

# **Welcome to the LIFE Webinar Series**

**We will begin the webinar momentarily**



**Low-Income  
Forum on Energy**

# **LIFE Webinar Series**

## **LGBTQ+ People and Utilities – Intersecting Issues**

**Sam Faduski, Public Utility Law Project of NY**

**May 21, 2020**

**1:30 p.m. – 2:30 p.m. ET**



**Low-Income  
Forum on Energy**

# Mission Statement

## **Working to help low-income New Yorkers address energy issues.**

LIFE, the Low-Income Forum on Energy, is a unique statewide dialogue that brings together organizations and individuals committed to addressing the challenges and opportunities facing low-income New Yorkers as they seek safe, affordable and reliable energy.

Supported by the New York State Public Service Commission and the New York State Energy Research and Development Authority (NYSERD), the LIFE dialogue encourages an interactive exchange of information and collaboration among the programs and resources that assist low-income energy consumers.

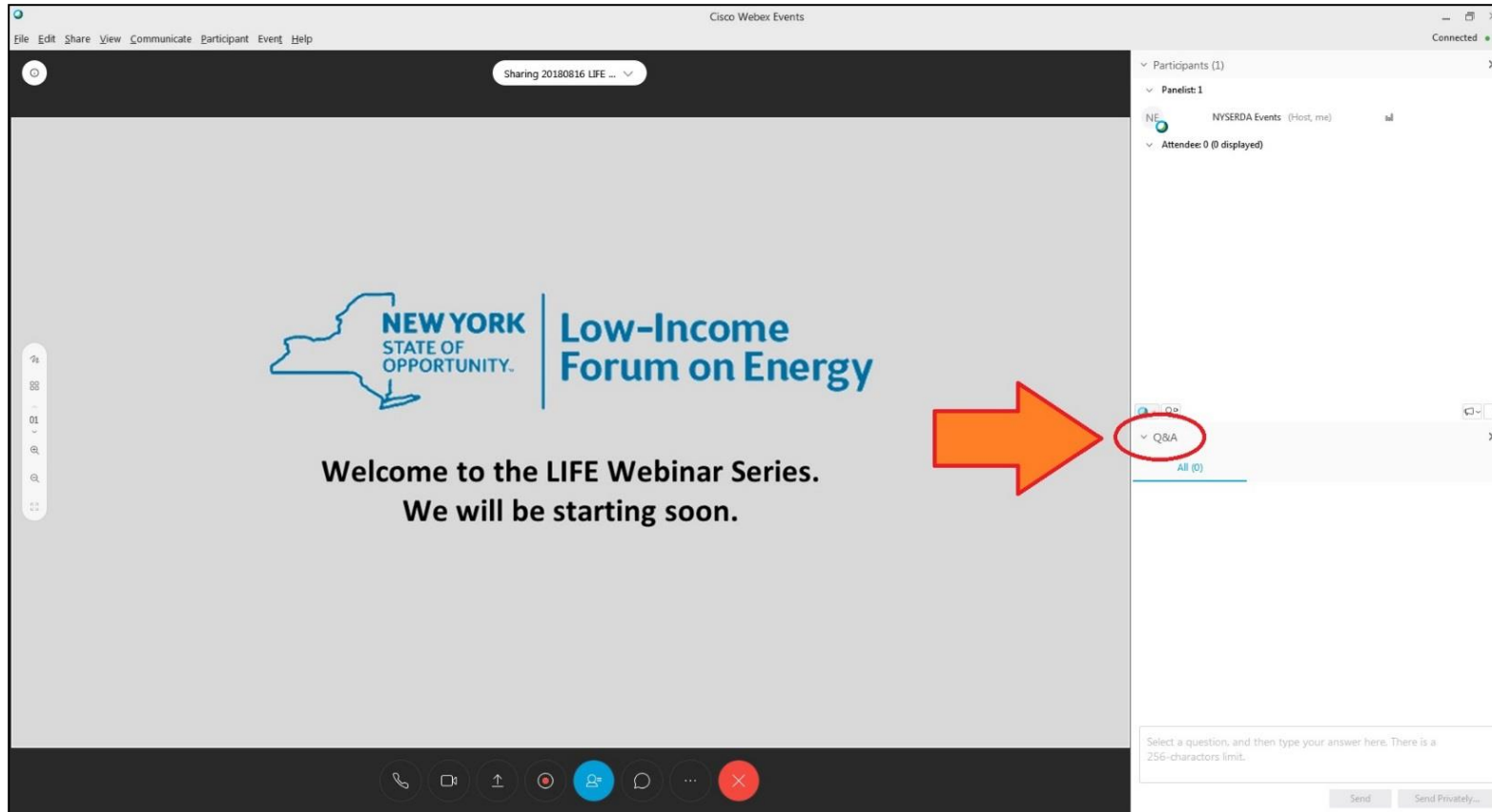
# Webinar Series, Newsletter, Social Media

