

Contact: Cla Ex

Claire G. Gastañaga Executive Director 804.523.2146 claire@acluva.org

Support SB783, SB822 - LGBT Virginians deserve the same opportunities as everyone else.

All Virginians, including those who are gay or transgender, should be treated fairly and equally under the law. Currently, there is no Virginia law that makes it illegal for a private business or a public agency to fire, deny housing, or refuse service at a public business to a lesbian, gay, bisexual or transgender (LGBT) person based solely on who they are. These bills would update Virginia's existing laws governing employment at state and local agencies to include explicit prohibitions against discrimination based on race, religion, color, sex, pregnancy, childbirth or related conditions, age, marital status, disability and sexual orientation and gender identity to Virginia's fair housing law.

We need clear, comprehensive, and secure nondiscrimination protections in Virginia that eliminate confusion for workers, students, schools, and businesses alike. A person's rights under the Virginia Human Rights Act are largely governed by federal law. The U.S. Equal Employment Opportunity Commission, the U.S. Department of Education's Office of Civil Rights, the U.S. Department of Justice, and a growing number of federal courts have recognized that sexual orientation and gender identity discrimination are forms of unlawful sex discrimination under federal statutes and the Constitution. Nonetheless, there is not yet a clear and explicit federal law that protects LGBT people from employment discrimination, and there is no protection at all in public accommodations. This makes it especially critical for the Virginia Code to incorporate explicit nondiscrimination requirements that, at a minimum, protect all public employees from discrimination and extend the Virginia fair housing laws to LGBT Virginians.

These bills are good for business. Passing strong nondiscrimination protections would help ensure that Virginia can attract new businesses and jobs, and promote tourism. Corporate America knows that basic fairness is good for business: 89 percent of Fortune 500 companies have nondiscrimination policies that include sexual orientation, and 66 percent also cover gender identity.¹

LGBT people are our friends, neighbors, family, and coworkers. When it comes to being able to earn a living or be served by a business or government office, they should be treated like everyone else. Treating others as we would want to be treated ourselves includes making sure that no one is fired from their job, evicted from their home, or turned away from a business just because of who they are.

Strong non-discrimination protections will bring Virginia in line with other states. Anti-discrimination laws that prohibit adverse treatment on the basis of sexual orientation and/or gender identity already cover much of the population of the United States.² The numerous states and localities that have already implemented such provisions have done so successfully, without inundation by litigation and without infringement on private expression and religious activities. It's time Virginia followed their example.

¹ Human Rights Campaign, *Equality at the Fortune 500*, <u>http://www.hrc.org/resources/lgbt-equality-at-the-fortune-500</u>.

² As of December 2015, 22 states and over 200 localities explicitly ban discrimination on the basis of sexual orientation, gender identity, or both. See ACLU, *Nondiscrimination Laws: State by State*, <u>https://www.aclu.org/map/non-discrimination-laws-state-state-information-map</u>; Movement Advancement Project, *Local Employment Nondiscrimination Ordinances*, <u>http://www.lgbtmap.org/equality-maps/non_discrimination_ordinances</u>.