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## SPEAKERS

Brian Bradley, Mary Helen Merzbacher, Suzanne Anderson, Deborah Bell

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D Deborah Bell 00:06

And he likes to see not to confine no air I can't breathe. Well, I can read a map. I know where I'm supposed to be. No closet for me. No closet for me wasn't clothing and not for me for me? Not logic and not for me. Okay, don't get your knickers in a wad keep them in the closet. This is lesbian and gay voices. It's August the 19th 1994. I'm Deborah Bell and with me tonight for part of the program co hosting is Brian Bradley. Yeah. And we're going to have a lot on the program tonight. Even though Jack Valinski is out of town and also our producer Donna going yay is away this weekend. So Zachary and I and Mary Helen trying to hold down the fort and Brian's going to help us out. We're going to have Michael Cantin and Guy Kidd from bar the Bar Association for Human Rights to talk about AIDS employment discrimination and to take your comments and questions. We were hoping that Nancy Ford was going to be able to join us later in the show but she's a little under the weather you know, turning 40 just really was hard on her. And of course, we'll have our regular Oh, it's Michel. I said Michael did not I'm sorry. And we'll have Mary Helen with music.

B Brian Bradley 01:53

Well, as long as long as I'm correcting you everything you said so far, and guys with the EEOC are here too.

D Deborah Bell 02:00

Okay, I think he's also associated with far okay, okay. And we'll have news wrap from this way out a calendar of events. But first, we'll have Suzanne Anderson and Brian Bradley speaking out right Good evening, this is Suzanne Anderson.

B Brian Bradley 02:44

This is Brian Bradley. We'll have to thank Jim Carper for that music he put that together for us

he said it'd be appropriate and I think it was

D

Deborah Bell 02:50

I hope Jim is doing well.

S

Suzanne Anderson 02:51

Nice way to come back I have missed you all I have

D

Deborah Bell 02:56

not the whole time you were in Mexico you didn't even think about I did I came home and my honey had all of these articles piled up on my desk most of what you already talked about, but I did miss miss talking to one thing I want to start out with in San Francisco, dealing another blow to the nation of an a fluid notion excuse me on a fluid gay elite. A new study reveals that gay and lesbian workers earn a lot less than their heterosexual counterparts. We learned that gay men make 11% to 27% less than heterosexual men and comparable jobs and lesbians earn five to 14% less than heterosexual women. This study is in direct contradiction to one that I guess came out a couple of years ago showing that the average income of gay couples was \$63,000, compared to the national average income of households, which was 36 Five. But apparently this study went to a lot more trouble to pull out people not just who were already identified as being gay, but they compared the earnings of equally qualified gay and heterosexual workers they had controlling for age, education, occupation, race and sex. And the result is that there's a clear picture of discrimination against gay workers. The study found that lesbians make less and are more likely to wind up in low income blue collar jobs that are tolerant for their sexual orientation. gay man are more likely to hold professional jobs and here's the big comma but less likely to be promoted to managerial ranks.

B

Brian Bradley 04:41

Well, I don't guess that information has filtered its way down to Houston yet particularly the all the Independent School District. I'm sure everybody's aware of now of the confession and the arrest and confession of for all the high school students in connection with the murder of Michael Burzinski who was killed, kidnapped coming out of Heaven on the 30th of July, taking the North Houston beat up. They extracted his ATM number from him shot him in the back of the head execution style went home played little dominoes went out. And apparently upon confession, they revealed that they were looking for another queer in Montrose with a lot of money. There's some of their quotes had been very telling and go right in face of this, that homosexuals were easy marks. They all had money. It's time for us to get some of ours.

D

Deborah Bell 05:35

Isn't that wjat Aldridge was saying to exactly right.

B Brian Bradley 05:39

Yeah. Last week, we talked about the trial that was in taller and at last week, it had went to the jury for punishment. And they've since then, given Donald Aldridge, the death penalty. It seems as if these four guys in North Houston at least one of them will be facing the death penalty. I was jumping around off the newspapers and off the TV all week long because the family and friends of these four people who I won't say alleged murders they have confessed to it. Okay, there's a big difference and they have confessed to leaving their home, searching out a queer baiting him up shooting him in the back of the head, burning his car for enough money to buy some school clothes. They got \$400 Okay,

D Deborah Bell 06:29

hey, I have a teenager and for \$400 You can't get much that's 100 bucks a piece right but but

