

## USW, TLDEF, ILS Secure Health Care Victory for Workers at U.S. Steel

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### Following Advocacy on Behalf Indiana Family, Health Plan Covering 17,000 Steelworkers and Their Families Drops Blanket Exclusions for Transgender Related Health Care

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New York, NY -- Today, the United Steelworkers union (USW), the Transgender Legal Defense and Education Fund (TLDEF), and Indiana Legal Services (ILS) announced a major health care achievement for workers at U.S. Steel who are either transgender or who have transgender dependents in their families.

The health plan covering some 17,000 hourly employees and their families dropped blanket exclusions for transgender-related health care. The removal followed advocacy by the union, TLDEF, and ILS on behalf of a U.S. Steel employee and USW union member in Indiana. He and his wife sought coverage for their 19-year-old transgender daughter who is covered by the plan and was being denied coverage for any care relating to her being transgender, including hormones, related doctor visits, and surgery.

"Knowing that I can now access the health care I need is life changing for me. I can finally see a path forward where I no longer have to live in fear, but can live fully as my true self," said the transgender daughter of the USW member.

"My daughter has so much to offer this world. She is a passionate musician, a caring family member, and a great friend; but because she hasn't been able to access the essential and lifesaving health care she needs, she has had to put her life on hold," added her mom. "So many companies talk the talk of equality, but most don't walk the walk. I hope other employers will learn from this and follow suit in caring for their workers and their families. We are grateful to have had the union's support."

"Increasingly, insurers and employers cover gender affirming care because they understand it is vital to the health and well-being of workers and their family members who are transgender," said **Ezra Cukor, Senior Staff Attorney for TLDEF's Trans Health Project**. "Still, we continue to hear far too often from transgender people whose employee health plans exclude transgender-related care, denying them a hard-earned benefit. We will continue to fight to ensure that transgender people can get the health care they need."

The USW negotiated with U.S. Steel to end its exclusions to gender affirming health care in the members' health plan, much as they have done in bargaining for similar coverage with other major employers. U.S. Steel agreed to end its exclusion of transgender health care, retroactive to January 1, 2022. With the exclusion gone, plan members can now access needed care.

"Employers don't simply grant benefits," said **USW District 7 Director Mike Millsap, who chairs bargaining with U.S. Steel**. "It takes workers' determination and, even more importantly, solidarity. We refused to let U.S. Steel pit us against each other, and we held firm until we got the benefits we deserve without granting other concessions or compromising the rest of the health care plan."

The USW also pressed the insurance carrier, Highmark Blue Cross Blue Shield, to ensure it covered the full range of necessary services, including voice modification surgery and speech therapy.

"Indiana Legal Services is committed to protecting the rights of transgender people throughout our state, so we're proud to have worked alongside TLDEF to make sure union members and their families receive the health care that's so vital," said **Kathleen Bensberg, Interim Director of the LGBT Project at ILS**. "Our team works closely with Hoosiers every day to fight attempts to deny rights transgender people and members of the LGBTQ+ community are entitled to."

This is the latest in a series of victories for transgender people's access to health care. In June, a [federal judge ruled in favor](#) of plaintiffs in a lawsuit brought by counsel TLDEF and Lambda Legal challenging North Carolina's categorical exclusion of transgender-related health care for state employee health plan participants; and a Georgia federal district court [issued a landmark ruling](#) holding that a county and sheriff's office cannot exclude coverage of transgender-related health care from its employee health insurance plan. The ruling in *Lange v. Houston County* found Houston County, Georgia had violated protections afforded under Title VII of the Civil Rights Act of 1964.

TLDEF's [Trans Health Project](#) works to expand access to transgender related health care by educating affected individuals about their legal rights; cultivating a robust movement to achieve health care equity; expanding enforcement of existing legal protections; and driving clinical policy changes among insurance carriers.

An [original analysis by the Center for American Progress](#) (CAP) of data from a nationally representative survey of LGBTQI+ adults conducted in 2020 sheds lights on the pervasiveness of discriminatory experiences. According to the analysis, 46% of transgender respondents – 56% of transgender people of color—reported that a health insurance company denied them medically necessary care to treat their gender dysphoria (such as surgery or hormone therapy) in the year prior to the survey. Additionally, 48% of transgender respondents – 54% of people of color – reported that, in the year prior to the survey, a health insurance company covered only some surgical treatments for gender dysphoria or covered surgical care but had no providers in network. Further, 22 % of transgender respondents, including 31% of transgender people of color, reported that a health insurance company denied them needed preventive care in the year prior to the survey. Finally, 34% of transgender respondents, including 39% of transgender people of color, reported that an insurance company refused to change their records to reflect their current name or gender in the year prior to the survey.

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#### **About TLDEF**

*TLDEF is committed to ending discrimination based upon gender identity and expression and to achieving equality for transgender people through public education, test-case litigation, direct legal services, and public policy efforts. Please support TLDEF today to help us transform the legal landscape for transgender and non-binary people nationwide. To learn more about how you can support TLDEF's work, visit [tdef.org](http://tdef.org).*

#### **About Indiana Legal Services, Inc.**

*Indiana Legal Services, Inc., is the largest provider of free civil legal assistance to low-income people in Indiana. ILS helps clients who are faced with legal problems that harm their ability to have such basics as food, shelter, income, medical care, or personal safety. The nonprofit organization handles cases involving low-wage worker rights, domestic violence, housing, consumer law, access to health care, LGBTQ+ discrimination, and access to government benefits. It does not handle criminal matters. ILS was established in 1966, and today serves clients in all 92 Indiana counties. The mission of ILS is "to use the law to fight poverty, empower clients, and improve access to justice." Learn more at [www.indianalegalservices.org](http://www.indianalegalservices.org).*

#### **About the USW:**

*The USW represents 850,000 workers employed in metals, mining, pulp and paper, rubber, chemicals, glass, auto supply and the energy-producing industries, along with a growing number of workers in health care, public sector, higher education, tech and service occupations. For more information: [www.usw.org](http://www.usw.org).*

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