

Summary:

Following ~6 months managing and performing the vast majority of planning and labor on a garden and prairie restoration project on behalf of two local businesses ([Reliable Street, Inc](#) and [Lockwood Cafe](#)), Lockwood employee [REDACTED] and “possibly” another person lodged slanderous complaints against me with the owners, [Lyndsay Nissen](#) and [Sharon Stewart](#). Instead of asking me about it or explaining to me what happened, the owners kicked me off the property and told me not to return. I was not reimbursed for months of labor improving the property, and was instead cut off from many community members and friends as a result of being slandered and banned from these businesses. I left robbed of my time and labor and emotionally drained – my reputation marred by the accusations. To this day don’t know why she filed it nor do I believe the complaint has any merit. I don't know if there actually *was* a second complaint and *if* there was I am sure it is also false. The issue of being slandered is compounded by the businesses’ unfair and discriminatory handling of the complaint(s) which gave no opportunity for me to show my perspective or evidence I believe clearly exonerates me. I find it suspicious and offensive they chose to do all this on Transgender Day of Visibility; I believe their actions were based on typical prejudices transgender women face.

Finally, it was not until after all this that I found out the property is owned by LOVE CLUB LLC – a business I had never heard of. I did not know I was performing free labor on behalf of a for-profit business. Under the Fair Labor Standards Act regulations, an individual cannot volunteer services to a private, for-profit company. I feel used and severely mistreated, and want reimbursed for my time and emotional suffering.

Involved parties:

- [REDACTED] – employee of Lockwood Cafe. Filed a false report against me to business owners Lindsay Nissen and Sharon Stewart. Damaged my reputation.
- **Jane Doe** – although I haven’t seen evidence that there was a second complaint nor can I fathom who the second complainant(s) may be, Lindsay and Sharon alleged that there was “more than one complainant”.
- **Lyndsay Nissen** – owner/operator of Love Club LLC and Reliable Street, Inc. Removed me from the property without compensation following ~6 months labor improving her business’s property, thereby breaching our agreement.
 - **Love Club LLC** – registered owner of 4625 Reliable Street, where the incident occurred. I was not aware this business existed until after the incident, when looking up the property on the County Assessor’s website.
 - **Reliable Street, Inc** – a 501c3 nonprofit that performs the majority of its operations at 4625 Reliable Street. I was under the mistaken impression the property was owned by this organization.
- **Sharon and Austin Stewart** – owners/operators of Lockwood Cafe.
 - **Lockwood Cafe** – Lockwood rents space on the property to run their cafe.

- **SHEPH (Students Helping End Poverty and Hunger)** – local high school gardening club that has permission to garden on the property. I was the appointed Manager of the garden, and assisted SHEPH with planning and labor. High school student [REDACTED] is the President. We interacted fairly frequently.

Photos of the garden from Oct 2021 (before my work):





Some photos showing results of my work (more available upon request):



Weed abatement for prairie restoration: I cleared the vast majority of the ~6' weeds shown in previous photos by hand (and scythe) with the help of local farmer and prairie specialist Nate Kemperman. Most of this area was going to be replaced with native prairie. Nate was one of three local prairie specialists I invited to the property to help with planning.



Mulch and wood frame: City regulations require prairie to be planted 4' away from structures. Prairie restoration specialists suggested wood chips and 4x4s to be wetted prior to control burning to protect infrastructure. I arranged for (and loaded/unloaded) ~6 loads of mulch to be brought in to surround the garden and shed, and purchased many of the 4x4s for the project.



Painted signs: Sharon suggested I make signs around the garden where needed. Here is one of the signs I painted with my friend Lydia. I arranged to have the large water catchment in the background of the photo hauled to the property (and helped haul it).



Additional work:

All involved parties were invited to and many participated in the Discord server [REDACTED] and in-person meetings. Although they did not have much time to be involved with the projects, I informed owners Lindsay, Sharon, and Austin when needed (since they didn't join Discord) due to the fact that one of their primary complaints was that the previous managers did not keep in communication with Reliable/Lockwood. I included ideas proposed by the various parties into the projects, such as:

- using blueprints and list of plants provided by SHEPH, created step-by-step instructions for use by the students: how and when to sprout, (trans)plant, and care for each plant.
- improved the compost system and included plants for use at Lockwood as suggested by Sharon. Invited ISU compost specialist Steve Jonas to the property to help improve Lockwood's composting system;
- tagged SHEPH and [REDACTED] in our Discord server to coordinate use of to-go containers for sprouting as suggested by [REDACTED]
- reworked the compost system and rain barrels with input from Austin;
- made plans with [REDACTED] to integrate her herb garden, we planned to purchase them from the nursery together when it was time to transplant;
- integrated [REDACTED] compost sifting technique;
- and more.

