

EQUALITY VIRGINIA

End Workplace Discrimination in State Employment Support SB 263 (Ebbin/McEachin)

Discrimination is wrong. Taxpaying individuals who work hard should not be discriminated against in the workplace because of who they are. That's a fundamental American value.

Virginia has no workplace protections for its state or local employees. The legislature has never codified protections against discrimination on the job for state or local workers on the basis of race, color, religion, national origin, sex, pregnancy, age, marital status, veteran status, sexual orientation¹ or disability. It is particularly important for the legislature to codify protections for GLBT workers because the Attorney General has said that no state or local agency may do so without legislative authority.

Strong public support. The public supports the right of GLBT people to work for the government. 90% of Virginians believe that GLBT people should have this right and 85% of Virginians say GLBT people should have protections against discrimination in all workplaces.²

Virginia's state and local agencies, including hospitals, schools and colleges, are limited in their ability to compete effectively to recruit and retain the best qualified employees to serve the tax payers.

Private employers have long since recognized that inclusive non-discrimination protections allow them to recruit and retain the best and brightest employees. 88% of Virginia's top 27 private employers, all of the ten top private employers [including Wal-Mart, Northrop Grumman Newport News, Food Lion, Sentara, INOVA, Booz Allen, Target, SAIC, Lowe's and United Parcel] in Virginia, and 86% of all Fortune 500 companies,³ protect employees from discrimination based on their sexual orientation and 50% protect employees from discrimination based on gender identity.

32 other states including neighboring Maryland and the District of Columbia, and more than 162 counties and cities have some workplace protections for public employees based on sexual orientation. Of these 16 states and the District of Columbia and 139 counties and cities include protection on the basis of gender identity.⁴

Preparation of students at our universities and colleges suffers because we cannot model best business practices, and necessary ethical practices, in our Commonwealth workplaces. The workplaces for which we are preparing our graduates require nondiscrimination, consumers and customers in business expect to be treated without discrimination; and ethical practice of nursing and medicine requires nondiscrimination.

The Joint Commission that accredits our public hospitals now includes among its standards when reviewing accreditation of hospitals and other health facilities whether or not formal nondiscrimination policies and practices of the hospital/facility includes 'sexual orientation' and 'gender identity'. Phi Beta Kappa considers this in chartering chapters.

¹ As defined in SB 263: "Sexual orientation" means a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. This definition does not protect any person whose attraction is towards persons with whom sexual conduct would be illegal due to the age of the parties.

² Source: 2005-07 bi-partisan polls conducted by FABRIZIO, McLAUGHLIN & ASSOCIATES and THE SCHAPIRO GROUP, INC.

³ Source: Human Rights Campaign's Corporate Equality Index. http://sites.hrc.org/documents/CorporateEqualityIndex_2012.pdf

⁴ http://www.hrc.org/files/assets/resources/Employment_Laws_and_Policies.pdf; <http://www.hrc.org/resources/entry/cities-and-counties-with-non-discrimination-ordinances-that-include-gender>