B Brian Bradley 06:37

but what's really sad about this is there's a lot of things like you know, we have the religious right the Christo fascist Suzanne calls him all the time telling us all the time that we have so much money we need no more protection anyone else. You've got these family members running around now thank these poor, innocent little boys. They've never been in any trouble whatsoever. Come to find out on August 11. After they committed this crime, a man and woman was sitting on the back of a pickup truck and broad view in humble. They came along, robbed them beat the man up with golf clubs, kidnapped the woman and threw them in a trash container. Just quote for the fun of it. The guy that the gunman Decedrick Gainous has stated to the police that he felt like he was the judge. Well, as Juan Palomo pointed out in his column yesterday. No, Mr. Gainous, Mr. McCullum, you weren't the judge, you were the executioner. So

D Deborah Bell 07:40

well spoken one

B Brian Bradley 07:42

very well spoken. So it looks like all four of these guys are going to face capital murder, murder, and the lesser crimes, beating people up with golf clubs and throwing them in garbage dumpsters, probably will never be addressed. Or they'll probably never be charged with the crime. But at least the punishment phase can come in. Suzanne and I were talking about this earlier, when the arrest was announced at these kids school principal, Ralph Norman, over the public address system, and the school was specific about the details but not who was arrested. And he said the announcement was to reinforce to the students that they shouldn't let the actions of just a few ruin the image of the whole student body. You know, it's about time that we stopped doing that. I'm sick and tired of this game. We are the only minority left in the country, that it's okay to talk about. You can't say the slightest negative thing about a person who just coincidentally be is a person of color. You can do it a little more, but not quite as much

with someone's gender. But it's open season on gays, no matter what. These people's family had stood up on the news this week and said they're innocent little lambs. You know, Washington, the blood of Christ, and they're members of their church. They've never been in any trouble anymore. They're trying to play this in the media, and they're trying to pit gays against blacks. Well, I got some news for the religious leaders of the black community in Houston. There's a whole hell of a lot of us that are in your community. They're just as queer as they are Blacks Wake up and smell the coffee. It ain't got no creaminess.

D

Deborah Bell 09:18

And we're here to tell you as well is that it's not open season on gays and lesbians. This community will fight back. It's often said that an attack on one of us is that attack on all of us to patrol cars out there maybe some of you would be interested in getting involved with that group to help keep an eye on what's going on to keep it safe. I don't know it's something about the summer in Houston and and things that happen it's it's just it's just too reminiscent of, of what happened with Paul Broussard three years ago. You're listening to lesbian gay voices and Brian Bradley and Suzanne Anderson are speaking out. Speaking of attacks, a handful of verbal orphan opponents demonstrated Wednesday at the funeral of the doctor gunned down outside of a women's clinic. One of the writers spring may he rot in hell. Another one shattered Britain deserved to die. The signs that we're seeing up there were anti abortion signs like with swastikas that red feminazis everywhere. Well Rush Limbaugh, you must be real proud of that one.

B

Brian Bradley 10:29

It seems that a lot of weird things happen Florida earlier this week. The good Reverend Jerry Falwell was jerked from the airwaves, ostensibly because he went into too graphic of detail explaining our president's act of oral sex with some woman. Parents are now protesting Jerry Falwell was sure he was the he's got the eyes and the ears of God. The face of

D

Deborah Bell 10:58

swagger there fondling himself after being described by

B

Brian Bradley 11:04

the TV station said this was a clear violation of separation between church and state and their status of being able to be on the air without paying the same amount of money and said So Jerry, just keep on telling us what it is that we're doing and maybe you'll just talk to your cell brought out a TV

D

Deborah Bell 11:21

he probably learned all this from his homosexual Sunday spaz.

**B** Brian Bradley 11:25

Could be or pat robertson one.

**D** Deborah Bell 11:27

heterosexual couples often do not use condoms during sex even at this is amazing when one partner knows that they're HIV positive. A recent study showed 256 men and women who are HIV positive they found that 48% of these heterosexual couples consistently use condoms for vaginal and anal intercourse. Among those there were no new HIV infections. However, 121 couples who did not regularly use condoms, had 12 uninfected partners contact HIV.