Timeline:

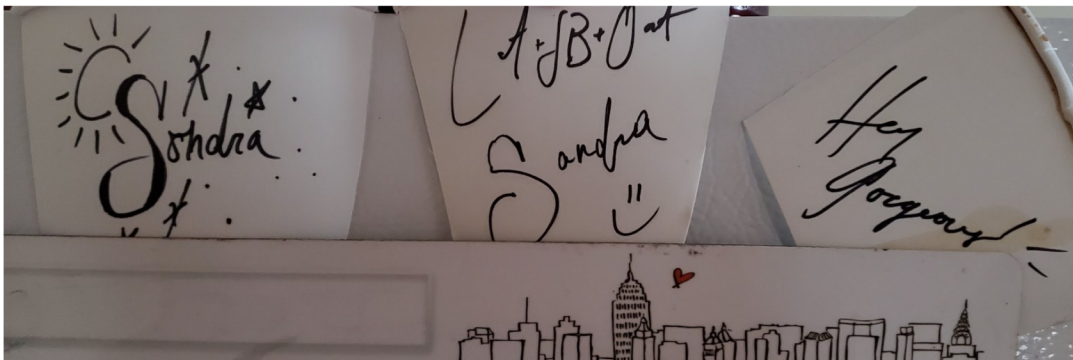
October 2021 I was appointed Manager of the garden and prairie restoration – Lindsay and Sharon asked if I would manage the garden because it was not being properly cared for by SHEPH. (I am an author known for my skills with gardening and native plants.) I agreed and proposed to install native prairie as well, which was approved. Lockwood Cafe offered me 50% employee discounts on all purchases. I essentially became the only adult manager working directly with SHEPH in order to plan and maintain the garden.

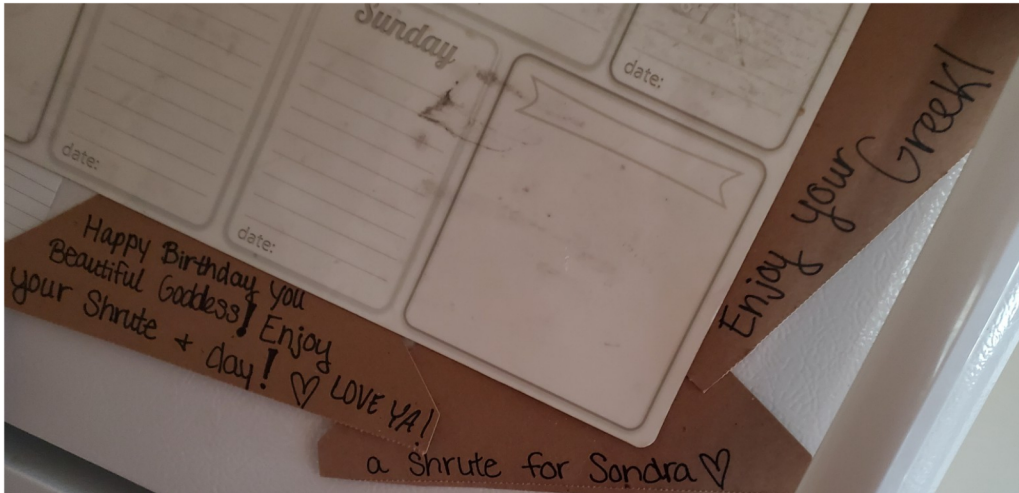
Soon I was directed to correspond with employees [REDACTED] and [REDACTED] because they wanted to help with the garden, however both employees had little time available to devote to the project. [REDACTED] assisted me in the garden on a few occasions and thus became my primary correspondent on behalf of Lockwood. [REDACTED] and [REDACTED] attended meetings with SHEPH and me, and both joined and participated in the Discord server.

