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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Spreadsheet	State and Local Governments... [page 14]	1	N.D.	P6/b6;

COLLECTION TITLE:

Counsel's Office, White House

SERIES:

Kavanaugh, Brett - Subject Files

FOLDER TITLE:

[State and Local Governments with Antidiscrimination Ordinances]

FRC ID:

9632

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Records Not Subject to FOIA

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.

State and Local Governments with Antidiscrimination Ordinances that Include Sexual Orientation

Privileged and
Confidential

Employer Name	State	Expressly relates to K	Empl. Disc. (Implied)	Religious Exempt	Ordinance Number(s)	Status/Information	Contact Information
City of Alameda	CA					No such ordinance - See email from Deputy City Clerk. Discrimination based upon sexual orientation not mentioned.	Emailed to City Clerk, ordinances not online.
City of Albany	NY	Yes			Code of the City of Albany, New York, v22, Part I Administrative Legislation, Chapter 48, Equal Employment Opportunity; Affirmative Action, et al, Article III Omnibus Human Rights Law, Section 48-26 (E.3)	Discrimination in contracts based on sexual orientation prohibited.	
City of Albuquerque	NM				Section 13, Housing Authority	Does not mention sexual orientation in criteria for doing business within bounds of building affordable housing. GOV TV (Government Access Cable Channel); does not allow discrimination based upon sexual orientation.	
City of Alexandria	VA		Yes	Yes	Muni. Code 12, Chapter 4 "Human Rights Ordinance"; Sec. 12-4-5, 12-4-6	Employers may not discriminate on the basis of sexual orientation. City contractors may not discriminate—but does not mention sexual orientation. Religious exemption when religion is a bona fide occupational qualification.	
City of Alfred	NY	Yes			Article II, Section I	"No person, corporation, or other legally recognized entity within corporation limits of the Village shall discriminate against any person or persons for reasons of race, color, religion, age, sex, marital status or sexual orientation."	
City of Ames	IA		Yes		Chapter 14, Section 14.6(1)(a)	"It shall be an unfair or discriminatory practice for any Person to refuse to hire, accept, register, classify, or refer for employment, to discharge any employee, or to otherwise discriminate in employment against any applicant for employment or any employee because of the age, race, creed, color, sex, national origin, religion, disability or sexual orientation of such applicant or employee, unless based upon the nature of the occupation."	
City of Amherst	MA					nf	City clerk to mail to Regan 3/14/01
City of Anchorage	AK					Ban on employment discrimination. Does not include sexual orientation.	
City of Ann Arbor	MI	Yes			Chapter 112. Non-Discrimination, Chapter 98. Building Safety and Engineering, Chapter 8. Boards and Commissions, Chapter 14. Purchasing, Contracting and Selling Procedures	Discrimination in contracts based on sexual orientation prohibited.	
City of Anoka	MN					nf	City Clerk confirmed via phone that code does not contain non- discrimination provision re employment

Yes = Contains provision
Maybe = May be interpreted to contain such provision
NA = Not Applicable
nf = Not Found
K = Contract(or)

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Determined to be an
Administrative Marking
Per E.O. 13526, SEC 3.4 (B)

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City of Ashland	OR		Maybe		Resolution No. 1993-17 (May 1993); Ashland Municipal Code Sec. 3.8.40	City Ordinances prevent housing discrimination. Applies to City Employees. Contractors are covered by the "Oregon Model Public Contract Rules Manual," as published by the Oregon Attorney General. City Policy is to prohibit discrimination on the basis of sexual orientation.	Emailed City Administrator (dick@ashland.or.us) Dick Wanderscheid for copy of Affirmative Action Statement.
City of Aspen	CO	Maybe	Yes		Title 15, Chapter 15.04, Section 15.04.570(b) and (f)	(b) "It shall be unlawful for any person, directly or indirectly, to discriminate against any employee with regard to application for employment, hiring, occupational training, tenure, promotion, compensation, layoff, discharge, or any other term or condition of employment except when based upon a bona fide occupational qualification." (f) "Whenever it appears that the holder of a permit, license, franchise, benefit, or advantage, issued by the City of Aspen is in violation of this section... the City of Aspen may take such action regarding the temporary or permanent suspension of the violator's City of Aspen business license, permit, franchise, benefit or advantage as it considers appropriate based on the facts disclosed to it."	
City of Athens	OH				Ord. No. 0-157-97	Added Sexual Orientation as a protected category in the Community Relations Ordinance.	
City of Atlanta	GA	Yes	Yes		Muni. Code Pt. II, Ch. 2, Art. X, Div. II, Sec. 2-414; Pt. II, Ch. 94, Art. IV, Sec. 94-97, Sec. 94-112	Discrimination in contracts based on sexual orientation prohibited. Religious Exemption for sale or lease of property. Overall employment discrimination ban on basis of sexual orientation.	
City of Austin	TX				§ 7-4-2 DISCRIMINATORY EMPLOYMENT PRACTICES PROHIBITED	Sexual orientation not included in definition of discriminatory employment practices by vendors or contractors.	
City of Baltimore	MD		Yes		Article 4, Subtitle 3, Section 3-1	"... it shall be an unlawful employment practice for any employer to discriminate [on the basis of race, color, religion, national origin, ancestry, sex, age, physical or mental capability, marital status, or sexual orientation] against an individual with respect to hire, tenure, promotion, terms, conditions, or privileges of employment..."	Contact office of Legislative Reference @ 410-396-4731
City of Bar Harbor	ME		Yes		Chapter 8, Section 8.07 Discrimination Based on Sexual Orientation, 8.07.03.01.01	It is unlawful "[f]or any employer to fail or refuse to hire or otherwise discriminate against any applicant for employment because of sexual orientation or because of such reason to discharge an employee or discriminate with respect to hire, tenure, promotion, transfer, compensation, terms, conditions, or privileges, or any matter directly or indirectly related to employment..."	
City of Berkeley	CA	Yes			Section 13.26.070 Nondiscrimination provisions of a contract.	Discrimination in contracts based on sexual orientation prohibited.	

