

MEDIA

Transgender woman accuses Hooters of sex-based discrimination for refusing to hire her

'I'm suing Hooters for sex-based discrimination, on the basis of accommodation and on the basis of employment,' Brandy Livingston told NEWS 10.



By **Joshua Q. Nelson** · Fox News

Published November 3, 2024 10:00am EST



Mother sued and won against school district that refused to follow her request that they refer to her daughter by her given name and pronouns

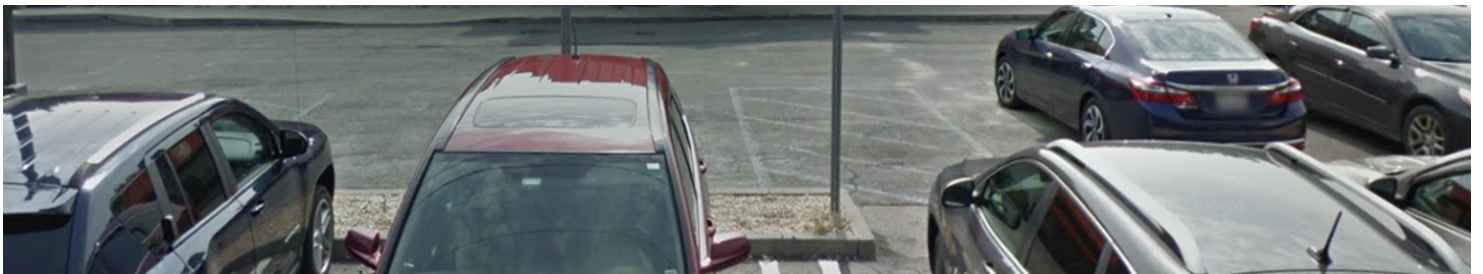
Tammy Fournier said she and her husband did not go along with school district's "affirmative care" model, so they removed her daughter from the district and she later desisted from her gender dysphoria

Protesters swarmed a Hooters [in upstate New York](#) after a transgender woman sued the restaurant for "sex-based discrimination."

[According to NEWS 10](#) on Thursday, Brandy Livingston was a regular patron at a Hooters based in the small town of Colonie, New York before transitioning into a woman. However, issues later arose at the restaurant when Livingston transitioned into a woman.

"They would use male pronouns. They would refer to me as he," Livingston told NEWS 10.

Livingston also accused the [Hooters' management and employees](#) of harassment when she tried to use their restrooms.



According to NEWS 10, a Hooters in upstate New York is being sued for denying the job application of a transgender woman. (Google Maps)

"I overheard one of the servers after I left the restroom talking to one of the managers and said that, 'Why are you allowing him in the women's restroom?' And the manager said, 'Oh, I don't like it any more than you do,'" Livingston told NEWS 10.

Furthermore, Hooters rejected Livingston's job application three times. Livingston sought to work as a server, even after having clashes with the [restaurant staff over gender pronouns](#).

"I said, do you want to see my experience or anything? Because I had previous jobs I had written down. And he said, 'Oh, we don't care about experience. We hire on the basis of personality. And there's an image that needs to be met,'" Livingston told NEWS 10.

Livingston [filed a claim](#) with the New York State Division of Human Rights.

"I'm suing Hooters for sex-based discrimination, on the basis of accommodation and on the basis of employment," Livingston said.

[Fox News Digital](#) reached out to Hooters for comment, but didn't immediately hear back.

The division reportedly found sufficient evidence that Livingston's rights may have been violated under [New York Executive Law 296](#).

'SEISMIC IMPLICATIONS' FOR FIRED TEACHER WHO WON LAWSUIT AFTER REFUSING TO USE STUDENTS' PRONOUNS: ATTORNEY



"I'm suing Hooters for sex-based discrimination, on the basis of accommodation and on the basis of employment," Brandy Livingston told NEWS 10. (photo by Mike Kemp/In Pictures via Getty Images) (Mike Kemp/In Pictures via Getty Images)

Hooters pushed back against Livingston's claims, saying that she was told not to return to their restaurant due to inappropriate behavior before transitioning into a woman.

They reportedly allege that before Livingston transitioned, she made sexually explicit comments to the servers about masturbation and telling them she wanted to marry them.

Livingston denied those claims to NEWS 10.

Furthermore, Livingston allegedly threatened to go to a gun range for practice before the next time she visited the restaurant. Livingston explained to NEWS 10 that it was a misunderstanding of a conversation she had with her mother, Adelle.



"They would use male pronouns. They would refer to me as he," Livingston told NEWS 10. (Photo by Lauren DeCicca/Getty Images) ((Photo by Lauren DeCicca/Getty Images))

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"Brandy and Hooters on Wolf Road will now head to a Human Rights hearing in September of 2025," the outlet reported.

"It's a very slow system, I think that's why more people don't stand up for their rights," Adelle told NEWS 10.

Joshua Q. Nelson is a reporter for Fox News Digital.

Joshua focuses on politics, education policy ranging from the local to the federal level, and the parental uprising in education.

Joining Fox News Digital in 2019, he previously graduated from Syracuse University with a degree in Political Science and is an alum of the National Journalism Center and the Heritage Foundation's Young Leaders Program.