March 2022 the project was going excellent – After investing ~6 months of research and labor into the project, relations with all parties appeared to be excellent. I honestly felt I had developed lasting friendships with all parties, as well as surrounding community members who interact with Lockwood and Reliable Street. I received many compliments on the improvement of the garden area, including from the owners and their customers. I was asked to host the open mic events on more than one occasion when Lindsay was unable to.

March 31, 2022 (Transgender Day of Visibility) removed from the project because of slanderous comments – Lindsay and Sharon arranged for me to meet them at the garden to give a tour of the work I'd done and explain to them what supplies were needed. I was really looking forward to this, but instead when I arrived they informed me that “multiple people” complained that I was “violating their space” and made them feel “unsafe”. I could not fathom who would have said these things, and asked why no one ever told me. They told me the complainants said they “tried to tell me” and that I should “read a book on active listening”. I left in tears with no idea who may have said these things.

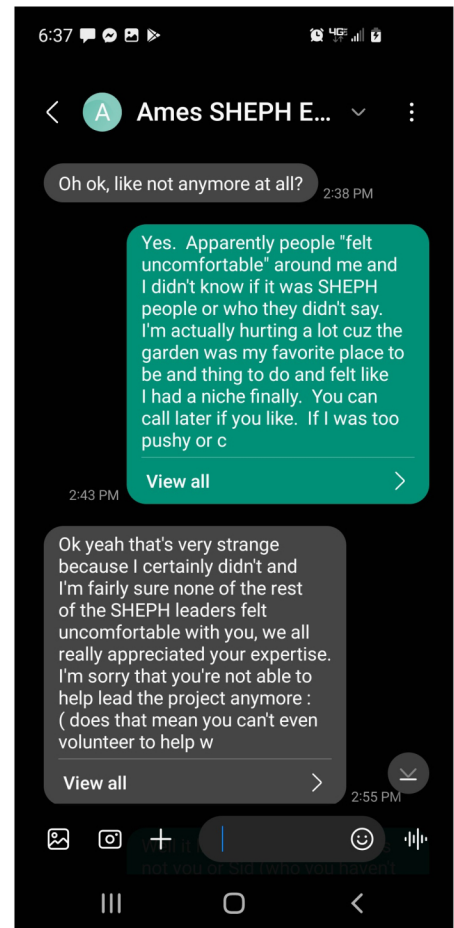
April 1–4 investigated the situation, no one felt uncomfortable – For several days and near-sleepless nights I felt stressed and confused by the situation. It did not make sense; I had no idea who said these things or why. I contacted several friends I interact with regularly through Lockwood/Reliable, and all of them told me that I have never made them feel uncomfortable. My fridge is decorated with sweet messages written on my to-go packaging by Lockwood employees (below): *this did not make sense*.



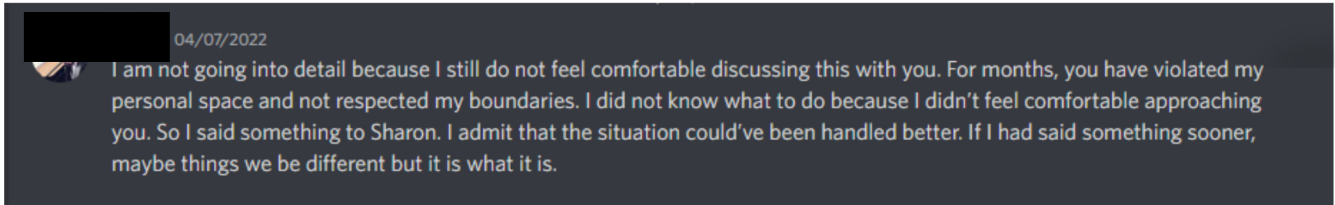


I was concerned about my reputation because when community members ask about me, what will people say? “She was making people feel unsafe and not respecting peoples' space.” It makes me sound like a predator. As a transgender woman people already face this stereotype of me, and I always try to be mindful about peoples' personal space. I'm concerned what people around town will now think of me – how this affects my business and community relationships.

I contacted [REDACTED] who works with me in the garden and [REDACTED] from SHEPH because she and I talk regularly. I wanted them to know I was removed from the project and frankly its not fair for them to be told slanderous statements about me when they ask where I am. I did wonder if one of the high schoolers complained about me because who knows maybe they didn't feel comfortable around a trans woman, so it was a heartwarming relief when [REDACTED] texted me the message shown at right. [REDACTED] also reassured me she never felt uncomfortable and she enjoyed working with me. Several other friends from the Lockwood/Reliable community told me I did not make them feel uncomfortable, and as hints of what may have happened came to light, I wondered if [REDACTED] complained even though that wouldn't make sense. I wrote her a letter.