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City of Bloomington	IN		Yes		Code of City of Bloomington Ch. 2.21.030 et seq.	Basic sexual orientation clause applies to employees of city and other employers, not defined in contractors affirmative action statement. Sexual orientation not included in definition of discriminatory employment practices by vendors or contractors.	
City of Boston	MA		Yes		Form CM11--Standard contract with the city of Boston/County of Suffolk	Standard contract does not include "sexual orientation" language. Sexual Orientation discrimination illegal in housing.	
City of Boulder	CO	Yes			Title 12, Human Rights, Ch 1, 12-1-1	Discrimination in contracts based on sexual orientation prohibited.	
City of Brighton	NY					nf	
City of Brisbane	CA					nf	
City of Brookline	MA	Yes			SECTION 4.5.1 UNLAWFUL PRACTICE	May not discriminate on basis of sexual orientation in contracts with city.	
City of Buffalo	NY					Buffalo has a commission which investigates discrimination, but does not have actual ordinance.	
City of Burlington	VT					nf	Message to City Clerk 3/16/01
City of Cambridge	MA		Yes	Yes	Section 2.76.110 (posting of policy) Section 2.76.120 (Acts prohibited)	Discrimination in employment based on sexual orientation prohibited. Religious exemption when discrimination is related to bona fide religious purpose.	
City of Carrboro	NC				Article II, Section 4-6(a)	"No discrimination shall be exercised, threatened or promised against, or in favor of, any employee because of his/her race, religion, color, creed, national origin, political beliefs, sex, disability, or sexual orientation." Applies only to employees of city.	Contact City Clerk (Sarah Williamson) @ 919-918-7309
City of Carson City	NV					nf	Phone request to DA's office 3/14/01; will research and respond
City of Castine	ME		Yes		Castine Anti-Discrimination Ordinance	"We... affirm the right of every person to fair and equal treatment regardless of any differences in race, color, national origin, language, gender, or sexual orientation. It is therefore declared to be the policy of the Town of Castine to prevent discrimination in employment, town services, housing, access to public accommodations, and education because of sexual orientation."	Contact Town Clerk @ (207) 326-4502
City of Cathedral City	CA		Maybe		Title 11 PEACE, MORALS AND SAFETY Chapter 11.88 PROHIBITION AGAINST ARBITRARY DISCRIMINATION	Public policy of city to prevent discrimination on the basis of sexual orientation. Sexual orientation language not specific to contracts.	
City of Cedar Rapids	IA					nf	HR Director to send via mail 3/16/01

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City of Champaign	IL	Yes			MUNICIPAL CODE Chapter 12.5 FINANCES AND PURCHASES ARTICLE III. EQUAL OPPORTUNITY IN PURCHASING ORDINANCE Sec. 12-5.63. Policy.	All contracts must include a provision pledging nondiscrimination based on sexual orientation.	
City of Chapel Hill	NC					No sexual orientation language found	
City of Charlottesville	VA	Yes		Yes	Chapter 22 PUBLIC PROCUREMENT* ARTICLE I. IN GENERAL Sec. 22-11. Provisions required in certain contracts.	Contract must pledge non-discrimination based on sexual orientation. Exemption where there is a bona fide occupational qualification.	
City of Charlottesville School District	VA					nf	Board clerk confirmed no administrative policies re employment discrimination 3/14/01
City of Chicago	IL		Maybe		CHAPTER 2-160 HUMAN RIGHTS	General policy of nondiscrimination on the basis of sexual orientation.	
City of Cleveland	OH		Yes	Yes	Title V, Chapter 667, Section 667.05(a)	"No person shall refuse to employ or to bar or to discharge from employment any person because of race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group or Vietnam-era or disabled veteran status of such person."	Contact Public Administration Library (Karen Martines) @ 912-623-2919
City of Cleveland Heights	OH	Yes			Administrative Code 171.08(a)(b) and 171.09(a)	"Each contract entered into between the City and a construction manager, who may be a general contractor, shall require that in hiring employees and the selection of contractors with respect to the contract, and in the performance of the contract, the construction manager and any person acting on his behalf shall not, by reason of race, creed, sex, sexual orientation, handicap or color, discriminate against any person in the employment of labor or workers who are qualified and available to perform work to which the contract relates."	Contact City Attorney @216-291 5775
City of Colorado Springs	CO					No ordinance found with sexual orientation language.	
City of Columbia	MO		Yes		CHAPTER 12 HUMAN RELATIONS	Language does not include contracts.	
City of Columbus	OH		Yes		Title 23 GENERAL OFFENSES CODE Chapter 2331 DISCRIMINATORY PRACTICES; CIVIL RIGHTS; DISCLOSURE	Ordinance 2550-93 repealed most affirmative action codes related to contracts; only language is now in 2331 that prohibits discrimination in employment, housing and accommodations.	
City of Corvallis	OR		Yes		Chapter 1.23, Section 1.23.050	"It shall be unlawful to discriminate in employment on the basis of an individual's race, religion, color, sex, national origin, marital status, age, or disability... sexual orientation, source of income or familial status..."	Contact City Manager's office @ 541-766-6963 or emely.day@ci.corvallis.or.us

