

# Train staff to respect transgender customers

Do you train employees to treat all customers with respect, regardless of sexual orientation, transgender status and the like? If not, you may be unwittingly creating a hostile environment for some customers, which can mean a lawsuit under Minnesota's Human Rights Act.

**Recent case:** Paul frequently visited a Starbucks in Eden Prairie, where he became acquainted with a female Starbucks employee who often worked the drive-through. At the time, Paul had not yet begun hormone therapy, but identified as a transgender/transsexual male. He claimed that at the time, he received excellent service at the café.

Then, he began hormone therapy to transition from female to male. Because he changed his name, he got new credit cards and debit cards changed to reflect his new name. He told another Starbucks employee about his transition so as not to arouse suspicion over the use of cards in a different name. He asked that the information be kept confidential.

The next time he approached the drive-through, the female employee he had earlier befriended took his order, but got someone else to serve the drink. On subsequent visits, he observed her move away from the window whenever he approached.

This avoidance behavior, along with negative comments Paul began to overhear when he came into the store and another Starbucks location prompted him to complain to management several times over the transgender hostility he perceived.

When nothing changed, he sued, alleging that the coffee shop was allowing a hostile environment to exist. The court agreed the case could move forward, despite Starbucks' argument that nothing Paul experienced was close to what would be required to establish a hostile work environment. (*Bray v. Starbucks*, Court of Appeals of Minnesota, 2017)