April 7, 2022 [redacted] **informed me she complained** – [redacted] wrote the following to me, for the first time informing that she has felt like I've violated her space and not respected her boundaries. Although I don't know what I did that made her feel this way, if she would have told me any of this I would have absolutely complied. Honestly my interactions with her aren't much different than they are with most people, and as mentioned previously other friends said they had no issue with me. Regardless I don't want people to feel uncomfortable around me so I'm more than willing to adjust behavior as needed.



It is apparent her complaints were handled unfairly – Again – on March 31 when Lindsay and Sharon approached me, I asked why the complainant(s) never told me they were feeling this way. They said the complainants claimed they “tried to tell me” and that I should “read a book on active listening”. However in [redacted] above statement she acknowledges she did not try to tell me. I do not know if [redacted] misinformed her employers or if they misinformed me.

[redacted] **behavior indicates she did not feel violated by me “for months”**; it shows the opposite – [redacted] and I were regularly in contact through text messages. We organized and volunteered at community activities together, and gardened together at times. She never indicated to me that she felt uncomfortable with any part of our communications. In fact she showed the opposite.

The following are text messages [redacted] sent to me within two weeks of when I was kicked off the property.

Possible misunderstanding? On March 16 when I asked if she wanted to help in the garden she told me she was “having a rough time mentally” and felt “burnt out”, but also indicated she wanted to stay involved. I may have misunderstood when she said she was “hoping to get a day off” – usually on her days off she liked to garden, but perhaps this time she meant for herself.

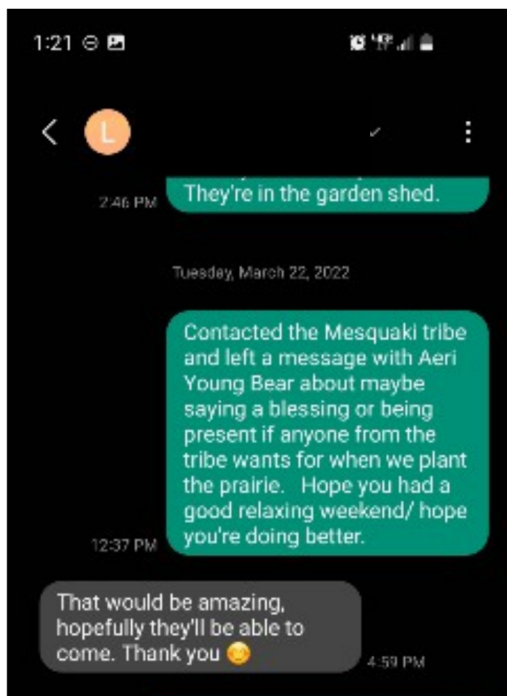
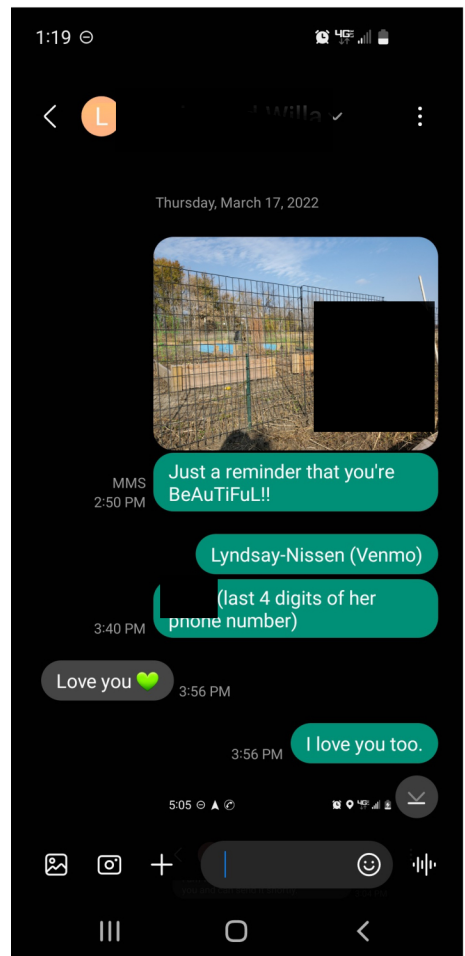
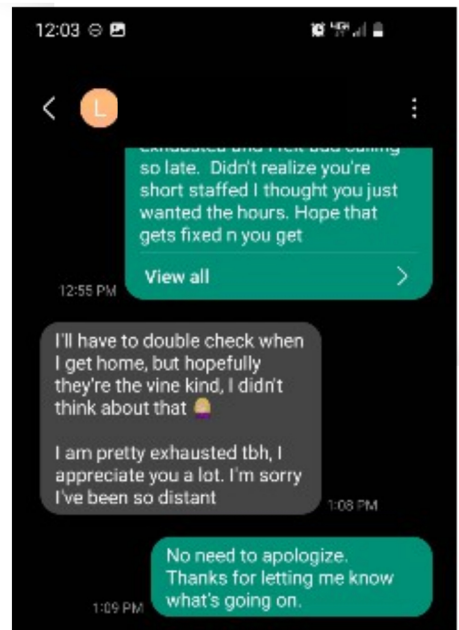


