

# PROTECTING LGBT WORKERS: THE NEED TO UPDATE OHIO'S NONDISCRIMINATION LAW

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When Americans go to work each day, they want to be judged on their professionalism, their experience, their performance, and their ability to get the job done. By working hard, meeting their responsibilities and playing by the rules, they strive for a fair chance to achieve a piece of the American Dream.

But today, hardworking Ohioans who are lesbian, gay, bisexual or transgender (LGBT) can still be unfairly fired from their jobs simply because of who they are. Many Americans are shocked to learn that there is no federal law that explicitly protects gay and transgender workers from unfair workplace discrimination, and that in more than half the country, including Ohio, such protections are also denied under state law.<sup>1</sup>

America is a land of opportunity, where all people should be treated fairly and equally under the law. No hardworking Ohioans should have to live in fear that they can be fired for reasons that have nothing to do with their job performance. By updating our laws to protect gay and transgender people from unfair job discrimination, we can help level the playing field for all Ohioans—and make our state a fairer and more equal place to live and work.



## ONE-FIFTH

OF SAME-SEX COUPLES IN OHIO ARE RAISING CHILDREN

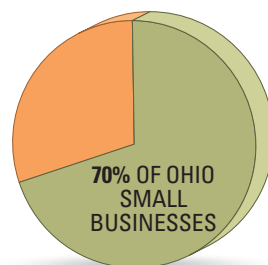
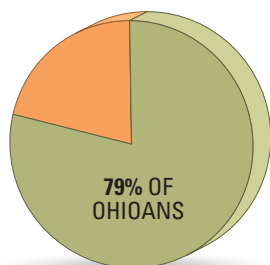


## ONE-THIRD

OF LGBT WORKERS NATIONALLY HAVE BEEN HARASSED OR FACED DISCRIMINATION



## WIDESPREAD SUPPORT FOR UPDATING OHIO'S NONDISCRIMINATION LAWS



80 OF OHIO'S 98 LARGEST EMPLOYERS



## LGBT Ohioans and the Legal Landscape

Approximately 319,000 LGBT adults live in Ohio (3.6% of the state's total population).<sup>2</sup> One in five same-sex couples in Ohio are raising children (18%).<sup>3</sup>

Currently, one-fifth of Ohioans live in cities and counties that protect workers from unfair discrimination based on sexual orientation and gender identity.<sup>4</sup> But workplace protections shouldn't depend on where you live or work. All workers in Ohio ought to be protected by laws that explicitly state that it is against the law to fire someone or discriminate against someone at work because of their sexual orientation or gender identity.

## Discrimination and the Work Environment

LGBT workers can put their job prospects at risk if they disclose that they are LGBT while looking for work. An LGBT employee may be stuck in a workplace that is blatantly hostile, one that condones anti-gay jokes and slurs, and/or one where employers look the other way and allow a discriminatory climate to flourish. In addition to job and workplace discrimination, LGBT employees face wage disparities that make it harder for them to provide for themselves and their families. According to a survey of LGBT workers, 38% of employees who were out at work had been harassed or discriminated against in the last five years.<sup>5</sup>

The lack of legal protections for LGBT workers, combined with the unequal treatment they receive in areas from wages and hiring to family benefits, is not just a problem for LGBT workers; it also harms their coworkers, their employers and Ohio's economy.

Organizations that create diverse and inclusive workplaces are better positioned to attract and retain top talent. They benefit from decreased costs associated with absenteeism and turnover. They also have higher levels of employee satisfaction, which can boost productivity and innovation and result in higher profits.

## Business Support for Nondiscrimination

Employers who value diversity understand that it gives them a competitive advantage. But employers can't fix the broken bargain on their own. Nondiscrimination laws need to be updated to protect LGBT workers. And, most business owners support nondiscrimination laws ensuring that workers are treated fairly on the job. A 2013 Small Business Majority survey of small business owners found that 69% support state laws protecting LGBT workers from employment discrimination as do 70% of Ohio small business owners.<sup>6</sup>

Virtually all of Ohio's largest employers (80 out of 98) have nondiscrimination policies addressing discrimination against LGBT people, including Kroger, University Hospitals of Cleveland, Procter & Gamble, and Bob Evans Farms. And three-quarters of small business owners in Ohio with such policies said that the policies have cost little to nothing.<sup>7</sup>

The vast majority of Americans (72% according to a recent poll by the Public Religion Research Institute<sup>8</sup>) and nearly eight in ten Ohioans (79%<sup>9</sup>) believe that LGBT workers should be treated fairly at work.

