



PRESS RELEASE
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U.S. Commission on Civil Rights Releases Report:

Working for Inclusion: Time for Congress to Enact Federal Legislation to Address Workplace Discrimination against Lesbian, Gay, Bisexual, and Transgender Americans

Washington, DC – Today, November 29, the U.S. Commission on Civil Rights released *Working for Inclusion: Time for Congress to Enact Federal Legislation to Address Workplace Discrimination against Lesbian, Gay, Bisexual, and Transgender Americans*. The [report](#), based on testimony and written materials submitted to the Commission, along with extensive social science research and surveys, reflects the reality that many LGBT Americans experience prejudice and discrimination in the workplace.

Key findings and recommendations from a majority of the Commission include:

- Lesbian, gay, bisexual, and transgender (LGBT) workers have faced a long, serious, and pervasive history of official and unofficial employment discrimination by federal, state, and local governments and private employers.
- Federal data sources do not effectively capture rates of LGBT employment or rates of LGBT employment discrimination.
- An inconsistent and irreconcilable patchwork of state laws against anti-LGBT workplace discrimination and federal court decisions interpreting existing law render LGBT employees insufficiently protected from workplace discrimination.
- Congress should immediately enact a federal law explicitly banning workplace discrimination based on sexual orientation and gender identity.
- Federal data sources such as the Census, American Community Survey, and federal agency surveys should include sexual orientation and gender identity questions in population-based surveys of the workforce.
- Federal agencies should issue or, where relevant, reaffirm specific guidance for federal and private employers outlining protections for LGBT employees, including specifically enumerating protections for transgender persons.

The Commission evaluated rates of LGBT employment and employment-related discrimination, arguments for and against enacting federal legislation to address this discrimination, and the landscape impacting legal protections available to LGBT Americans at work.

A 2013 poll by Project Right Side and Americans for Workplace Opportunity found that a majority of people (88 percent), regardless of political affiliation, agreed that LGBT individuals should be evaluated based on workplace performance. Businesses have attested that implementing nondiscrimination protections for LGBT individuals does not result in substantial additional costs.

Notwithstanding this broad consensus, 28 states offer no sexual orientation or gender identity protections; of the 22 states that do protect LGB employees, two exclude transgender employees from protection.

Chair Catherine E. Lhamon said, “Living up to the American ideal of fairness and equity demands federal statutory protection for LGBT employees, actively and consistently enforced across the federal government and lived in employees’ workplace experience. We call on Congress to act now to ensure that it leaves no gap in the fabric of federal civil rights protection for LGBT employees.”

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The U.S. Commission on Civil Rights, established by the Civil Rights Act of 1957, is the only independent, bipartisan agency charged with advising the President and Congress on civil rights matters and reporting annually on federal civil rights. For information, please visit <http://www.usccr.gov> and follow us on [Twitter](#) and [Facebook](#).