██████████ indicated we were friends: not that she felt “violated” – When I responded to her previous text (including asking what types of cucumbers she had – which explains her response), she went above and beyond responding to my question and added “I appreciate you a lot. I'm sorry I've been so distant.” *How could I have known she felt uncomfortable?*

I responded with the following (lower right) trying to be a supportive friend reminding her of good times, and sent her Lyndsay's Venmo info which we had talked about because she and I pitched in toward the cost of the seeds. Her response was “Love you <3”.

The vast majority of my interactions with ██████████ have been about the garden or prairie because again she was who I was first instructed by Lockwood to work with, and she had always been excited about the projects, giving her perspective and contributing regularly.

One of my final interactions with her prior to being confronted by Sharon and Lyndsay is shown below. I gave her an update on the prairie situation because I knew she was also excited about it including wanting to help purchase the seeds. Again her response shows she did not appear to feel “violated” or like I was “crossing boundaries” of which I was unfairly accused.



Who is at fault – While I think it is very important for young women (and people in general) to ask for help if they feel their personal boundaries are being crossed, it is also important that elders help them learn how to safely and effectively establish boundaries through encouraging simple, straightforward communication. Sharon and Lyndsay's responses to receiving complaints were not only unfair – they were injurious and felt personal. Why they chose to hurt me really badly on Transgender Day of Visibility based on typical prejudices people have against transgender women pretty much ruins that day for me. I've suffered great emotional distress while cut off from my community as a result of their actions, and the organization I own also has its reputation in question.

I do not know who the other party or parties were who complained about me – or if another party *did* in fact complain about me – but it sounds like a similar situation: someone “felt” a certain way around me (presumably based on their feelings and not my actions), then complained about me. Looking back I cannot think of a single instance where I violated anyone's space, including [REDACTED] but I assure you I was ever told anything I would have backed off immediately and stopped doing whatever she or others didn't feel comfortable with. I was not given that opportunity or respect.

Actions the organization took against me –

- **discipline** – I was told to leave the property and not return.
- **denied accommodation** – I am no longer allowed accommodations from the businesses.
- **denied service** – I am no longer allowed service by the businesses.
- **failure to train** – instead of training me to communicate in a different manner that would work better for complainant(s), they did not train me at all. Instead they punished me for communicating with employees via the forum I was directed to communicate to them with.
- **unequal treatment** – a female who complained was believed and I was treated like a predator based on typical prejudices people have against transgender women, “men invading womens' spaces”.

Bases for their actions – although I do not know if it was any one of the following, I strongly believe it was at least one of the following and probably a combination:

- **sex** – a non-transgender woman who complained about me was given preferential treatment during the investigation, with a presumption of guilt against me. Complainant was believed and I was not even asked about any incidents or interactions.
- **gender identity** – I was treated unfairly in their investigation of the complaints, with a presumption of guilt based on typical prejudices many transgender women face.

