



**Before the House Civil Justice Committee
House Bill 369– The Ohio Fairness Act
Sponsor Testimony by
Representative Brett Hillyer and Michael J. Skindell
November 19, 2019**

Chairman Hambley, Vice Chair Patton, Ranking Member Brown and Members of the House Civil Justice Committee, thank you for the opportunity to provide sponsor testimony on House Bill 369, “The Ohio Fairness Act.” A companion, bipartisan bill, Senate Bill 11, has been introduced in the Ohio Senate by Senator Nickie Antonio.

House Bill 369 is about fairness and decency. Currently, Ohio offers no protections from discrimination in the workplace, in housing and accessing basic goods and services based on sexual orientation or gender identity or expression. Although state law currently prohibits discrimination based on race, color, religion, gender, national origin, age, ancestry, military status and disability under Section 4112.02 of the Ohio Revised Code, our laws fail to offer similar protections to some 400,000 LGBTQ+ Ohioans.

In Ohio, people can lose their jobs, or be denied housing, solely because of their sexual orientation or gender identity. Although there is no relationship between workplace performance and sexual orientation and gender identity, a large body of research has consistently documented high levels of discrimination against lesbians, gay men, bisexuals and transgender people at work. For example, a 2017 survey conducted by NPR, Robert Wood Johnson Foundation, and Harvard T.H. Chan School of Public Health found that 20% of LGBTQ respondents reported being discriminated against when applying for jobs and 22% of LGBTQ respondents reported being discriminated against when trying to rent an apartment or buy a house because of their sexual orientation or gender identity.

The Ohio Fairness Act moves Ohio to a workforce friendly state. House Bill 369 expands many of the existing Ohio Civil Rights Laws so that they apply to discriminatory practices on the basis of “sexual orientation” or “gender identity or expression”. It also upholds all existing religious exemptions in the Ohio Civil Rights Laws. Twenty states currently protect people from discrimination based on their sexual orientation and gender identity. Without non-discrimination policies in place, Ohio falls behind other states when hiring the best and brightest professional talent and recruiting companies to move to our state.

More than 800 businesses have joined Ohio Business Competes, a nonpartisan coalition of Ohio businesses that support non-discrimination policies that are inclusive of LGBTQ Ohioans. In 2018 alone, its membership more than tripled. Some of these business leaders include Procter & Gamble Company, OhioHealth, AEP (American Electric Power), KeyBank, General Electric, United Way, Huntington, and AT&T. Noteworthy, the Ohio Chamber of Commerce, the Ohio Manufacturing Association, Greater Cleveland Partnership, Columbus Chamber of Commerce, and the Cincinnati USA Regional Chamber of Commerce support this pro-business, non-discrimination legislation.

In Ohio, twenty-five cities and one county in have enacted local ordinances that prohibit discrimination based on sexual orientation and gender identity or expression. In addition, a gubernatorial executive order was issued

earlier this year by Governor Mike DeWine and policies adopted by other state office holders that protect executive branch government employees from anti-LGBTQ discrimination.

Ending discrimination based upon sexual orientation and gender identity or expression has widespread public support in Ohio. According to the 2018 American Values Survey, 68% of Ohioans favor employment, public accommodations, and housing laws that make it illegal to discriminate on these grounds.

Chairman Hambley, Vice Chair Patton, Ranking Member Brown and Members of the House Civil Justice Committee, thank you for the opportunity today to provide sponsor testimony on this legislation. We would be happy to answer any questions.