

Dallas transit board approves expansion of nondiscrimination policy without 'except'

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Removing any ambiguity about their intentions, [Dallas Area Rapid Transit](#) board members voted unanimously Tuesday night to expand the agency's nondiscrimination policy to protect transgendered employees and applicants.

Dozens of gay rights supporters, transsexuals and others were on hand to urge the board to amend the policy passed on first reading last week to make clear that the new rules would forbid discrimination on the basis of gender identity.

Board member William Tsao of Dallas told his colleagues they needed to remove a single word – "except" – that had been added just before the vote was cast last week.

"By passing this, it is the intention of the DART board to make clear that its policy unequivocally prohibits any discrimination against persons based on their gender identity or gender expression," Tsao said.

The motion was approved without dissent, ending a week of accusations and suspicious about the last-minute change, and prompted a sustained round of applause from the near-capacity crowd on hand to witness the change.

Transgendered individuals are those who think their true gender is different than the gender they were born as. Some, usually known as transsexuals, have operations to align their physical bodies with the way they see themselves.

DART employs at least one transsexual as a bus operator, and the agency has been struggling for several years to find the right balance between the requests she has made since her surgery and policies the agency thinks make sense.

Her request to have DART officially change her gender identification to female, which DART refused, sparked a debate that eventually ended in court. Since then, however, DART officials have helped the operator ensure that her health insurance covers necessary care and made other accommodations.

Ben Gomez, DART's top human resources executive, said Tuesday that "there have been some bumps along the way," but he said he was proud of the way the agency had sought the assistance of local groups to help fashion a fairer approach to handling transgender issues.

"We hadn't had to deal with this before," Gomez said.

Before the meeting, chairman William Velasco of Dallas said he had secured the votes to pass a motion to strike the word "except" – added by Ray Noah of [Richardson](#) last week – and approve the broader protections.

"That's what we wanted to do in the first place," he said. "We had relied on our counsel to make sure our wording was right" – but were poorly served in this instance.

Board members Mark Enoch of [Rowlett](#) and Scott Carlson of Dallas, both of whom voted against making the change a week ago, were absent from Tuesday's meeting.

Both men had said previously that adding the protection would only open DART to expensive litigation if an employee claimed discrimination.