Conclusion: I have worked diligently, volunteering countless hours for Reliable and Lockwood. When leaving the situation I would have strongly preferred to have photos of before and after the garden and prairie restoration. Such photos would help build my portfolio so I could show other land owners what I am capable of doing and perhaps find work. Instead I leave empty-handed, my reputation and my business's reputations slandered: "I was asked to leave because women complained I made them feel unsafe and I was violating their space." I have been severely harmed by the businesses unfair and discriminatory practices.

To resolve this matter, I would like:

- Lockwood Cafe, Love Club LLC, and Reliable Street, Inc ought establish fair protocol for handling complaints.
- a settlement to reimburse me for my labor and emotional distress.
- a written letter of apology.

Does the Iowa Civil Rights Act have jurisdiction?

The Iowa Civil Rights Commission is a neutral, fact-finding law enforcement agency that enforces the "Iowa Civil Rights Act of 1965," Iowa's anti-discrimination law.

The "Iowa Civil Rights Act of 1965" prohibits discrimination in the areas of employment, housing, credit, public accommodations and education. Discrimination, or different treatment, is illegal if based on... sex, sexual orientation, [or][gender identity...¹

LOVE CLUB LLC used me as unpaid labor without my knowledge or consent:

When I accepted the management position for the garden, I was made aware of two organizations on the property:

1. Lockwood Cafe, a for-profit business, and
2. Reliable Street, Inc, a 501c3 non-profit.

While Lockwood is primarily run by Sharon and Austin Stewart, Reliable is primarily run by Lyndsay Nissen. I was told that "Lindsay owns the property", so she had the final say on whatever happened on the property. I was offered 50% discounts on all purchases from Lockwood, but as far as I knew I was volunteering my time and energy on behalf of Reliable.

It was not until late March 2022 that I became aware there may be a third organization involved, but I was not told to what extent. I found this out because on Feb. 21 I forwarded an Iowa Sales/Use/Excise Tax Exemption Certificate to Lyndsay for use in purchasing the prairie seeds. When I saw her in person a days later she informed me that she probably couldn't order the seeds through Reliable Street because the garden and prairie may be outside the scope of

¹ "About Us." *Iowa Civil Rights Commission*, <https://icrc.iowa.gov/about-us>.

the 501c3, “I can just order them through the LLC instead,” she said. I still did not know what she meant until after I was removed from the property, at which time I looked up on the County Assessor's website to see who owned the property at which time I learned it is owned by LOVE CLUB LLC.

LOVE CLUB LLC violated the Fair Labor Standards Act:

Step 1: Understand the Definition of an Employee

An employee is a worker who performs services for the employer, and the employer controls how and what the employee will do. The Fair Labor Standards Act (FLSA) defines the term "employ" to include "to suffer or permit to work" for an employer. Employees must be paid at least minimum wage and receive overtime for any hours over 40 in the workweek unless otherwise exempt under federal law.

Step 2: Understand the Definition of a Volunteer

A volunteer donates his or her time and energy without receiving financial or material gain. Guidelines exist for volunteers in the public and nonprofit sectors in which payment of minimum wage or overtime would not be necessary. The individual would need to a) work toward public service, religious or humanitarian objectives; b) not expect or receive compensation for services; and c) not displace any genuine employees. **Under FLSA regulations, an individual cannot volunteer services to a private, for-profit company.**

Step 3: Comply with State and Federal Laws

There are no general regulations that permit volunteering of services to an employer in the private sector. All hours worked must be paid. According to the FLSA, an employer must pay all employees not less than the minimum wage for all hours worked. The FLSA regulation 29 C.F.R. §785.44 states that time spent in work for public or charitable purposes at the employer's request, or under the employer's direction or control, or while the employee is required to be on premises, is working time. The Wage and Hour Division of the U.S. Department of Labor (DOL) states that employees cannot volunteer to do the same type of work that they perform as a part of their normal work duties and that the hours must be included in calculating hours worked. Time spent voluntarily engaged in civic, charitable or humanitarian activities that are completely different from the employee's normal work duties and outside of the employee's normal working hours would not be considered work time. In addition, an individual would need to volunteer without any coercion or undue pressure. The DOL has provided this direction regarding volunteers in several opinion letters.²

2 Society for Human Resource Management. “How to Determine If an Individual Is a Volunteer or an Employee.” *SHRM*, Society for Human Resource Management (SHRM), 2014, <https://www.shrm.org/resourcesandtools/tools-and-samples/how-to-guides/pages/volunteeroranemployee.aspx>.