

Firing Transgender Employee Is Sex Harassment



An employee who was a biological man when he was hired claimed he was fired for choosing to live as a woman. Nonsense, said the employer; the employee was fired for insubordination and a bad attitude. After hearing all the evidence, the Tribunal ruled that the firing was at least in part due to sex harassment citing the employer's refusal to let her use the women's restroom and change her shift so she wouldn't have to change clothes in the presence of male co-workers. And to the extent the employee had behaved aggressively, she did so in response to provocation and harassment from co-workers [*Vanderputten v. Seydaco Packaging Corp.*, [2012] O.H.R.T.D. No. 1946, Oct. 18, 2012].