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Boise Public Library Employee Files Discrimination Complaint Against City
Idaho Human Rights Commission complaint filed by ACLU on March 31

BOISE (April 14, 2020) — A non-binary library assistant with the City of Boise who experienced discrimination by their supervisors and the previous library director has filed a complaint with the Idaho Human Rights Commission alleging employment discrimination based on sex.

“The City’s actions against me, as well as its failure to take action to prevent discrimination and ensure a workplace that does not enforce sex stereotypes, have made my workplace feel hostile, that I am not safe there, and that those in positions above me at the Library will not protect employees and patrons in groups historically marginalized and discriminated against,” Jax Perez wrote in the complaint filed March 31. “I feel that being in the closet—conforming to sex stereotypes—is required if I want to keep my job.”

Perez has worked from the Boise Public Library since May 2016 and came out as non-binary in 2017. Perez asked their colleagues and supervisors to use gender neutral they/them/their pronouns. Last June, Perez posted about a teen Pride Month event in the Boise Bench Dwellers Facebook group from their personal account. At the time, the library had no social media policy. According to the complaint, the post did not “state or imply” that Perez worked for the library. Yet Perez said the Library sent them a memo on June 17, 2019, stating that their “commentary about the teen event from my personal Facebook account was inappropriate.”

On June 19, while Perez was working at the Hillcrest branch of the library, a patron approached them at the front desk and tossed Pride Flag pin buttons onto the desk, calling them a “vice.” The library made the button pins available during Pride Month. The patron told Perez that he did not want his kids exposed to them. Perez responded that as a member of the LGBTQ community, they were sorry he felt that way.

According to the complaint, the next day, this patron returned to the Hillcrest branch and sat staring at Perez “in a sinister way” for 10-15 minutes. This caused Perez to go to a back room

because they feared for their safety. The interaction led the Hillcrest branch to remove the Pride flag pins from the library. On June 24, Perez received a “Notice of Intent to Discipline” letter from their supervisor.

The letter said it was inappropriate for Perez to “make known” to a library patron their identity as member of the LGBTQ community. The letter warned that Perez must “refrain from engaging in conduct that is the same or similar” immediately and said failure to do so could lead to further discipline, including by termination.

“The City’s failure to take action on Perez’s complaint is discrimination because of their sex and their failure to conform to sex stereotypes,” said Leo Morales, Executive Director of the ACLU of Idaho. “The city also engaged in retaliation against Perez for opposing unlawful discrimination.”

Perez said the discrimination from their employer is ongoing.

“To continue working at the Library and for the City of Boise, I have to hide and suppress identity and conform to sex stereotypes,” Perez said. “The written warning letter remains in my personnel file with the City. I fear for my job, my financial security, and my health insurance and wellbeing.”

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