

HB 300: Amending the Pennsylvania Human Relations Act

Current Pennsylvania law provides basic legal protection against discrimination on the basis of race, color, religion, ancestry, age, national origin, handicap or disability, education and the use of a guide dog, but not sexual orientation or gender identity or expression.

Amending the Pennsylvania Human Relations Act (PHRA) to prohibit discrimination on the basis of sexual orientation and gender identity or expression would provide basic protection to ensure fairness for lesbian, gay, bisexual and transgender Pennsylvanians.

Many states have already amended their state civil rights laws to protect against this kind of discrimination.

Twenty one states: California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Hampshire, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, Washington, Wisconsin and the District of Columbia have laws protecting gay, lesbian and bisexual people from discrimination.

Twelve states: California, Colorado, Illinois, Maine, Minnesota, New Jersey, New Mexico, Oregon, Rhode Island, Vermont, Washington and the District of Columbia also prohibit discrimination against transgender people through legislation or case law. Almost 300 municipalities nationwide, including 15 in Pennsylvania, have protections based on sexual orientation, gender identity or both.

Many major businesses in Pennsylvania have employment policies prohibiting such discrimination.

More than 100 employers, including some of the largest corporations in Pennsylvania, have non-discrimination policies including sexual orientation and/or gender identity. 425 Fortune 500 companies, including all 24 Fortune 500 companies headquartered in Pennsylvania, prohibit discrimination based on sexual orientation. These companies recognize that attracting and retaining the best workers is critical, and that employers with a reputation for respecting diversity are at a competitive advantage with these protections.

This change will make Pennsylvania competitive with our neighbors.

Our neighboring states of Delaware, Maryland, New Jersey, and New York already have laws prohibiting discrimination on the basis of sexual orientation.

Pennsylvania has already taken steps in this direction.

In 1975, Pennsylvania Governor Milton Shapp issued the first state executive order banning discrimination in state employment on the basis of sexual orientation. This executive order has been reissued by each of Governor Shapp's successors and now also includes gender identity or expression. The following Pennsylvania municipalities prohibit discrimination on the basis of sexual orientation, gender identity or both: Allegheny County, Allentown, Easton, Erie County, Harrisburg, Lancaster, Lansdowne, New Hope, Philadelphia, Pittsburgh, Scranton, State College, Swarthmore, West Chester and York.

Yet, too many of our citizens are not covered by their employer's policies or their municipality's laws.

Discrimination based on actual or perceived sexual orientation and gender identity or expression effectively denies qualified individuals equality and opportunity. The lack of uniform policy across the state leads to confusion for employers and employees and protects only those Pennsylvanians who work in one of the municipalities that prohibits these types of discrimination. Based upon 2008 US Census Data, 73% of Pennsylvanians are not covered by a non-discrimination ordinance.

The Pennsylvania Human Relations Commission (PHRC) supports amending the PHRA to include protections on the basis of sexual orientation and gender identity or expression.

The PHRC enforces the Pennsylvania Human Relations Act. The Act prohibits discrimination in employment, housing and public accommodations. The PHRC opposes discriminatory acts against all individuals, including those who belong to classes not currently protected under the PHRA.

FREEDOM  **to WORK**



Pennsylvania Headquartered Fortune 500 Companies with Non-Discrimination Policies including sexual orientation:

Air Products & Chemicals
Allegheny Technologies
AmerisourceBergen
Aramark
Cigna
Comcast
Consol Energy
Crown Holdings
H.J. Heinz
Hershey Foods
Lincoln National
Mylan
PNC Financial Services
PPG Industries
PPL Corporation
Rite Aid
Rohm & Haas
SunGard Data Systems
Sunoco
UGI
Unisys
United States Steel
Universal Health Services
Wesco International

Provided by the
Value All Families Coalition

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