**B** Brian Bradley 12:10

Was that out of Yokohama or were

**D** Deborah Bell 12:13

this well, it says Boston. So I'm not sure

**B** Brian Bradley 12:18

probably the Harvard aids institution not a lot of positive information came out of Yokohama this year. They say 20 point 22 point 2 million people worldwide are infected, and some 90% of them are heterosexual.

**D** Deborah Bell 12:30

It was grim. It was very grim. And that discrimination that we often talk about so much with with patients or people with AIDS, come to find out it isn't just a matter of the discrimination that these people face when they're alive. There's also discrimination after they're dead. Some funeral homes have actually refused to hold awake, wouldn't allow flowers and charged extra for cleaning out a hearse and Double bagging the corpse. Apparently, the first lawsuit the United States was filed in 1987 against the funeral home that required Are you ready for this? This is bizarre, a glass cover over the court. The second involve a parlor that held a service with an empty casket. So there's some toys would not have to touch the body. I think it's time to get out of the business then. I think that's I think that's very bizarre and very, very sad. Salt Lake City gay activists were incensed over a judge's decision to reduce the sentence of a man who fatally shot a homosexual man. The gentleman or I hesitate to use well back or 26 and pleaded guilty to manslaughter which carries a one to 15 year penalty unless a judge decides otherwise. This fella Sacher hunted down a 31 year old man shot him in the head over a year ago. And all of this because he was he was gay. The judge reduced the sentence because he was confident that the man that did the killing would not kill again. The judge was Judge young and young has come under fire recently from the National Organization for Women for decisions involving

minorities and women. Before factor sentencing National Organization of Women began for women. Excuse me, it's 400 am and I'm sorry, it's Thank you began researching the judges record in cases involving women's issues and plan to put a feminist in his court to listen to for massages remarks. Apparently the national organization women says not only is he sexist and racist, but he's also homophobic.

 B Brian Bradley 14:51

Sounds like Texas judge Jack Hampton. We all remember him that we absolutely all too well got voted out office too if I remember right

 D Deborah Bell 15:00

You know, I read this story of an incident taking place in Beijing. And it took me right back to being from Tulsa, Oklahoma and brought up incredibly naive. I was stunned to learn that every year, there are approximately 250,000 females being sold into slavery. And this is in Beijing, and a similar number of children being sold into slavery. Apparently, the penalty for abduction and selling women and children is life in prison or the death sentence for a gang leader and 15 years for their associates. But it apparently hasn't hampered what's going on. I just found this absolutely shocking.

 B Brian Bradley 15:42

Maybe we need a little bit of good news on the front. It seems as if the country of Sri Lanka has elected its first female prime minister yesterday and in reading the analysis that I've been able to since then, that said there was only one reason not politics, not party favors or anything that she was elected. And that was clearly she was the best qualified candidate. And that was good to read that this should be isn't as it should be. That's right. This is Suzanne Anderson. And this is Brian Bradley.

 D Deborah Bell 16:15

And speaking out is a regular feature of lesbian and gay voices. Thank you, Suzanne and Brian, the opinions expressed do not necessarily reflect those of the station or its manager are this program but sometimes they do. Of course, we're going to be having later on in the program, another chance to speak out by calling in and talking with attorneys from the Bar Association for human rights. We're going to talk about AIDS employment discrimination, and we'll have take your comments and questions during that portion of the program. So the Merz is here to play the music. And we just don't know what all she has in store but I'm sure we're going to enjoy it

 17:04

it's marathon time again and a volunteer Wally Paul Benny to tell her he will be there to take pledges. I'll be there. You get the good night's sleep to be ready for the big day. I sure ~~haven't~~ I don't have that dream. But he does know the only phone volunteer here again. Eight to

hope I don't have that dream. But he does. Know the only phone volunteer here again. Right to sit tight. Oh, good. I'm just in time. APFT man, I take your pledge. Oh, no. I can you hold a KPFT May I? Oh, no. It's happening again. Hold please. Hold these. I'm the only one was only a dream. I hope well, he can't take pledges alone. Call me at five to six 4000 to be a phone volunteer.

 D Deborah Bell 18:00

I'm all alone.

 18:03

Five to six 4000 and help KPFT Wally need you.

