

If Your Rights Are Being Denied

Take Care Of Yourself.

Take a deep breath and assess your safety. These moments can be really traumatic and scary, so you want to make sure that you are okay. Remember it is always okay to make the decision to walk away, and come back later with a friend and/or ally to help.



Record It. Write as detailed a description as possible of what happened. Be sure to include names, dates, times and any other information you think might be relevant. Keep copies of documents, emails, voicemails, text messages, pictures, and any other communications connected to the incident.



Connect. Need other supports? Contact FreeState Legal and Equality Maryland for a legal intake, support, possible legal representation and trainings.

Report. Contact the Maryland Commission on Civil Rights (MCCR). MCCR is the state agency that enforces civil rights law. You can file a complaint online at www.mccr.maryland.gov or call 1.800.637.6247. Be sure to have the date the incident occurred. They will ask for a short description of the event. In most cases, you will need to file within six months of the incident. You do not need a lawyer to file a complaint with MCCR, but if you have questions about whether to file a complaint or how to file, contact FreeState Legal for assistance.

Advocate. Share this brochure with your community members, colleagues, and others.

CONTACT US

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This brochure gives general information about legal rights under the Fairness for All Marylanders Act. It is not a substitute for legal advice from a lawyer about your particular situation. If you need specific legal advice about how FAMA applies to you, contact FreeState Legal for assistance.

FAIRNESS FOR ALL MARYLANDERS ACT (FAMA) TOOLKIT: A Legal Guide for Maryland Trans* People and Advocates



FreeState Legal

Equality Maryland

Fairness for All Marylanders Act

The Fairness for All Marylanders Act (FAMA) went into effect on Oct. 1, 2014! Understanding what this law means in your day-to-day life can feel a bit confusing. This brochure provides information about the legal rights of transgender people in Maryland, and what to do if you believe you are being discriminated against. This brochure can also help if you are an ally, service provider, and/or simply want to stand up for the rights of others.



FAMA has made it illegal to discriminate against people because of their gender identity or expression in the same way it is illegal to discriminate against someone due to race, class, sexual orientation, religion, etc.

FAMA applies to employment, housing, state-licensed services, and hotels, restaurants, and other public accommodations. FAMA does not necessarily apply to healthcare providers or students in schools—but there are other laws that protect transgender & gender non-conforming people in those areas. Contact FreeState Legal for more information.



Important Terms to Know

Transgender is an umbrella term used to describe people whose gender identity differs from their assigned or presumed sex at birth.

Gender identity is defined by FAMA as “the gender-related identity, appearance, expression, or behavior of a person, regardless of the person’s assigned sex at birth,” which is “sincerely held as part of the person’s core identity.”

FAMA is a part of Maryland’s Civil Rights Act. It is in the Maryland Code, Title 20 of the State Government Article.

My Rights as a Transgender Marylander

Employment

You have the right to:

- = Use the restroom and other facilities consistent with your gender identity
- = Wear clothing and/or a uniform that is consistent with your gender identity

Your gender identity *cannot* be grounds for:

- = Firing or refusal to hire
- = Denial of temporary work assignments
- = Denial of union membership
- = Other adverse employment actions (e.g. demotion, differential pay and/or benefits)

Housing

You have the right to:

- = Rent or buy a home regardless of your gender identity
- = Be assigned to a shelter and/or transitional housing consistent with your gender identity



Your gender identity *cannot* be grounds for:

- = Rejection of rental application
- = Eviction
- = Refusal to let you buy or sell a home
- = Rejection of a mortgage application

State-Licensed Services

You have the right to receive certain state-licensed services without discrimination on the basis of gender identity. This includes:

- = Banks and lenders
- = Tax preparers
- = Credit card companies
- = Accountants
- = Barbers & hairdressers
- = Electricians
- = Realtors
- = Interior designers
- = Anyone else licensed or regulated by the state Department of Labor, Licensing and Regulation (DLLR).

Hotels, Restaurants & Other Public Accommodations

Your gender identity **cannot** be used to deny service or entry in places of public accommodation, such as:

- = Hotels
- = Restaurants
- = Bars
- = Movie theaters
- = Concert Halls
- = Malls
- = Stores
- = Public Pools
- = Cabs
- = Car Rental

Single Sex Restrooms, Dressing Rooms & Locker Rooms

If a place of public accommodation makes **restrooms** available to the public, **you have the right to use the restroom that corresponds to your gender identity.**

If the place of public accommodation has **single-sex dressing areas or locker rooms** that do not have individual private stalls, the staff for the public accommodation may have the right to ask you to use a different, private dressing area, so long as the private dressing area is **fully equivalent** to the dressing area made available for other patrons.

Exceptions

There are some exceptions to coverage under FAMA. FAMA might not apply in these common situations:

- = Church or religious institutional employer can decline to hire transgender persons for religious reasons.
- = Lease of an apartment or room in an owner-occupied building that contains 5 or fewer rental units
- = Sale or rental of a single-family dwelling by the owner, with no realtor or other real estate professional involved in the transaction.
- = Truly private clubs or membership organizations, where membership is not open to the general public.