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City of Crested Butte	CO	Yes	Maybe	Yes	Article 2-6, Section 2-6-3 Discriminatory Employments Practices Prohibited; Section 2- 6-6 Penalties and Civil Liability	"It shall be unlawful for any person who is an employer or employment agency, directly or indirectly, to discriminate [defined as unequal treatment on the basis of "race, color, creed, religion, ancestry, national origin, sex, age, marital status, physical or mental disability, sexual orientation, family responsibility, or political affiliation"] against any person with regard to application for employment, hiring...or any other term or condition of employment..." Section 2-6- 6(c) Mandates that any holder of a permit, license, franchise, benefit, or advantage issued by the Town of Crested Butte found in violation of the anti-discrimination policies risks "temperary or permanent suspension" of those benefits.	Information not available on- line; Contace Town Clerk (Linda) @ 970-349-5338
City of Cupertino	CA					No language found.	
City of Dallas	TX				Ord. 15-B	Anti-discrimination policy in contracts does not include sexual orientation.	
City of Daly City	CA					nf	City clerk confirmed via phone that code does not contain non- discrimination provision re employment (City "piggy-backs") State and Federal ordinances.
City of Davenport	IA				CHAPTER 2.58 CIVIL RIGHTS COMMISSION	Language does not include contracts.	
City of Davis	CA		Maybe		SECTION 10.01.020 POLICY	General city policy prohibits discrimination on the basis of sexual orientation.	
City of Dayton	OH					nf	Letter request to Office of Public Affairs 3/13/01
City of De Kalb	IL		Yes		CHAPTER 49 HUMAN RELATIONS COMMISSION	Language does not include contracts.	
City of Decatur	GA				CHAPTER 1 GENERAL PROVISIONS Sec. 1 7. Ordinances not affected by Code.	Contracts entered into by the city are "not affected by Code."	
City of Denver	CO				CHAPTER 28 HUMAN RIGHTS ARTICLE V. NONDISCRIMINATION IN CITY CONTRACTS FOR GOODS AND SERVICE S	Language does not includes sexual orientation.	
City of Detroit	MI					Phone request to City Clerk's office 3/12/01; will research and respond.	
City of Durham	NC				Article II, Chapter 8.6, Section 8.6-5(a) Employers; Chapter 26, Section 26-5(a) Encouragement of M/WBE Contracting [mandates that the city and contractors working for the city take affirmative steps to contract with minority (defined as "Black Americans") and women's businesses]	"It is a discriminatory Practice for any employer to fail or refuse to hire, or to discharge any individual or otherwise to discriminate against any individual with respect to that individual's compensation, terms, conditions, or privileges of employment, because of race, color, religion, sex, national origin, disability, or age."	Equal Opportunity/Equal Assurance Department - 919.560.4180

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City of East Hampton	NY					No Code provisions re discrimination; affirmative action; equal opportunity; or diversity	
City of East Lansing	MI	Yes	Yes		City Code Ch. 4, Sect. 1.127(b) and (g); sub-section (b) prohibits employment discrimination generally; sub-section (g) prohibits employment discrimination as to contractors	"A contract which the City, a political subdivision, or an agency thereof, is a party shall contain a covenant by the contractor and his/her subcontractors not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, including a benefit plan or system or a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, marital status, handicap, sexual orientation, student status or use by an individual of adaptive devices or aids."	
City of Eastchester	NY					nf	Town Attorney confirmed no antidiscrimination provisions in City Code 3/16/01
City of Eugene	OR	Yes		Yes	4.625, 4.655 Human Rights - Fair Employment Practice Provisions in City Contracts.	Discrimination in contracts based on sexual orientation prohibited. Exemption when compliance would "substantially burden a person's exercise of religion."	
City of Evanston	IL	Yes			Chapter 12, Section 1-12-5	All contractors, bidders, vendors, etc. contracting with the city shall include in their contracts an EEO clause certifying that said contractor/bidder/vendor, etc. "will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, marital status, national origin or ancestry, or age or physical or mental disabilities...."	Contact Town Clerk (Mary Morris) @ 847-866-2925
City of Falmouth	ME		Yes	Yes	Chapter 19, Article II, Section 3	"It shall be unlawful employment discrimination for any employer to fail to hire or otherwise discriminate against any applicant for employment because of sexual orientation or because of such reason to discharge or discriminate with respect to hire, tenure; promotion, transfer, compensation, terms, conditions or privileges of employment..."	
City of Fayetteville	AR					nf	City Clerk confirmed via phone that code does not contain non-discrimination provision re employment 3/14/01
City of Flint	MI				DEPT. OF EQUAL OPPORTUNITY/CONTRACT COMPLIANCE	Language does not include sexual orientation.	
City of Fort Collins	CO				CHAPTER 13 HUMAN RELATIONS, ARTICLE II. DISCRIMINATION	Language defining discrimination does not include sexual orientation.	
City of Fort Worth	TX	Maybe			Chapter 17 HUMAN RELATIONS* ARTICLE III. DISCRIMINATION DIVISION 3. EMPLOYMENT PRACTICES Sec. 17-67. Discrimination prohibited.	Employment discrimination on the basis of sexual orientation banned. May not "participate in a contractual...arrangement...that has the effect of subjecting a...qualified applicant...to the discrimination prohibited by this provision."	

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City of Gainesville	FL		Yes	Yes	City Code Part II Code of Ordinances, Chapter 8 Discrimination, Article III Equal Employment Opportunity, Section 8-48	"It shall be an unlawful employment practice for an employer to [f]ail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his/her compensation, terms, conditions or privileges of employment because of the individual's sexual orientation." Religious exemption when discrimination is for a bona fide occupational qualification.	
City of Grand Ledge	MI					nf	Confirmed via phone that no provisions in City Code prohibiting employment discrimination 3/14/01
City of Grand Rapids	MI				Chapter 11 PURCHASES, CONTRACTS AND SALES* Sec. 1.517. Provision Against Discrimination in Contracts.	Ordinance relating to discrimination in contracts does not include sexual orientation language.	
City of Harrisburg	PA	Yes	Yes		Chapter 4-105, Section 4-105.1 and 4-105.6	Section 4-105.1: It shall be an unlawful employment practice "for any employer to refuse to hire any person... because of race, color, religion, ancestry, national origin, place of birth, sex, age, national origin, place of birth, sex, age, non-job related handicap or disability, familial status, marital status, GED, or sexual preference/orientation." Section 4-105.6: "All contracts entered into by the City and its purchasing and contracting agencies shall obligate the contractor to comply with this Code relating to fair employment practices..."	Contact City Clerk @ 717-255-3060
City of Hartford	CT	Yes			Chapter 2 ADMINISTRATION, ARTICLE VII. FINANCE DIVISION 3. PURCHASES AND CONTRACTS* Sec. 2-558. Discrimination in employment or housing by contractors with city.	Discrimination in contracts based on sexual orientation prohibited.	
City of Henderson	KY					nf	Confirmed via phone that no provisions in City Code prohibiting employment discrimination 3/14/01
City of Honolulu	HI		Yes		CHAPTER 1, ARTICLE 11	Nondiscrimination policy on the basis of sexual orientation does not specifically mention contracts; Chapter 6 Article 29. Standards for the Appropriation of Funds to Private Organizations contains anti-discrimination language that does not include sexual preference.	
City of Houston	TX				Chapter 15 CONTRACTS* ARTICLE II. ANTI-DISCRIMINATION PROVISIONS IN CITY CONTRACTS* Sec. 15-17. Equal employment opportunity clause	Language does not include anti-discrimination on the basis of sexual orientation or preference.	

