

XpertHR Reports on the Top 10 LGBT-Employment Friendly States *Maine, Washington State and Iowa Are Among Best Places for LGBTs to Work*

New Providence, NJ (October 3, 2013) – Maine, Washington State, Minnesota and Iowa are among the best places for lesbians, gays, bisexuals and transgender (LGBT) individuals to work, according to a new [XpertHR report](#) that evaluates the states offering the most progressive and friendly work environment for LGBTs. The report found only a handful of states are especially progressive and provide a particularly friendly environment for LGBTs. Six states in the Northeast made the list, including Connecticut, Maine, Massachusetts, New York, Rhode Island and Vermont, along with Washington State, Iowa, California and Minnesota.

“Although federal law does not protect LGBTs from employment discrimination, a number of states have enacted laws protecting lesbians, gays, bisexuals and transgender individuals,” says Peggy Carter-Ward, Head of Content, [XpertHR](#). “These states are leaders in safeguarding LGBTs against discrimination in the workplace -- by passing gay rights ordinances, permitting same-sex marriage, providing benefits to same-sex partners, and/or outlawing hate crimes.”

Discrimination based on sexual orientation and gender identity has long been a controversial issue. Fifty-two percent of the LGBT population lives in states that do not prohibit employment discrimination based on sexual orientation or gender identity, according to the Movement Advancement Project.

Given the rate of change of legal protections for LGBTs among the states and across municipalities, employers who have not yet considered LGBT issues are well advised to review their policies and strategies to ensure they are compliant with the legal trends and are aware of the broader cultural shifts underway. The implications of this shift for all employers are significant and likely to increase in the coming years.

“For the past year or two, I have been telling employers that the demise of DOMA is inevitable, and that companies should change their policies and practices to prepare for that reality,” says Carmelyn P. Malalis, Esq., Partner and Co-Chair of the Lesbian, Gay, Bisexual & Transgender (LGBT) Workplace Rights Practice Group at Outten & Golden LLP. “That time is now upon us, and employers that have not changed their policies are behind the curve trying to catch up.”

[XpertHR's report](#) examined state-specific laws protecting against and prohibiting discrimination, states offering same-sex marriage and other benefits, state laws on hate crimes, and a generally positive working and living climate for LGBTs to determine which states offered the best working environment.

While some might be surprised that Iowa--located in the conservative Midwest—made the list, the Hawkeye State has been a leader in the region when it comes to rights for LGBT individuals. Iowa became the first Midwestern state to recognize same-sex marriage in 2009 and it has provided benefits to same-sex partners of state employees

since 2003. The same holds true for Minnesota, which in fact, has had an active gay rights movement since the 1970s and was the first state to implement gender identity protections.

Gay communities have thrived in California for quite some time, especially in cities like Los Angeles, Hollywood and San Francisco. In the 1970s, LGBT activist Harvey Milk was the first openly gay man elected to public office in the country and was instrumental in passing one of the nation's first gay rights ordinances in San Francisco in 1978.

New England states like Connecticut, Maine, Massachusetts, Rhode Island and Vermont are increasingly liberal and provide LGBT individuals with expanded rights and protections. Massachusetts became the first state to permit same-sex marriage in 2003 and over 20 years ago Governor William Weld permitted state employees to register as domestic partners for bereavement leave and visitation rights in state hospitals and prisons.

XpertHR's list of the top 10 LGBT-employment friendly states:

- **California**
- **Connecticut**
- **Iowa**
- **Maine**
- **Massachusetts**
- **Minnesota**
- **New York**
- **Rhode Island**
- **Vermont**
- **Washington**

To read the full report, visit <http://www.xperthr.com/pages/top-10-lgbt-employment-friendly-states/>

Methodology:

In order to arrive at a listing of the top 10 LGBT employment friendly states, a number of criteria were using including:

- Whether the state prohibits employment discrimination based on sexual orientation;
- Whether the state prohibits employment discrimination based on gender identity;
- Whether the state permits same-sex marriage;
- Whether the state prohibits hate crimes based on sexual orientation;
- Whether the state prohibits hate crimes based on gender identity;
- Whether same-sex partners are provided with state FMLA benefits;
- State history of protecting LGBT rights including whether the state was a leader in extending protections;
- The state's general cultural environment and atmosphere;
- The state's general political environment and whether there have been LGBT politicians in leadership positions; and
- Municipal and county protections for LGBT individuals.

About the Author

Beth P. Zoller is the legal editor for the discrimination, affirmative action, harassment, retaliation, employee privacy, and employee handbooks/work rules/employee conduct content in the employee management section of XpertHR. Prior to joining XpertHR, Beth practiced law for more than 10 years, representing employers with respect to employment discrimination and harassment claims, contractual disputes, restrictive covenant issues, family and medical leave, wage and hour disputes and a variety of other employment-related claims.

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Editor's Notes:

Material from this report may be published with a link to <http://www.xperthr.com/pages/top-10-lgbt-employment-friendly-states/>

An XpertHR chart listing state and municipal laws protecting LGBT employees and comparing LGBT rights by state and municipality is available.

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