

## FREQUENTLY ASKED QUESTIONS

### **Q: What does the legislation call for?**

A: It would make it illegal to fire someone, deny them housing or force them to leave a restaurant or other place of “public accommodation” simply because of their sexual orientation or gender identity.

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### **Q: Does the legislation call for “special rights” for some people?**

A: No. Ohio law already prohibits discrimination based on race, gender, religion, ancestry, national origin or disability (ORC 4112). This is about doing what’s right and protecting people’s basic constitutional rights.

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### **Q: How do Ohio’s laws compare with other states?**

A: Ohio has one of the nation’s most unwelcoming set of laws for the LGBT community. We are tied for last place with states such as Mississippi and Alabama.

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### **Q: What states offer these protections already?**

A: Twenty states and the District of Columbia offer them. The states are: Colorado, Connecticut, Hawaii, Illinois, Iowa, Maine, Maryland, California, Massachusetts, Minnesota, Nevada, New Hampshire, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, Washington and Wisconsin.

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### **Q: How would this new law be enforced?**

A: The Ohio Civil Rights Commission would be responsible for investigating allegations that the new law has been violated, just as it has authority to investigate charges of discrimination based on things such as race, gender, age or religion. The Commission has the power to issue subpoenas, hold public hearings and collect monetary benefits.

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### **Q: Isn’t this anti-business?**

A: No. Ohio’s reputation for intolerance is hurting our state’s business climate. Many businesses, including more than 90 percent of all Fortune 500 companies, already have adopted anti-discrimination personnel policies because they know that bigotry is bad for business.

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**Q: Where can I find the list of 433 Fortune 500 companies who have adopted similar workplace policies?**

A: All of them, including WalMart, can be found at [www.HRC.org](http://www.HRC.org) in a report titled *The State of the Workplace for Gay, Lesbian, Bisexual and Transgender Americans 2006 – 2007*.

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**Q: Which of Ohio's thirteen four-year universities have similar policies?**

A: Youngstown State University, University of Toledo, Miami University, Kent State University, Wright State University, The Ohio State University, Cleveland State University, University of Cincinnati, Bowling Green State University, University of Akron and Ohio University .

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**Q: Why do we need this legislation? I don't believe such discrimination occurs.**

A: It does exist. A study completed by The Williams Institute in June 2007 found that up to 17% of gay, lesbian or bisexual people were fired or denied employment based on their sexual orientation; up to 28% were denied a promotion or given negative performance evaluations based upon sexual orientation; and, up to more than 40% were verbally or physically abused or had their workplace vandalized. The report can be found at

<http://www.law.ucla.edu/WilliamsInstitute/publications/Bias%20in%20the%20Workplace.pdf>

Unfortunately, the real life experiences reported by gay, lesbian, bi-sexual and transgender folks and heterosexual friends, family, co-workers and colleagues tell a different story. Their stories are being collected through a website called DoWhatRightOhio.com . And, frankly, since when is any amount of discrimination truly acceptable in America?

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**Q: Won't this law just result in more frivolous lawsuits/complaints against employers and people in the housing industry?**

A: Opponents of such laws in other states predicted a flood of frivolous lawsuits, but history shows those predictions did not come true. The federal General Accounting Office researched that exact question by reviewing the experiences of other states that have amended anti-discrimination laws to include sexual orientation. This research, completed in 2002 and available through

<http://64.233.167.104/search?q=cache:UojivQvmNigJ:www.gao.gov/new.items/d02878r.pdf+%22ames+rebbe%22+gao+discrimination&hl=en&ct=clnk&cd=1&gl=us>, concluded: "For those states where the law has taken effect, relatively few formal complaints of employment discrimination on the basis of sexual orientation have been filed, either in absolute numbers or as a percentage of all employment discrimination cases in the state. Moreover, the state statistics generally do not show any trend in the volume of employment discrimination cases based on sexual orientation over the periods we examined."

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**Q: Homosexuality is a choice. Why should we protect it?**

A: Most credible scientific research concludes that it is not is a choice. But, this isn't a debate about those issues. It's simply about protecting basic constitutional rights when it comes to housing, employment and public accommodation – just as we prevent discrimination based on a number of factors such as religious affiliation.

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**Q: Isn't it already illegal to fire someone for this in Ohio?**

A: Ohio law does not make it illegal to fire someone based solely on sexual orientation, although many people think it does. Further, 68% of Ohioans believe the law should include this prohibition. (Equality Ohio Education Fund Statewide Survey, November 13-16, 2006 of 800 registered Ohio voters, margin of error +/-3.5%, conducted by Glengariff Group, Inc.)

While 16 Ohio municipalities do provide some sort of protections for people in employment, housing or public accommodations, this only covers 2.2 million of Ohio's 11.5 million people. This amounts to less than 20% of the state's population.

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**Q: Would passage of this law affect Ohio's constitutional ban on same-sex marriage?**

A: No. It would have no affect. The marriage amendment is part of the state constitution. The anti-discrimination provision would be added to Ohio's laws, not its constitution.

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**Q: If this is passed, would insurance companies be forced to pay for sex change operations?**

A: No – but that won't stop opponents of this legislation from trying to scare people into thinking it would. Age discrimination is illegal and that has not resulted in insurance companies being forced to pay for face lifts – or other elective surgeries to make people appear younger.

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