can be misunderstood as referring to a man who transitions to live life every day as a woman.

**Don't talk about transgender people "choosing" which restroom to use.** This plays into harmful stereotypes and misconceptions about transgender people, as well as attacks by opponents (e.g., claims that transgender people pick which restroom they want to use on a whim). Instead, talk about transgender people using the restroom that matches the gender they live every day, and how nondiscrimination protections help ensure that transgender people aren't mistreated when they need to do something as basic as using the restroom, something we all need to do every day.

**Avoid getting into arguments with the conflicted middle about gender.** For the conflicted audience, their lived experience is deeply rooted in a binary male/female understanding of gender. Discussions that they interpret as trying to argue them out of their lived experience of gender can result in even more entrenched attitudes and resistance to persuasion on the need for nondiscrimination protections. Instead, focus on personal narratives that build familiarity with transgender people using everyday, relatable language that opens the door for greater understanding and engagement.

**Don't talk about "rights," "civil rights," or make direct comparisons between different kinds of discrimination, especially when it comes to discrimination based on race.** Such comparisons can alienate many African Americans and others, creating unnecessary distance where there would otherwise be common ground.

### MAP's GUIDES TO TALKING ABOUT LGBT ISSUES

This is one in a series of documents on building effective conversations about lesbian, gay, bisexual and transgender (LGBT) people and the issues that affect their lives. MAP gratefully acknowledges the contributions of our partners in the development of this guide; the recommendations are those of MAP. MAP also gratefully acknowledges the contributions of Goodwin Simon Strategic Research, Wild Swan Resources, and Benenson Strategy Group in the development of these recommendations. For more resources and downloadable versions, visit [www.lgbtmap.org/messaging-guides](http://www.lgbtmap.org/messaging-guides). © 2014, 2017 Movement Advancement Project (MAP).

# TALKING POINTS AT A GLANCE

## Talking About Nondiscrimination Protections for LGBT People

Use these four approaches together when talking about nondiscrimination protections. To re-download the full *Talking About Nondiscrimination Protections for LGBT People* guide, visit [www.lgbtmap.org/messaging-guides](http://www.lgbtmap.org/messaging-guides).

### Approach #1:

#### Emphasize Shared Values

- All hardworking people—including those who are lesbian, gay, bisexual or transgender—should be treated fairly and equally by the laws of our state, and should have the opportunity to earn a living to provide for themselves and their families. That’s what updating the law is all about. Nobody should have to live in fear of being legally fired for reasons that have nothing to do with their job performance.
- Everyone needs to be able to earn a living, including people who are gay or transgender. Employees should be judged on their qualifications, experience and the job they do—nothing more, and nothing less.
- Protecting people from discrimination, including people who are gay or transgender, is about treating others as we want to be treated. It’s not for me to judge. Even though we may have different beliefs, what’s most important is focusing on what we have in common—taking pride in our work, respecting coworkers and serving customers, and getting the job done.
- Gay and transgender people are our friends, neighbors, family and coworkers. When it comes to being able to earn a living, having a place to live, or being served by a business or government office, they should be treated like anyone else and not be discriminated against.
- The America I believe in is a land of opportunity and freedom—where people who work hard and meet their responsibilities have the chance to get ahead. These protections would help ensure that all people, including those who are gay or transgender, have a fair opportunity to earn a living, meet their obligations, provide for themselves and their families, and build a better life.

### Approach #2:

#### Explain Why Nondiscrimination Protections Are Important and Needed

- Updating the law will help ensure that all people in our state—including people who are lesbian, gay, bisexual or transgender—have the opportunity to be judged on their job performance and qualifications, nothing more, nothing less.
- I believe all people should be treated fairly and equally. That’s why it’s so shocking to realize that in this day and age, it is actually still legal under our state’s laws to fire a hardworking employee, deny someone an apartment, deny them service in a restaurant, and otherwise discriminate against people simply because they’re gay or transgender.
- Most people want to do the right thing, but there will always be a few people who only do what’s right when the law requires it. For those times when good judgment breaks down, we need laws so that all employees, including those who are gay or transgender, are hired, fired or promoted based on their professionalism, qualification and job performance—nothing more, nothing less.
- Changing the law won’t end all unfair treatment overnight. But it will provide one more tool to ensure that all people, including those who are gay and transgender, who want to work hard and who do their jobs well are treated fairly and equally, and judged based on their job performance.

### Approach #3:

#### Share Stories of the Journey to Support

See pages 4-5 for guidance and examples of effective journey stories.

### Approach #4:

#### Help People Calm Their Concerns

##### Calming Concerns About Small Businesses

- As a nation, we decided a long time ago that businesses that are open to the public should be open to everyone on the same terms. Nobody should be turned away from a business or denied service in a restaurant simply because of who they are.
- Gay and transgender people are our friends, neighbors, family and co-workers. They work hard, serve in the military, and pay taxes. When they walk into a business that’s open to the public, they should be treated like anyone else and not be discriminated against.
- It’s about striking a balance. Updating our state law would protect gay and transgender people from discrimination while including reasonable exemptions for small business employers and landlords, and protecting the constitutional rights of churches and religious organizations.
- Protecting people from discrimination, including people who are gay or transgender, is about treating others as we want to be treated. It’s not for me to judge. Even though we may have different beliefs, what’s most important is focusing on what we have in common—taking pride in our work, respecting coworkers and serving customers, and getting the job done.

##### Calming Concerns About Restrooms

- Safety and privacy in restrooms is important for all of us. That’s why we already have laws in place that make it illegal to harm or harass people, or invade their privacy. Anyone who does that can and should be arrested and prosecuted. Police use these laws to prevent assault, keep people safe, and hold offenders accountable. Updating our nondiscrimination laws won’t change that.
- We all care about safety in restrooms, which is why it’s important to remember that nondiscrimination laws have been around for a long time. More than 200 cities and 19 states have enacted and successfully implemented these laws to protect lesbian, gay, bisexual and transgender people from discrimination, and allow transgender people to use the restroom that matches the gender they live every day. And there’s been no increase in public safety incidents in restrooms in any of those cities or states.
- This law will not change the fact that separate restrooms exist for men and women. What it would do is allow a transgender person to use the restroom that matches the gender they live every day.
- Unfortunately, there are still people out there who want to be able to fire people, deny them housing, or refuse to serve them in stores or restaurants, simply because they’re gay or transgender.
- We can protect people from discrimination and continue to hold offenders accountable. That way everyone can have a fair opportunity to earn a living, be safe, meet their responsibilities, and build a better life.