Ensuring that all workers are treated fairly on the job is good for LGBT workers, businesses, and the state of Ohio.

## ENDNOTES

- <sup>1</sup> For an updated listing of states with laws prohibiting discrimination based on sexual orientation and gender identity, visit Movement Advancement Project. "LGBT Equality Maps: State Non-Discrimination Laws." [http://lgbtmap.org/equality-maps/non\\_discrimination\\_laws](http://lgbtmap.org/equality-maps/non_discrimination_laws) (accessed February 13, 2014).
- <sup>2</sup> Estimates based on the adult population in Ohio and the percent of adults in Ohio who identify as LGBT. Gates, Gary J. and Frank Newport. "LGBT Percentage Highest in D.C., Lowest in North Dakota." Gallup Politics. February 15, 2013. <http://www.gallup.com/poll/160517/lgbt-percentage-highest-lowest-north-dakota.aspx> (accessed October 23, 2013).
- <sup>3</sup> Gates, Gary J. and Abigail M. Cooke. "Ohio Census Snapshot: 2010." The Williams Institute. [http://williamsinstitute.law.ucla.edu/wp-content/uploads/Census2010Snapshot\\_Ohio\\_v2.pdf](http://williamsinstitute.law.ucla.edu/wp-content/uploads/Census2010Snapshot_Ohio_v2.pdf) (accessed October 23, 2013).
- <sup>4</sup> Analysis by the Movement Advancement Project. Updates available at Movement Advancement Project. "Equality Maps: Local Non-Discrimination Ordinances." [http://www.lgbtmap.org/equality-maps/non\\_discrimination\\_ordinances](http://www.lgbtmap.org/equality-maps/non_discrimination_ordinances) (accessed February 13, 2014).
- <sup>5</sup> Sears, Brad, and Christy Mallory. "Documented Evidence of Employment Discrimination & Its Effects on LGBT People." The Williams Institute. July 2011. <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Sears-Mallory-Discrimination-July-2011.pdf> (accessed January 3, 2014).
- <sup>6</sup> Small Business Majority. "Opinion Poll: Small Businesses Support Workplace Nondiscrimination Policies." June 4, 2013. <http://www.smallbusinessmajority.org/small-business-research/downloads/060413-workplace-nondiscrimination-poll-report.pdf> (accessed January 29, 2014); Small Business Majority. "Opinion Poll: Ohio Small Businesses Support Workplace Nondiscrimination Policies." June 4, 2013. <http://www.smallbusinessmajority.org/small-business-research/downloads/060413-OH-workplace-nondiscrimination-poll-report.pdf> (accessed January 29, 2014).
- <sup>7</sup> Small Business Majority. "Opinion Poll: Ohio Small Businesses Support Workplace Nondiscrimination Policies." June 4, 2013. <http://www.smallbusinessmajority.org/small-business-research/downloads/060413-OH-workplace-nondiscrimination-poll-report.pdf> (accessed January 29, 2014).
- <sup>8</sup> Jones, Robert P., Daniel Cox, and Juhem Navarro-Rivera. "A Decade of Change in American Attitudes about Same-sex Marriage and LGBT Issues." Public Religion Research Institute. February 2014. [http://publicreligion.org/site/wp-content/uploads/2014/02/2014.LGBT\\_REPORT.pdf](http://publicreligion.org/site/wp-content/uploads/2014/02/2014.LGBT_REPORT.pdf) (accessed March 4, 2014).
- <sup>9</sup> Telephone survey conducted April 8-14, 2013 of 602 registered Ohio voters by Goodwin Simon Strategic Research.

## ABOUT THIS BRIEF

This brief is based on content from *A Broken Bargain: Discrimination, Fewer Benefits and More Taxes for LGBT Workers*, a report which examines how job discrimination without legal protection makes it harder for LGBT workers to find and keep a good job; and how LGBT workers receive fewer benefits and pay more taxes, which puts LGBT workers and their families at risk. For more information, visit [www.lgbtmap.org/lgbt-workers](http://www.lgbtmap.org/lgbt-workers).