 M Mary Helen Merzbacher 18:09

And you can volunteer to answer phones during this program lesbian and gay voices. If you want to give us a call, we'll sign you up tonight. Or you can call any weekdays at five to six 4000 fun drive begins September the ninth right here on your favorite community radio station, the only one that has programming exactly directly precisely for about the lesbian gay community. And whether you're a lesbian or gay person you're going to enjoy or not, you're going to enjoy the music that we have for you tonight. And my theme tonight on lesbian and gay voices. I wanted to talk a little bit about living a double life. I was inspired to do some music on that topic by an article that ran in the Houston press about a lawyer by the name of Frank Curie I believe his name was who was with Fulbright and Jaworski. He was basically in the closet most of his life, at least to his job and and some people okay, he was he was exposed to a couple of times but but he managed to basically be in the closet make partner at Fulbright and, and go on with his career. And he felt that being an openly gay man might jeopardize his career. And I know that many lesbians and gay men feel that way. And tonight, that's that's what my musical theme is going to be. My name is Mary Helen, I do the music portion of lesbian and gay voices. And tonight, our theme is about leading a double life first. Staff Romanovsky and Phillips, one of the enemy

 D Deborah Bell 20:11

every day I go to work. I'm there to teach

 M Mary Helen Merzbacher 20:22

I feel almost certain that somebody's listening to lesbian and gay voices tonight is leading a double life. You might be even sometimes we're able to lie to ourselves about our sexuality and not come to terms with it. And you know, sometimes it happens that it really ends up hurting a lot of people in the end. And but most of all, I think who we hurt most is ourselves. Here's Libby Roderick, and it's a phone call telling myself wise myself

D Deborah Bell 21:15

word unto the wallet, you must remember

M Mary Helen Merzbacher 21:29

you're listening to lesbian and gay voices on KPFT Houston? I think he's, I think you're right. He's definitely gay. And that, you know, if he's driving that Karmann Ghia with pink interior. I mean, my guess would be I mean, if you think he is he probably is, so give it up gal. Okay. Anyway, come on over massage it. This is Mary Helen, and you're listening to lesbian and gay voices here on 90.1 FM. And coming up in September, I want to give you a little preview of some of the folks we're going to be having here on lesbian and gay voices. black dresses will be appearing here at KPFT. week before their September 24. premiere public performance at the Orange Show. And so hope you can join us here on September the 16th. We'll be featuring black dresses, a musical group and a surprise for everyone here on KPFT. During that time, and also during the month of September, we will be featuring a group of caring individuals from that are presenting the third annual conference on HIV AIDS and its impact on health care, addressing the difficult issues and strengthening foundations on the front line. They'll be here to talk to us on lesbian and gay voices in September toward the end of the month. So just to give you a little preview, don't forget that we'll be raising money in September to keep this show and other great programming on the air here at KPFT. We hope that you will be willing at that time to share some of the big bucks that you have with us. So save up your pennies, kids. We look forward to helping the station raise money and hope that you'll help us help KPFT we'll be back with Deborah Bell and attorneys guy ket and Mitchell. Mitchell. That's Mitchell's name. Katyn Katyn, I got it Mitchell. We'll be back and we'll be taking your phone calls here at KPFT our phone number write this down 526-573-8526 KPFT get ready, Deborah, and folks, we'll be back with you in just a minute. Hi.

D Deborah Bell 24:48

Commercial sapphic. Coming to you, directly to you. And I have besides the word coming on, lesbian gay boy 6k P F T 90.1 FM. And you're listening to lesbian and gay voices right here on KPFT in Houston, thanks for the music Mary Helen, as always, you're welcome, Deborah. Sounds of Mary Helen can't be heard and more on sounds of Texas in the world because she has to go out into the real world and work but she's working for the PWA coalition and doing a good job over there.

M Mary Helen Merzbacher 25:28

This mystery in the program, but I'll tell you, there's an awful lot of good work going on at the Thomas Street Clinic. And I'm really proud to be part of the people with AIDS coalition and, and their work that's going on over there. So I'm so appreciate it, Deborah. And, and I do miss the show. And hi to those of you that used to follow my ramblings on Tuesday morning, and well, you can come here on Fridays, and you know, with the with the Gale gang here on Friday night, so hope that you'll keep tune in and listen up, kids take it away, Deborah.

