

## **Talking Points**

### **For workplace non-discrimination in Virginia based on sexual orientation and gender identity**

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

**Strong public support.** Consistent polling shows that 90% of Virginians believe that gay men and lesbians should have the right to work for the government and that 87% of Virginians feel that gay men and lesbians should have protections against discrimination in all workplaces.<sup>1</sup>

**Virginia's leaders agree that non-discrimination is a good idea.** Fifty-seven members of the General Assembly have signed statements not to discriminate in their offices based on sexual orientation and gender identity or expression. Similar statements have been made by Senator Mark Warner (D) and Senator Tim Kaine (D) and more than fifty local elected officials in Virginia.

**Non-Discrimination makes good business sense.** Private employers have long since recognized that non-discrimination protections allow them to recruit and retain the best and brightest employees.

88% of Fortune 500 Companies have non-discrimination policies that include SO  
57% of Fortune 500 Companies have policies that also include GI/E

80% of Virginia's 25 largest private employers (20) have non-discrimination policies that include SO  
60% of Virginia's 25 largest private employers (15) have policies that also include GI/E

Of the Virginia based companies (29) on the 2013 HRC Corporate Index:  
18 Virginia based companies have non-discrimination policies that include SO and GI/E  
9 Virginia based companies have non-discrimination policies that include SO only

**Virginia is at a competitive disadvantage.** Most major private sector employers in Virginia and 16 other states, including neighboring Maryland, and the District of Columbia have workplace protections based on sexual orientation and gender identity. More than 163 counties and cities prohibit employment discrimination based on gender identity.<sup>2</sup> This means that Virginia's state and local agencies, schools and colleges are limited in their ability to compete effectively to recruit and retain the best qualified employees to serve the tax payers.

**You can be fired for being lesbian, gay, bisexual or transgender.**

There is no state or Federal statute that protects LGBT people from discrimination in the workplace based on their sexual orientation or gender identity.

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<sup>1</sup> Source: 2008 bi-partisan poll conducted by FABRIZIO, McLAUGHLIN & ASSOCIATES and THE SCHAPIRO GROUP, INC.

<sup>2</sup> The National Gay & Lesbian Task Force

[http://www.thetaskforce.org/reports\\_and\\_research/nondiscrimination\\_laws](http://www.thetaskforce.org/reports_and_research/nondiscrimination_laws); see also, the Human Rights Campaign State of the Workplace Report, <http://www.hrc.org/resources/entry/cities-and-counties-with-non-discrimination-ordinances-that-include-gender>

**Why a bill would not cover private employees.**

Unlike most other states, Virginia does not have a comprehensive state civil rights law that offers broad protection against discrimination by private employers for anyone. Consequently, it would be difficult to pass legislation offering private employees protection against discrimination based on sexual orientation and gender identity or expression without facing substantial opposition from the business community. In addition, most of Virginia's major employers, unlike our public sector agencies, already have in place anti-discrimination policies that cover sexual orientation and/or gender identity or expression. State legislation is needed to offer such protection to public employees.

**Religious organizations or churches would not be affected.**

A bill will only cover public employment and would have no application to nor effect on churches or other religious organizations.

*For a list of the following, please visit [EqualityVirginia.org](http://www.equalityvirginia.org) or go to:*

<http://www.equalityvirginia.org/what-we-do/ending-discrimination/workplace-discrimination/>

Local elected officials who signed the statement in support of nondiscrimination in the workplace

Localities with LGBT workplace nondiscrimination protections

Legislators who signed the statement to not discriminate based on sexual orientation and gender identity or expression in their workplace

Colleges and universities with inclusive nondiscrimination policies

Virginia's 25 largest private employers with nondiscrimination protections based on sexual orientation and/or gender identity or expression

Virginia based companies (29) on the 2013 HRC Corporate Equality Index with nondiscrimination protections based on sexual orientation and/or gender identity or expression