

## **CITY OF PITTSBURGH**

*Commission on Human Relations*

908 City-County Building

414 Grant Street

Pittsburgh, PA 15219-2464



### **STATEMENT IN SUPPORT OF SENATE BILL 1306 ANTI-DISCRIMINATION IN EMPLOYMENT BASED ON SEXUAL ORIENTATION, IDENTITY AND EXPRESSION**

The City of Pittsburgh Commission on Human Relations wishes to provide strong support for Senate Bill 1306, "Anti-Discrimination in Employment Based on Sexual Orientation, Identity and Expression". We are thankful to Senator Lisa Baker for holding this hearing and for inviting us to provide testimony regarding our experience implementing and enforcing similar civil rights protections in our City.

The Pittsburgh Commission on Human Relations supports this legislation because it ensures that citizens will not lose their job because of who they are, whether lesbian, gay, bisexual or transgender, or how they identify their gender. In addition, the passage of this bill will ensure that all residents of Pennsylvania are afforded the same protections as those who work in the City of Pittsburgh.

As you may know, the City of Pittsburgh Commission on Human Relations, one of the oldest Commissions in the country, was established in 1955 to administer the laws prohibiting discrimination in employment. Sixty-one years later, the City's Fair Practices ordinances, enforced by the Pittsburgh Commission, provide for civil rights protections for all the protected classes currently included in the Pennsylvania Human Relations Act, but also include two additional protected classes: sexual orientation, and gender identity and expression. Along with the enforcement of fair practices in the area of employment, the Pittsburgh Commission also adjudicates civil rights cases in the areas of housing, and public accommodations.

It has been well documented that providing clear and unambiguous civil rights protections for LGBT persons helps employers, large and small, recruit and retain talented workers. It also helps foster economic growth, and supports stronger and more stable families and communities. Furthermore, it acknowledges that our state, its elected officials and residents cherish and support inclusion and diversity.

#### **Brief History on Sexual Orientation Protection**

In 1990 the City of Pittsburgh amended its civil rights ordinance to include sexual orientation as a protected class. Since that time, the Pittsburgh Commission has sought remedies on behalf of persons treated differently on the job because of their sexual orientation.

- In 1991, the Commission received a total of 11 complaints

- From 1992-1994, we received 14 complaints per year
- In 1995 the number of complaints dropped to five
- For the years 1996 and 1997, the combined number of complaints grew to 40

It is important to note, that after 1991, many complaints of sexual orientation discrimination also included allegations of discrimination on the basis of *sex, handicap/disability; race; age, and retaliation*. It can be concluded that six years after the ordinance was amended, employees were keenly aware of their rights and were willing to do something to protect them.

- Again, in 1997, the City amended the ordinance to modify the definition of sex as “the gender of a person, as perceived, presumed or assumed by others, including those who are changing or have changes their gender identification,” in order to explicitly offer protections for transgender persons.
- Although some data is currently unavailable, we can report that over the last six years, on average number of complaints we received related to sexual orientation is five.
  - Notably this is a shift in the number of allegations of discrimination that are reported to us could be attributed to several factors;
    - Visibility and acceptance of LGBT persons (media, politics, business, etc.)
    - Better understanding of civil rights protections
    - Demands and expectations from employees (health care benefits, sick leave to care for a partner, parental leave to care for adopted children, etc.)
    - Employers implementing anti-discrimination policies
    - Effective diversity/inclusion programs in workplaces
    - Clear procedures for dealing with allegations of discrimination at work
    - Business models that specifically recruit and retain LGBT persons
    - Changes in federal laws, particularly around marriage equality
- In June 2014, the City of Pittsburgh passed legislation to formally include gender identity and expression as a protected class under the Pittsburgh City Code.

### **In Closing**

Again, we must stress how important it is that there are equal protections regardless of what jurisdiction you reside in the Commonwealth. Pennsylvania should pass this bill to confirm without question, to all employers, that employees are to be judged by the quality of their work, and not who they love, or how they identify their gender. The City of Pittsburgh Commission on Human Relations is eager to see the passage of this bill and encourages all members of this Committee to support it.