- > Monthly webinars – Register at [nyscrda.ny.gov/LIFE-Webinar-Series](https://nyscrda.ny.gov/LIFE-Webinar-Series)
  - Wednesday, June 17, 2020 – 1:30-2:30pm ET  
*Extending the Benefits of Nonresidential Energy Efficiency to Low-Income Communities*
  - Thursday, July 16, 2020 – 1:30-2:30pm ET  
*Energy Justice – Research at the Intersection of Energy and Equity*
  
- > Monthly electronic newsletter
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- > Social media
  - Twitter: @LIFEnys
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# Connect

- > Find more information on the website
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- > Contact LIFE
  - Phone: 866-697-3732, ext. 3628
  - Email: [LIFE@nysesda.ny.gov](mailto:LIFE@nysesda.ny.gov)

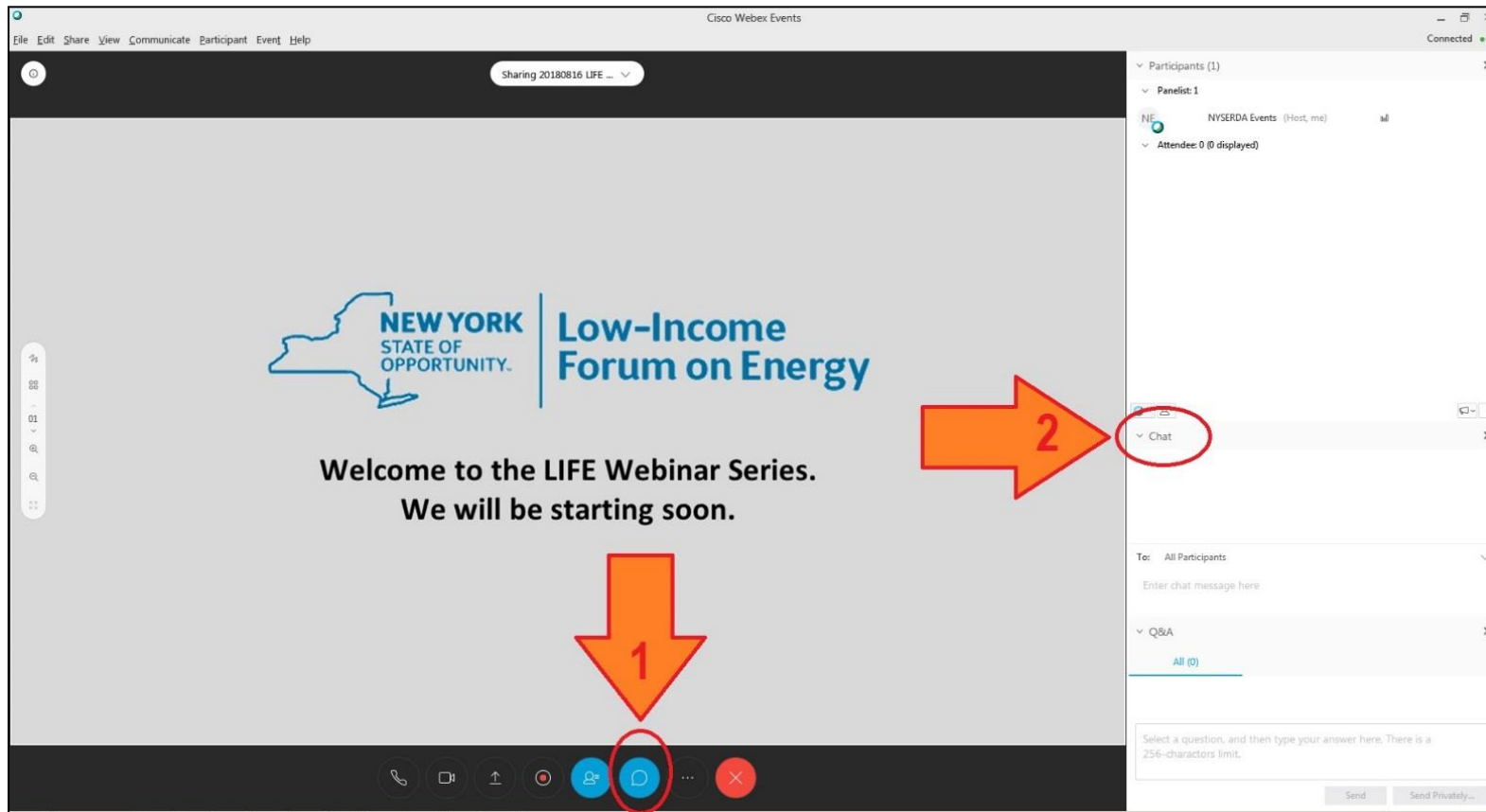
# Asking Questions During Today's Webinar



