

Executive Summary

This report presents the findings from the first government-run testing project in the nation¹ to analyze how employers respond to resumes from applicants perceived as transgender² compared with resumes of applicants perceived as cisgender³. Previous surveys and studies, as well as anecdotal stories, portray a grim reality for many transgender community members seeking employment, with discriminatory practices punctuating nearly every stage of the interview process. These high levels of employment discrimination – both in jurisdictions with and without employment protections based on gender identity or expression – have disastrous consequences for the transgender community.

As the enforcement agency for the District of Columbia’s non-discrimination laws, which include protections based on gender identity or expression, the DC Office of Human Rights (OHR) conducted resume testing among District employers from February to July 2015. The findings show employers frequently offered interviews to less-qualified applicants perceived as cisgender over more-qualified applicants perceived as transgender. These results align with existing research indicating frequent discrimination during in-person interviews and in the workplace, and provide further evidence that government, the private sector and community organizations must develop comprehensive solutions to the issue of employment discrimination against transgender people.

KEY FINDINGS

Among the key findings in the testing project:

- **48 percent** of employers⁴ appeared to prefer at least one less-qualified applicant perceived as cisgender over a more-qualified applicant perceived as transgender.
- **33 percent** of employers offered interviews to one or more less-qualified applicant(s) perceived as cisgender while not offering an interview to at least one of the more-qualified applicant(s) perceived as transgender.
- The applicant perceived as a **transgender man** with work experience at a **transgender advocacy organization** experienced the highest individual rate of discrimination.
- The **restaurant industry** had the highest percentage of responses perceived as discriminatory among the employment sectors tested, although the sample numbers are low and therefore not conclusive.

An anonymized review of testing results was completed by the OHR Director in October 2015, and enforcement actions will be initiated against employers in five tests in November 2015.

1 It is possible other government-run resuming testing projects based on gender identity exist, but this is the first to be made publicly available to the best of our knowledge, as of November 2015.

2 The report will use transgender as an umbrella term to refer to all non-cisgender gender identities and expressions, including gender non-conforming individuals.

3 Cisgender is a term used to describe people whose sex assigned at birth matches their perceived gender (ie, people who do not identify as transgender or gender non-conforming).

4 For determining rates of discrimination, only tests where one or more applicant(s) received a response were considered. This is in-line with best practices on correspondence testing and is discussed in more detail in the methodology section of this report.