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E **EnderWiggin** ⋮

3 November, 2024

There needs to be a law against people targeting businesses to set up a situation where they can sue. That was the entire purpose this dude was trying to accomplish. He wanted to create a situation to sue knowing the left would back him up because of the nature of his grievance.

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s **sixmilecross56** ⋮

3 November, 2024

And I am on the side of Hooters. Although I have never been, I know the reason most guys go is to see the girls. GIRLS, not men dressed like girls.

Reply · 410 1 · Share

↪ 16 replies

T **translucent*facade** ⋮

3 November, 2024

I continue to be offended by Fox News' insistence on using female pronouns for males professing to be female. Afraid of a lawsuit, or buying into the delusion?

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↪ 19 replies

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rockbeat



3 November, 2024

Doesn't take a lot of effort to see that the end goal here wasn't to get a job, but to file a lawsuit as an act of spite and vengeance after being told not to return to the restaurant due to inappropriate behavior.

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R rygby



3 November, 2024

Malicious prosecution and/or abuse of process.

Reply · 8 · Share

T

Thatswhatsheuttered



3 November, 2024

Before this movement there was never a law that made it illegal to have grammar issues. Pronouns were always a part of English and if you missed them even intentionally you had no consequences legally. Free speech is wonderful and it's assured. I can say whatever I want and I refuse to give tha...

See more

Reply · 228 1 · Share

T tmmmm



3 November, 2024

before this movement there were signs in most places "we have the right to refuse service to anyone" I would tend to think my place of business...my rules don't like them go elsewhere

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2 replies

J jclara804



3 November, 2024

This was all done by Democrats!

Reply · 99 · Share

2 replies

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- M** **MisterScience** ...

3 November, 2024

If I went to Churchill Downs to watch a horse race and they had cows racing instead, I'd not only be disappointed, I'd also feel lied to. Customers have expectations and when they're not met, they're not likely to come back.

Reply · 346 2 · Share
 - L** **liberals_are_why_we_can't_have_nice_things** ...

3 November, 2024

Exactly, instead of AOC 🐎, you got the cast of The View. 🐎 🐎 🐎 🐎 🐎 🐎

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↳ 4 replies
 - 1** **100%trump049** ...

3 November, 2024

BRILLIANT analogy...

Reply · 85 · Share

↳ 2 replies
- ↳ Show 12 more replies
-

W

webertype40

...

3 November, 2024

First amendment rights trump the New York law. I cannot be compelled to say something I do not believe, like refering to a male with XY chromosome by female pronouns. There is already precedent with several cases involving teachers who were fired for much the same reason. What's more, as the First ...

See more

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T

texanron3791

...

3 November, 2024

I fear that you are wrong, however. We will be compelled to alter a language that has served a huge part of the world for over 1,000 years in order to cater to the tiniest of minorities. Every day we inch closer and closer to losing our English language, and thus part of our common culture, which i...

See more

Reply ·  45  · Share

 4 replies

R

Rufust.Firefly2018

...

3 November, 2024

A teacher from West Point Va. won at the Supreme Court over his firing because he wouldn't use the preferred pronouns. At this point, why are we still talking about this. Liberals never learn....

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 4 replies

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vinegarstrokes



3 November, 2024

He was clearly looking for a law suit. Wouldn't have applied there ever considering the alleged mistreatment by existing staff and management

Reply · 138 · Share

nrapro2apatriot



3 November, 2024

Exactly. Hey FOXNEWS - why didn't y'all include a photo of him in the article? There are plenty available - including in the link provided in the article - except y'all are too afraid to show the truth.

This dude is over 225lbs - and looks like a dude with stringy long hair and lipstick - NOT a tra...

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6 replies

s sixmilecross56



3 November, 2024

Just like that one in the airport. He was put in his place right quick by the agent at the desk. "I can have you removed from this airport if you persist in baiting my agents".

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1 reply

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justvoteplease846



3 November, 2024

If an applicant is not what or who I am looking for, and is not good for my business, why would I be *forced* to hire that person? Back in the 80's we had to have a certain percentage of this and a certain percentage of that...but there was one problem: None were applying. Government phooey.

Reply · 24 · Share

- E** **ernestjosh** ...

3 November, 2024

The judge should dismiss the suit with prejudice and sanction the lawyer who brought it.

Reply · 126 · Share
 - E** **elker250** ...

3 November, 2024

You're a dude. You're built like a dude, narrower hips, heavier bones, less fat and more muscle, heavier duty tendons, larger heart and lungs, and your genes express and make male hormones. No amount of surgery or hormone therapy can change that.

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↳ 2 replies
 - BanPoIParties** ...

3 November, 2024

And make Him pay back all the costs associated with the case.

Reply · 68 · Share

↳ Show 4 more replies
-

Quietly



3 November, 2024

Just because **he** wants to play make believe ...
Doesn't mean we have to play along with **him**.

Reply · 257 · Share

K KevDogPatriot763



3 November, 2024

Halloween was last Thursday. One night was enough.

Reply · 69 · Share

1 reply

N namzmud



3 November, 2024

Exactly. This what the left wants, keep everyone confused and they will never know the reality

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I iamyourfuture



3 November, 2024

Failure to hire him, not her. Just being clear.

Reply · 103 · Share

w WeneedTrumpbackinoffice!



3 November, 2024

Thank you.

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