The screenshot shows a Cisco Webex Events window. The main content area displays a slide with the New York State of Opportunity logo and the text "Low-Income Forum on Energy" and "Welcome to the LIFE Webinar Series. We will be starting soon." A red arrow points from the slide to the Q&A panel on the right. The Q&A panel has a dropdown menu with "Q&A" selected, and a text input field below it with the placeholder text "Select a question, and then type your answer here. There is a 256-character limit." and "Send" and "Send Privately..." buttons.

- > Click on the small arrow to the left of Q&A to open the text field.
- > Type your question into the text field and click "send."

# Technical Difficulties or Contacting the Host



- > Click on the “Chat icon on the bottom menu to activate the chat function.
- > The chat function will appear in the middle right portion of your screen.



# LGBTQ+ PEOPLE AND UTILITIES: INTERSECTING ISSUES

Sam Faduski, Esq.

Staff Attorney for Western New York, Public Utility Law Project of New York

Pronouns: they/them/their



# DEFINITIONS

- LGBTQ+
  - Includes: lesbian, gay, bi/pan, transgender, queer, intersex people
- Transgender
  - A person whose gender identity does not match their assigned gender at birth
  - Abbreviated as trans\* during this presentation
  - Includes both binary and non-binary transitions
- Dead name
  - Name given to a trans\* person at birth
- Preferred name
  - Used when a trans\* person has not legally changed their name but uses another



# STATISTICS

- 9% of LGBTQ+ people are unemployed
- 27% are food insecure
- 25% have an income of less than \$24,000/ year
  - (LGBT Demographic Data Interactive, 2019)

# STATISTICS

- 43.8% of lesbian women and 61.1% of bisexual women have experienced rape, physical violence, and/or stalking by an intimate partner at some point in their lifetime
  - (NISVIS, 2010)
- 26% of gay men and 37.3% of bisexual men have experienced rape, physical violence, and/or stalking by an intimate partner in their lifetime
  - (NISVIS, 2010)

# STATISTICS

- 25 to 50% of homeless youths are LGBTQ+
  - (Center for American Progress, September 2013)
- 8% of trans\* people are kicked out of their homes due to their gender identity, and 30% have experienced homelessness at some point
  - (National Center for Transgender Equality, 2016)

# STATISTICS

- 30% of trans\* people have faced job discrimination due to their gender identity, and 15% are unemployed
  - (National Center for Transgender Equality, 2016)
- Trans\* people are less likely to be shown apartments by landlords, and on average are shown fewer units
  - (Urban Institute, 2017)
- Only 30% of trans\* people legally change their name; the largest barrier is economic hardship
  - (National Center for Transgender Equality, 2016)

