

MCLE SELF-STUDY

A BRIEF OVERVIEW OF THE TRANSGENDER EMPLOYEE IN CALIFORNIA & THEIR RIGHTS IN THE WORKPLACE

MCLE SELF-STUDY TEST

- 1 As of June 2016 there were approximately one (1) million self-identifying transgender persons in the United States?
 True False
- 2 As of June 2016 California ranked first (1st) with the largest population in the U.S. for identifying transgender adults?
 True False
- 3 As of December 2016, the unemployment rate amongst transgender persons is reported to be (15%) in the United States.
 True False
- 4 How many employees does an employer have to have for the laws against discrimination to apply to an employer under the Fair Employment and Housing Act ("FEHA")?
 One Five Ten 15
- 5 How many employees does an employer have to have for the laws against harassment to apply to an employer under the Fair Employment and Housing Act ("FEHA")?
 One Five Ten 15
- 6 The Fair Employment and Housing Act ("FEHA") uses the following terms to define "transgender:"
 a. Sex c. Gender identify
 b. Gender d. Gender expression
 e. All of the above
- 7 Gender expression is defined by the law to mean, a person's gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth?
 True False
- 8 There are two kinds of gender transitions, known as:
 a. Social Transition and Physical Transition
 b. Social Transition and Medical Transition
 c. Personal Transition and Physical Transition
 d. Personal Transition and Medical Transition
 e. None of the above
- 9 Social Transition involves a process of socially aligning one's gender with the internal sense of self.
 True False
- 10 Examples of Social Transition include but are not limited to:
 a. Change in name
 b. Change in pronoun
 c. Change bathroom facility usage
 d. All of the above
 e. None of the above
- 11 Physical transition refers to medical treatments an individual undergoes to physically align their body with internal sense of self such as hormone therapies or surgical procedures.
 True False
- 12 Does a transgender person have to complete any particular step in a gender transition process in order to be protected by the law under the FEHA?
 Yes No
- 13 An employer may ask an employee/applicant questions about their:
 a. Gender identity
 b. Marital status and spouse name
 c. If they plan to have surgery
 d. Only a - b
 e. None of the above

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14 An employer who requires a dress code must enforce it in a non-discriminatory manner.
 True False

15 All employees have a right to safe and appropriate restroom and locker room facilities including the right to use a restroom or locker room which corresponds to the employee's gender identity regardless of the employee's assigned gender at birth.
 True False

16 An employer can require a transgender employee to use an accessible unisex bathroom.
 True False

17 The California Supreme Court has interpreted "coming out" by lesbian, gay, and bisexual employees to not constitute protected political activity under the California Labor Code.
 True False

18 An employee may claim disclosure of gender identity or openly transitioning from one gender to another as a protected political act under California Labor Code.
 True False

19 Several Bay Area cities have laws that prohibit gender identity discrimination in employment including but not limited to:
 a. San Francisco
 b. San Ramon
 c. Lafayette
 d. Oakland
 e. a and d
 f. None of the Above

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