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City of Iowa City	IA		Yes	Yes	Title 2, Chapter 3, Section 2-3-1 Employment Practices	"It shall be unlawful for any employer to refuse to hire, accept, register, classify, upgrade or refer for employment, or to otherwise discriminate in employment against any other person or to discharge any employee because of age, color, creed, disability, gender identity, marital status, national origin, race, religion, sex, or sexual orientation."	
City of Ithaca	NY	Yes			CODE OF THE CITY OF ITHACA, NEW YORK, v3 Updated through 12-15-2000 PART I ADMINISTRATIVE LEGISLATION Chapter 39, CONTRACTS	Discrimination in contracts based on sexual orientation prohibited.	
City of Kalamazoo	MI					nf	HR confirmed with City Clerk that there are no antidiscrimination provisions in City Code 3/16/01
City of Kansas City	MO				PART II CODE OF ORDINANCES Chapter 38 HUMAN RELATIONS* ARTICLE III. DISCRIMINATORY PRACTICES*	Does not include language related to contracts.	
City of Key West	FL				PART II CODE OF ORDINANCES TITLE VII. GENERAL SERVICES 72.00 DISCRIMINATION* HUMAN RIGHTS GENERALLY	Does not include language related to contracts.	
City of Lafayette	IN	Maybe			Chapter 2.07 COMMISSION ON HUMAN RELATIONS	No specific language with regards to contracts, refers to overall business with the city.	
City of Laguna Beach	CA		Yes	Yes	Title 1 GENERAL PROVISIONS Chapter 1.07 DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION	"An 'employer' shall not include a religious association or corporation not organized for private profit."	
City of Lancaster	PA		Maybe			City code information only available if purchased; HRC Worknet indicates that city prohibits discrimination in public and private employment.	
City of Lawrence	KS					nf	Left message for Assistant City Manager for Administrative Services & Legal Services Director Dave Corliss - 3/16/01
City of Lexington	KY		Yes	Yes	Chapter II, Article II, Section 2-33(1) [Note: City and County government is merged]	"It is the policy of the Lexington Fayette Urban County Government to safeguard all individuals within Fayette County from discrimination in employment, public accommodation, and housing on the basis of sexual orientation or gender identity, as well as from discrimination on the basis of race, color, religion, national origin, sex, disability, and age forty and over."	

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City of Lithia Springs	GA					nf	Message with City Clerk 3/16/01
City of Long Beach	CA				Chapter 2.72 EQUAL OPPORTUNITY CONTRACT COMPLIANCE PROGRAM	Nondiscrimination language does not include sexual orientation.	
City of Long Island	ME					nf	
City of Los Angeles	CA	Yes			DIVISION 10 - CONTRACTS CHAPTER 1 - CONTRACTS GENERAL ARTICLE 1 - CONTRACTS REQUIREMENT	"Notwithstanding any provision of any ordinance of the City of Los Angeles to the contrary, every contract...with or on behalf of the City of Los Angeles shall contain...a provision obligating the contractor not to discriminate in his employment practices...because of...sexual orientation."	
City of Louisville	KY				TITLE III: ADMINISTRATION Chapter 36: City Employment Provisions AFFIRMATIVE ACTION PLAN FOR CONTRACTORS AND VENDORS § 36.170 FINDINGS, PURPOSE, AND POLICY.	Language does not include sexual orientation.	
City of Madison	WI				CHAPTER 3 OFFICIALS, BOARDS, EMPLO YEES AND PUBLIC RECORDS Section 3.58 AFFIRMATIVE ACTION ORDINANCE.	Language does not include sexual orientation.	
City of Malden	MA					nf	Call into city clerk 3/15/01
City of Mansfield	CT					nf	Asst. Town Manager confirmed via phone 3/14/01 that there are no code provisions prohibiting employment discrimination.
City of Miami Beach	FL		Maybe	Yes		General nondiscrimination policy includes protection of sexual orientation. Religious organizations are exempted from ordinances dealing with sexual orientation.	
City of Milwaukee	WI	Yes			Section 109-15 of the Milwaukee Code of Ordinances - CITY OF MILWAUKEE - INVITATION, INSTRUCTIONS, TERMS AND CONDITIONS - FOR FORMAL BID & CONTRACT	NONDISCRIMINATION: The successful bidder will not discriminate against any employee or applicant for employment because of age, race, creed, color, sex, sexual orientation, disability, national origin or ancestry, and as provided by Section 109-15 of the Milwaukee Code of Ordinances. This provision must be included in all subcontracts.	
City of Minneapolis	MN	Yes			Title 7 Chapter 139.10 "affectional preference" and specifically in Title 7, Chapter 139.50.1 Provisions required in contracts with city.	"During performance of the contract, the contractor will not discriminate against any employee or applicant for employment because of...affectional preference...."	