D

Deborah Bell 26:04

Well, we've all seen the movie Philadelphia, and we're Tom Hanks plays a gay attorney. And he has AIDS and he gets fired and takes the case to court and wins. Although I wonder if anyone with AIDS ever really wins, you have to think about that a little bit. But we have some wonderful attorneys here from the Bar Association for human rights. That's the gay and lesbian lesbian Attorneys Association. And I'm told that anyone working in the legal profession can be part of that organization. And they have decided as part of their community outreach to come on lesbian and gay voices on a regular basis to talk about different issues of concern to our community. And our topic tonight is AIDS employment discrimination. So we're going to have an introduction to the topic, and then we will be taking those calls at 526-573-8526 KPFT. I'm gonna let Brian talk a little bit about this topic, because he's been there and done that Brian was a nurse working in the operating room and they he says I have AIDS and I said, Okay, you're fine.



27:23

Let's not forget that was at MD Anderson Cancer Center. Never hesitate to give them the publicity they so rightly deserve. Today, we do have with us from the Equal Employment Opportunity Commission guy, kid, a trial attorney with them. And Mitchell contains the I know your name Michel, who is an attorney here in Houston that handles quite a bit of AIDS related cases, not just employment, but other facets of it. I guess what I'd like to say, would be a note of encouragement, things have changed a lot in the last two years, three years, five years, 10 years. And things there are remedies available to people today that weren't available, let's say when I first initiated my lawsuit against Andersen, and maybe we will focus on the weapons that that folks have at their disposal today, they will be more equipped to come out and fight this. You know, it's a very horrible thing to have dread disease and lose your job and know that the exposure of that and the expense of filing a lawsuit. It's almost more than anyone can handle any one of those things. So they're oftentimes not able to do it. But now that we have the ADA and other facets of law to protect us, I think we'll see more of people coming forward and demanding what is rightfully theirs. But first thing they need to know is what are those protections? So Mitchell or guy, the one, whoever wants to go first, we'll take maybe Asia priority



Deborah Bell 28:59

beauty over it, because they're both beautiful. Well, thank



29:02

you. I'm Michel Cantin and I'm an attorney with Williams Binberg and Anderson. And I think, Brian, that we need to begin with a common we'll resolve a common misunderstanding and that misunderstanding is that people who are fired from their jobs have a right to sue because they're fired. And people in Texas need to understand that merely being fired from your job alone is is nothing. This is an employment, it will state and whenever we talk about employment, we need to begin with the understanding that an employee has a right to quit and an employer has a right to fire you with or without cause at any time, as long as it's not in

violation of as long as it's not because of one of the protected groups. We know historically that's been race, sex, national origin. It's Central religion, the new category, so to speak, is disability. And we're going to be talking today about HIV and HIV falls within that category of disability. And it's all disability, sometimes it's confusing because people think about Social Security and that in order to be declared disabled under Social Security, they have to really be sick. And that's not the same disability that we talked about for employment purposes. merely being HIV positive constitutes having a disability, which entitles you to protection under a variety of Acts, primarily the Americans with Disabilities Act, as well as under Texas law. It's important also in the beginning to note and this is going to surprise a lot of people that sexual orientation is not a protected group in Texas. And I'll speak Jenny Claire, is it? Oh, it is? Well, for example, Austin has a sexual orientation protection, I believe. But in Houston, in Harris County, there was no protection whatsoever. So that means that my employer can come in after I've been there eight years, come in and say I've decided I don't like gay men working here, you're fired. And there's nothing I could do about it. So we get calls all the time, from people who were fired because they believed that, that or they were told, or they believe it was because they were gay or lesbian. And unfortunately, there's nothing that can be done about that. Now, guy, why don't you talk about the categories of disability under the Americans with Disabilities Act, because the particular point I'm thinking of is the perceived disability for someone who's gay or lesbian.



31:52

To be disabled under the Disability Act, and to be entitled to protection under the Act, there is one of three categories that you must fall into, you must be either actually disabled physically and what that means you must have a physiological or mental impairment that substantially limits one or more major life activities. major life activities can be anything that ranges from driving an automobile, to walking down the street, to working, but there must be a substantially limited life activity duty or disability. There have been cases addressing HIV which have said that HIV is per se a disability. Largely because persons who are HIV, HIV, HIV positive or substantially limited in the life activity of sexual relations, that that is immediately impacted, simply due to the fact that they're HIV positive. So the first category is that your disability or your HIV status limits a major life activity. The second category is that you have what's called a record of an impairment. That doesn't mean that you're currently impaired or that you're currently disabled, but someplace there is a record that you were disabled at one point in time. And in the case of HIV, that can be where an employer or someone has it noted in a personnel file, or receives information from an insurance company.