# WHY THIS MATTERS RE: UTILITIES

- Housing discrimination may lead to poorer housing choices, leaving individuals at higher risk of eviction and harassment if bills come to the home in a name that does not “match” their gender identity
- Poorer housing choices may lead to problems with shared meters and higher bills from poor insulation, neighbors stealing power, etc.
- Higher rates of DV may lead to frequent moves/ struggles with housing

# HYPOTHETICALS

- Cis customer applies for service
- Trans\* customer applies for service
- Trans\* customer receives service but gets bill in "incorrect" name

# WHY THIS MATTERS RE: UTILITIES

- Without familial support, if a person falls behind on a utility bill there are fewer options for asking for assistance
- Problems with unemployment and under-employment make it more likely that individuals will fall behind on bills



# CHANGING YOUR NAME WITH A UTILITY

- Each utility has a different process for name changes
- All require proof of name change (court order)
- Each utility has different methods for accepting documentation (fax, online portal, etc.)

# PROTECTIONS IN NY LAW

- Sexual Orientation Non-Discrimination Act (SONDA)
  - Prohibits discrimination on the basis of actual or perceived sexual orientation in employment, housing, public accommodations, education, credit, and the exercise of civil rights
- Gender Expression Non-Discrimination Act (GENDA)
  - Adds gender identity as a protected class in the areas of housing, employment, and public accommodations

# PROTECTIONS IN NY UTILITY LAW

- NY Public Service Law
  - Public Service Commission (PSC) has jurisdiction to entertain customer complaints of discrimination
- Home Energy Fair Practices Act (HEFPA)
  - Regarding proof of utility applicant's identity, may establish "non-discriminatory" procedures

# WHAT WE CAN DO AS ADVOCATES

- When doing intake, include questions regarding sexual orientation and gender identity
- Make intake forms *inclusive*
  - Ask for pronouns
  - Include area for preferred name versus legal name and use the client's preferred name whenever possible
  - Include individuals who live with same-sex partners

# REFERRING OUT

- Ensure that resources you are sending LGBTQ+ clients to are safe for them to go to
  - Ex: Salvation Army has been outspokenly anti-trans\* and has denied services to LGBTQ+ people
  - Check with local LGBTQ+ centers for safe referral places
- Refer LGBTQ+ individuals struggling with discrimination to the New York Department of Human Rights (DHR)

# POTENTIAL LEGISLATION

- Currently, several institutions have begun allowing consumers to use their preferred names instead of their legal names on documents
  - Most recently, MasterCard
  - Many universities allow for students to have preferred names posted on class rosters and published on ID cards
- Pushing legislation to allow trans\* people to use their preferred names would:
  - Lessen risks of harassment once they are housed
  - Prevent them from potentially being found by abusive family members/ partners
- Individuals can still be identified by their social security number, leaving no risk for the utilities

# QUESTIONS?

- Sam Faduski, Esq.
- They/them/their
- Public Utility Law Project of New York
- 716-313-2358
- [sfaduski@utilityproject.org](mailto:sfaduski@utilityproject.org)

# SOURCES

- Centers for Disease Control and Prevention's (CDC) National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Findings on Victimization by Sexual Orientation:  
[https://www.cdc.gov/violenceprevention/pdf/cdc\\_nisvs\\_victimization\\_final-a.pdf](https://www.cdc.gov/violenceprevention/pdf/cdc_nisvs_victimization_final-a.pdf)
- LGBT Demographic Data Interactive, January 2019:  
<https://williamsinstitute.law.ucla.edu/visualization/lgbt-stats/?topic=LGBT#about-the-data>
- A Paired-Testing Pilot Study of Housing Discrimination against Same-Sex Couples and Transgender Individuals, June 2017: <https://www.urban.org/research/publication/paired-testing-pilot-study-housing-discrimination-against-same-sex-couples-and-transgender-individuals>
- Seeking Shelter: The Experiences and Unmet Needs of LGBT Homeless Youth, September 2013:  
<https://www.americanprogress.org/wp-content/uploads/2013/09/LGBTHomelessYouth.pdf>
- The Report of the 2015 U.S. Transgender Survey:  
<https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>
- It's Time to Enable People to Use Their True Name on Cards, June 2019:  
<https://newsroom.mastercard.com/news-briefs/its-time-to-enable-people-to-use-their-true-name-on-cards/>



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