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City of Morgantown	WV					nf	Emailed city clerk at cityclerk@morgantown.com - codes not online. Unable to contact by phone.
City of Mountain View	CA		Maybe		Standard Provisions - Section 1.01	General City policy to not discriminate on the basis of sexual orientation. Purchasing/Contract Negotiation stated that "each contractor/vendor shall not discriminate due to ... sexual orientation"	Left message with City Attorney's office. City Attorney (650-903-6490) forwarded to Public Works. Spoke with attorney (Shelly Emerson 2/28/01 12:00 PM). Fred Irwin of Purchasing/Contract Negotiation
City of New Haven	CT				Title III, Chapter 12 1/2 Article II, Section 12 1/2-23	Discrimination not allowed in City Contracts; language does not include sexual orientation.	
City of New Orleans	LA					Not specified in code. Although Human Rights Ordinance includes "sexual orientation."	(504) 565-7916 - Director of Human Relations Commission - demanded request in writing. Emailed him at earlja@new- orleans.la.us. - email returned.
City of New York	NY					1st site applies to city employees - emailed from web site to procurement agency. Procurement agency sent email advising City Attorney would handle, who sent me to City Clerk. City Clerk said that State of New York Statutes superceded City's Code. State of New York Statutes prohibits employment discrimination generally, but does not include sexual orientation.	
City of Oakland	CA		Yes		Municipal Code Article VIII Fiscal Administration Section 807-808 and Title 9 Public Peace, Morals, and Welfare, Chapter 9.44 Discrimination based on Sexual Orientation	Chapter 9.44.020 and Chapter 9.44.040 generally prohibit employment discrimination on the basis of sexual orietation, AIDS, or ARC status. Article 8, Section 808 only requires the City to review their bidding procedures every two years to determine the race and gender disparity. If they determine identifiable discrimination, the City shall establish "a narrowly tailored race and/or gender business participation program" to remedy the discrimination.	
City of Oberlin	OH					nf	no web site
City of Olympia	WA				05.80.040 - Prohibited practices designated	Housing Discrimination and hate crimes covered.	
City of Orlando	FL		Yes		Titel II, Chapter 57, Article One, Section 57.14(1) (NOTE: Sexual Orientation not applicable); Article II, Chapter 57, Articles Two and Three establish Minority (race) and Women's Business Enterprise to allow for equal opportunity in bidding on City contracts	"It shall be unlawful for an employer, because of race, religion, color, national origin, sex, age, handicap or marital status of any individual, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment."	

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State and Local Governments with Antidiscrimination Ordinances that Include Sexual Orientation

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Employer Name	State	Expressly relates to K	Empl. Disc. (Implied) Yes	Religious Exempt Yes	Ordinance Number(s)	Status/Information	Contact Information
City of Orono	ME		Yes	Yes	Chapter 24 article IV	Discrimination based upon sexual orientation for all employers in city is prohibited. "This article does not...apply to a religious corporation, association, or organization."	Emailed city clerk at: kmorrill@spsd.org for information
City of Oxford	PA					nf	E-mail to Chamber of Commerce 3/16/01
City of Pacifica	CA					nf	Call to City Manager's Office 3/07/01 - confirmed no such code provisions or ordinances.
City of Palo Alto	CA				Title 2 Administrative Procedure, Chapter 2.30 Contracts Purchasing Procedures, Section 2.30.150(7) [Note: Does not prohibit discrimination on the basis of Sexual Orientation]	"If awarded the contract, the bidder will not discriminate in the employment of any person under the contract because of race, color, national origin or ancestry, or religion, of any such person."	
City of Pasadena	CA				Title 4 Revenue and Finance, Chapter 4.09 Affirmative Action in Contracting; Title 8 Health and Safety, Chapter 8.82 Discrimination Against Victims of AIDS	4.09.050 specifically provides for equal employment opportunities in contracting with the city through a "Disadvantaged business enterprise programs" for those "minority" or "economically" disadvantaged businesses or businesses owned and controlled primarily by women. 8.82.030 specifically prohibits any employer from discriminating against those suffering from AIDS or an AIDS related condition.	
City of Philadelphia	PA	Yes			§17-402. Contract Requirements	Discrimination in contracts based on sexual orientation prohibited. "Each city contract shall provide [that]...discrimination with regard to...sexual orientation...constitutes a substantial breach of such city contract."	
City of Phoenix	AZ	Yes		Yes	Article V Affirmative Action Supplier's Ordinance Section 18-4(a)(2) [Employment Discrimination generally] and Section 18- 4(a)(5).	"[I]t is an unlawful employment practice for employers that are vendors, suppliers, or contractors doing business with the City of Phoenix which employ 35 or more persons to fail or refuse to hire or to discharge or otherwise to discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment because of such individual's sexual orientation." "The provisions concerning sexual orientation...shall not apply to a bona fide religious organization."	Equal Opportunity Dept. (602) 262-7716

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City of Pittsburgh	PA	Yes	Yes		Title One, Article VII, Chapter 161, Section 161.02 Competitive Bidding; Exceptions; Title Six, Article V, Chapter 659, Section 659.02 Unlawful Employment Practices	161.02(e)(5) Prohibits the city from contracting with business who has obtained goods or products made under sweatshop conditions where any worker has been "discriminated against in employment in any way on the basis of sex, race, religion, age, disability, sexual orientation, national origin, political opinion, or social or ethnic origin." 659.02(a) It is an unlawful employment practice "[f]or any employer to refuse to hire any person or otherwise to discriminate against any person with respect to hiring, tenure, compensation, promotion, discharge or any other terms, conditions, privileges directly or indirectly related to employment because of race, color, religion, ancestry, national origin, place of birth, sex, sexual orientation, age, nonjob related handicap or disability."	
City of Plattsburgh	NY					nl	
City of Portland	OR	Yes		Yes	Title 3.100.005 City Policies Relating to Equal Employment Opportunity, et al.; Title 23.01.040 Re: Exceptions; Title 23.01.050 Discrimination in Employment	"It shall be unlawful to discriminate in employment on the basis of...sexual orientation, [or] gender identity...." Exemption for "space within a church...or other facility used primarily for religious purposes." 2/25/98--City adopted ordinance mandating those who want to do more than \$2500 in business per year with the City to verify they do not discriminate on the basis of sexual orientation.	
City of Portland	ME		Yes	Yes	Section 2-48, City Ordinances; Code of Ordinances Sec. 13.5-23(a); Sec. 13.5-34(b)	City shall not discriminate on the basis of sexual orientation. "It shall be unlawful employment discrimination, in violation of this article, except where based on a bona fide occupational qualification: (a) For any employer to fail or refuse to hire or otherwise discriminate against any applicant for employment because of sexual orientation...." "This article does not...(b) Apply to a religious corporation, association or organization...."	
City of Providence	RI				Chapter 21 REVENUE AND FINANCE	Nondiscrimination on the basis of sexual orientation not a part of contract requirements.	
City of Pullman	WA				Pullman City code Ch. 114 - Unable to pull Washington Code, website search engine down.	City shall not discriminate in hiring on the basis of sexual orientation. Contracts handled under "Washington State Standard Specifications for Road, Bridge and Construction," which includes a nondiscrimination clause which does not include sexual orientation.	Called Public Works Director for copy of standardized contract. Mark Workman (509) 334-4555 (left message). I spoke with Mark Workman 3/8/01. He advised.
City of Raleigh	NC		Maybe		Division II Part 4 Chapter 1 Article A Section 4 1004(d)	(d) The City Manager is directed to establish such policies as will insure that there is no discrimination in any function or area of City government. City policy is to oppose discrimination on the basis of sexual orientation.	

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City of Riverside	CA	Yes			Chapter 6.26 Prohibition Against Aids Discrimination, Section 6.26.055. See Also Chapter 3.18 Equal Employment Opportunities for Public Works Contracts [providing that all contracts with the city in excess of \$25,000 shall contain an affirmative action plan]	"All contracting agencies of the City of Riverside, or any department thereof, acting for or on behalf of the City, shall include in all contracts... a provision obligating the contractor, franchisee, lessee, concessionaire, or other party of the agreement not to discriminate on the ground or because of race, color, creed, national origin, ancestry, age, sex, sexual orientation, or disability including the medical condition AIDS or any condition related thereto."	
City of Rochester	NY					nf	
City of Rockville	MD				City Code, Chapter 17 - Procurement and Contract Formation	Sexual orientation not specified in contractor's hiring practices. Only housing nondiscrimination based upon sexual orientation mentioned in code.	
City of Sacramento	CA		Yes		Title 9 Public Peace, Morals and Welfare, Chapter 9.20.020; Title 5 Business Licenses and Regulations, Chapter 5.28.1490 and 5.28.2440 prohibit licensees and franchisees contracting with the city to provide cable access from discriminating on the basis of race, color, religion, national origin, sex, or marital status.	It is an unlawful practice for any employer to "fail or refuse to hire, or discharge an individual, discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, including promotion; or to limit, segregate or classify employees in any way which would adversely affect his or her status as an employee" on the basis of sexual orientation.	
City of Salt Lake	UT					No sexual orientation language found.	
City of San Diego	CA	Yes	Yes	Maybe	Nondiscrimination Policy, Chapter 2 Administration, Section 22.3504; Chapter 5 Public Safety, Morals, and Welfare, Section 52.9603(a)(1) Generally prohibits employers from discriminating on the basis of sexual orientation.	"It is the policy of the city of San Diego not to accept bids or proposals from, nor to engage in business with, any business firm that has discriminated on the basis of race, gender, religion, national origin, ethnicity, sexual orientation, age, disability, or any other form of unlawful discrimination in its solicitation, selection, hiring or treatment of another business. Exemption for "bona fide occupational qualification."	
City of San Francisco	CA	Yes			S.F. Admin. Code Ch. 12B	Discrimination in contracts based on sexual orientation prohibited. "All contracting agencies of the City...shall include in all contracts...a provision obligating the contractor not to discriminate on the basis of the fact or perception of...sexual orientation, gender identity, domestic partner status..."	
City of San Jose	CA	Yes			Title 4 Revenue, Finance and Business Taxes, Chapter 4.08 Violations of this Chapter, Section 4.08.070 [10.48.030 Generally prohibits any employer from discriminating on the basis of AIDS or any AIDS related condition only]	"It shall be a violation of this chapter for any contractor to discriminate or grant preferential treatment on the basis of race, sex, color, age, religion, sexual orientation, disability, ethnicity, or national origin, in the performance of any contract with the city or with the redevelopment agency of the city of San Jose."	

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City of Santa Barbara	CA	Yes		Maybe	Chapter 9.126 Non-Discriminatory Employment Provisions for All Contracts of the City, Section 9.126.020; Chapter 9.132.080 Prohibits Employment Discrimination on the basis of AIDS, ARC, or HIV.	"The Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, national origin, ancestry, sexual orientation, political affiliation, or beliefs in sex, age, physical handicap, medical condition, marital status or pregnancy, except where such discrimination is based on bona fide occupational qualification."	
City of Santa Cruz	CA		Yes		Title 9 Peace, Safety and Morals, Chapter 9.83, Section 9.83.030 and Section 9.83.070	Section 9.83.030 States it is an unlawful employment practice for any employer to fail to hire, refuse to hire, or discharge any individual for any "discriminatory reason" [as defined "as a result of that person's race, color, creed, religion, national origin, ancestry, disability, marital status, sex, gender, sexual orientation, height, weight, or physical characteristics"]. Section 9.83.070 states that with respect to city services, facilities, and transactions, "[t]he city shall be bound by the provisions of this chapter to the same extent as private individuals."	
City of Santa Monica	CA		Yes	Yes	Article 4 Public Welfare, Morals, and Policy, Chapter 4.40.030	"It shall be unlawful employment practice for an employer to fail or refuse to hire, or to discharge any individual, or otherwise to discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment on the basis, in whole or in part, of such individual's sexual orientation." "No part of this chapter shall apply to bona fide religious organizations."	
City of Seattle	WA	Yes			SMC 14.04.040 Unfair employment practices	Discrimination in contracts based on sexual orientation prohibited. "It is an unfair employment practice within the city for any employer to discriminate." Discrimination includes sexual orientation.	
City of Shorewood Hills	WI					nf	Website does not have codes. Emailed Village Trustee Mark Sunkist (b)(6) No phone listed for Administration. Sent second email to a different Village trustee, Peter Hans, phans@wbml.com
City of Somerville	MA					nf	Codes not listed on website. "Doing business with City page" does not include Contract sample. Emailed city clerk at jlong@ci.somerville.ma.us
City of Sorrento	ME					nf	no web site.

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City of South Portland	ME		Yes	Yes	Article VI, Division 1, Sec. 10-1101, et. seq.	Discrimination based on sexual orientation prohibited if usual place of employment is within city limits. Includes religious exemption--Nothing in this article applies to "a religious corporation, association, or organization."	Emailed city clerk at: Info@Orono.org
City of Southampton	NY	Yes			Article 15--Human Rights Law	Discrimination in contracts based on sexual orientation prohibited. Standardized language used references Article 15 (Human Rights Law) which includes sexual orientation.	Requested info from Richard J. Blowes, Town Management Services Administrator, Rblowes@town.southampton.ny.us - referred to Town Attorney's office, gave my fax and phone number. Spoke with Celia Gilvary, Assistant Town Atty in charge of contracts 631.287.3065
City of Spokane	WA					Human Rights Commission established "[t]o promote and secure mutual understanding and respect among all people regardless of race, color, sex, ancestry, gender, religion, affectional/sexual orientation, age, disability, familial/marital status, or economic condition."	
City of Springfield	MA					nf	no web site.
City of St. Louis	MO	Maybe		Yes	St. Louis Revised Code Ch. 3.44.120	Discrimination based upon sexual orientation unlawful in city funded programs. "No person shall, on the ground of...sexual orientation...be subjected to discrimination under any program or activity receiving funding...directly or indirectly from the City of St. Louis." Exemption for religious organizations using property for religious purposes.	
City of St. Paul	MN	Yes			Chapter 183, City Ordinances, Human Rights and "Model Affirmative Action Plan" for non-construction contractor(s), Page 6	Discrimination based upon sexual or affectional orientation in contracting disallowed by City's contractual requirements.	
City of Stamford	CT				Stamford CT Charter & Code, Chapter 47, Article IV, Section 47.15	Sexual orientation not mentioned in contractor's hiring practices.	
City of Syracuse	NY		Yes	Yes	"Local Law No. 2" County of Onandaga, NY	"This law is created to eliminate and prevent discrimination based upon sexual or affectional preference or sexual orientation ..." Includes all employers with more than 4 employees. "Nothing contained in this law shall be construed to bar any religious or denominational institution or organization, or any organization operating for charitable or educational purposes...from giving preference to persons of the same religious or...from making such selection...to promote the religious principles for which it is established or maintained."	Received from Syracuse, NY City Clerk's Office.

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City of Takoma Park	MD				Ord. 1989-52; 1992-33	Illegal to discriminate against city employees based on sexual orientation. "The City should treat all employees and applicants for employment fairly...sexual orientation...[is] not relevant to their treatment."	
City of Tampa	FL		Yes	Maybe	Ord. 92-147, Sec. 2, 9-10-92	Illegal to discriminate against city employees based on sexual orientation with religious exemptions. "It is an unlawful employment practice for an employer to fail or refuse to hire...any individual, or, otherwise to discriminate...with respect to that person's...sexual orientation." Exemption when sexual orientation is a bona fide occupational qualification.	
City of Telluride	CO		Yes	Maybe	Title 11, Chapter 11.04, Section 11.04.020	"It shall be unlawful for any person who is an employer or employment agency, directly or indirectly, to discriminate [defined as unequal treatment... because of that person's sexual orientation, heterosexuality, homosexuality, or bisexuality; race, color, creed, religion, ancestry, national origin, gender, pregnancy or childbirth; age, marital status, physical or mental disabilities, family responsibility, military status, or political affiliation] against any person with regard to application, employment, hiring, occupational training, tenure, promotion, compensation, layoff, discharge, or any other term or condition of employment except when based upon a bona fide occupational qualification."	
City of Toledo	OH		Yes	Yes	Chapter 115, Section 115.04(b) [Contracts - does not apply to sexual orientation]; Chapter 158, Section 158.02(a) [General - AIDS]; Chapter 554 [General]	554.02(a): "No employer... shall discriminate against any person with regard to hire, discharge, tenure... solely on grounds of race, religious creed, color, national origin, ancestry, sex, handicap, age, or sexual orientation." 115.04(b) "There shall be included in all leases entered into by the City... and all contracts for services to be performed for the City, a provision that lessee or contractor shall not refuse to serve and shall not refuse to employ any person on account of race, color, or religion..."	
City of Troy	NY					nf	Written request submitted 3/08/01; response due 3-5 days
City of Tucson	AZ	Yes			Tucson Code Ch. 28 Art. XII, Sec. 28-138	Discrimination based on sexual orientation with contractors and/or vendors prohibited. Contractor must provide that, "the contractor will not discriminate against any employee or applicant...because of...sexual orientation."	
City of Tybee Island	GA					nf	
City of Urbana	IL				Code 1975, Sec. 2.70	No sexual orientation language in City's contracting requirements.	

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City of Vancouver	WA	Maybe			City Code Sec. 3.05.242 (Ord. M-3129, Sect 2 (part), 1994)	"All contracts by and between the city and contractors for any public work or improvement exceeding the sum of five thousand dollars shall comply with the city workforce diversity program established pursuant to Ordinance M-3082 (Ord. M-3129 Sec. 2 (part), 1994)."	
City of Virginia Beach	VA	Maybe			City Code Sec. 2-224.5(b) (Ord. No. 2309, 2-28-95)	"Compliance with the provisions of section 2-224.2, 'Employment discrimination by contractor prohibited,' shall be considered in the RFP evaluation and contractor selection process."	
City of Washington	DC					nf	Message with General Counsel Ben Briant 3/16/01
City of Watertown	NY					No specific code/ordinance regarding employing contractor; however City passed a resolution 5/2/88 establishing Equal Employment Affirmative Action Plan ensuring equal employment opportunities for the City.	Resolutions unavailable on-line. Contact: City Manager @ (305) 785-7790
City of West Hollywood	CA	Yes			Municipal code Sections 9.28-9.44	Municipal code generally prohibits employment discrimination based on sexual orientation, religion, and AIDS. Section 9.28.050 specifically states: "Any employer, employment agency or labor or organization who is, or wishes to become, a contractor with the city for public works or for goods and services is subject to the provisions of this chapter relating to discrimination in its employment and to the nondiscrimination of this chapter."	
City of West Lafayette	IN				Municipal Code Sec. 24.09(a)	"All contractors doing business with the city in an aggregate amount greater than fifty thousand dollars per year, except those specifically exempted by regulations promulgated by the human relations commission and approved by the common council shall take affirmative action to insure that applicants and employees are treated, in respect to employment, in a manner which provides equal employment opportunity and tends to eliminate inequality based upon race, color, creed, religion, ancestry, national origin, sex, disability, age, marital status, or status with regard to public assistance."	
City of West Palm Beach	FL	Yes			Section 8 of the Procurement Code (Equal Opportunity)	Section 8: "No person shall be excluded from participation in, denied benefits of, or otherwise discriminated against in connection with procurement by the City on the grounds of race, color, national origin, gender, sexual orientation, or physical impairment."	Call into City Clerk 3/12/01 re general non-discrimination clause

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City of Worcester	MA		Maybe		Part II, Article 22, Section 1 and Section 6	Establishes the foundation of a Human Rights Commission to "assure that every individual [has] equal access to and benefit from all public services... to protect the individual enjoyment and exercise of civil rights..." and to investigate "the denial of equal access to and discrimination in employment, housing, education, recreation, and public accommodation... against a person based on race, color, religious creed, national origin, gender, age, ancestry, marital status, parental status, sexual orientation, disability, or source of income."	Call into purchasing director 3/01/01.
City of Yellow Springs	OH		Yes		Village Ordinance No. 632.02(a)	Nothing specific to contractors. Ordinance states: "It shall be an unlawful practice for any employer, because of the race, color, religion, sex, sexual preference, national origin, handicap or ancestry of any person, to refuse to hire or otherwise to discriminate against that person with respect to hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment."	
City of York	PA		Yes		City Ordinance Article 185.05(a)	"It shall be an unlawful discriminatory practice... for any employer because of the race, color, religious creed, ancestry, age, sex, national origin, sexual orientation, or non job related disability or the use of a guide or support animal because of the disability of any individual or contractor, to refuse to hire or employ or contract with, or to bar or to discharge from employment such individual or independent contractor, or to otherwise discriminate against such individual or independent contractor with respect to compensation, hire, tenure, terms, conditions or privileges of employment or contract, if the individual or independent contractor is the best able and most competent to perform the services required."	
City of Youngstown	OH					nf	City Hall (330) 742-8700
City of Ypsilanti	MI					nf	Ordinance Dept. (734) 485-4393
County of Alameda	CA		Maybe		Title 6, Chapter 6.24, Section 6.24.030	Nothing regarding employment specifically to contractors. Section 6.24.030 Prohibits employment discrimination on the basis of AIDS, and Section 3.08.040 prohibits employment discrimination for those in the civil service. Section 2.32.020 does, however, state that it is "the public policy of the county... to create an environment in which all men, women, and children... may realize the highest potential unhampered by any discrimination based on race, ethnicity, religion, national origin, Immigrant status, gender, age, actual or perceived sexual orientation, and mental or physical disabilities protected by the Americans With Disabilities Act."	
County of Albany	NY					nf	E-mail to County Clerk 3/16/01

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County of Arlington	VA		Yes		Code of County of Arlington, Virginia Ch. 31 Sec. 31-3	It shall be unlawful for any employer to discriminate on the basis of sexual orientation. It shall be an unlawful housing practice...to discriminate on the basis of sexual orientation.	
County of Benton	OR					None found as of 3/16/01	Call into HR Department 3/07/01 and 3/08/01. Will research with County Counsel and get back to Regan in a few days.
County of Boulder	CO					nf	Message with office of County Counsel (Shelly Bailey) 3/16/01
County of Broward	FL		Yes	Yes	Pt. II Code of Ordinances, Ch. 16 1/2, Art. II.	It is a discriminatory practice for an employer to discriminate on the basis of sexual orientation. Religious corporations or associations are exempt when carrying on religious activities. Employers are exempt when qualification is bona fide occupational qualification.	
County of Cerro Gordo	IA					nf	
County of Clallam	WA		Maybe		Home Rule Charter, Article 10, Section 10.30	"In the exercise of its powers or in the performance of its duties, the county shall ensure that no person is discriminated against because of race, creed, political ideology, color, national origin, sex, marital status, sexual orientation, age, the presence of sensory, mental, or physical handicap, or any other basis not reasonably related to the accomplishment of a legitimate governmental purpose, and shall take whatever affirmative action necessary to accomplish this purpose as defined in the state and federal constitutions and applicable court interpretations."	
County of Clark	WA					Code only provides for antidiscrimination in employment for the County Department of Public Works (2.32.070)	
County of Cook	IL	Yes	Yes		Cook County Human Rights Ordinance, III(B)(1) (General Employment Discrimination) and VII(B)	"The purchasing agent for the County, and all other department heads, as authorized, shall include a provision in all county contracts that sets forth the County's policies with respect to unlawful discrimination [discrimination against a person because of the actual or perceived status, practice, or perceived expression of that person's race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, or housing status] and sexual harassment, as embodied in this Ordinance..."	

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County of Cuyahoga	OH	Yes	Yes		Code Section 1.02 (Affirmative Action Policy)	"It is the policy of the county to ensure equal employment opportunity. Discrimination against any person in recruitment, training, examination, appointment, promotion, retention, discipline or any other aspect of personnel administration because of race, religion, national origin, sex, ancestry, age, disability, sexual orientation, or veteran status is prohibited... In the area of contracting for goods, services, and construction, the county requires all bidders for public contracts executed by the Board of County Commissioners comply with its affirmative action policy."	
County of Dane	WI	Yes			Ch. 19.58	Contractors with county may not discriminate based upon sexual orientation.	
County of Essex	NJ					nf	Message with County Administrator 3/14/01
County of Fulton	GA		Yes		Code of Ord. Ch. 38, Article 1; Sec. 38-1; Ch. 154, Article 1, Sec. 154-3	Fulton County has equal opportunity for every citizen and employee regardless of sexual orientation. Opposes discrimination and harassment in work place based on sexual orientation.	
County of Hennepin	MN					nf	
County of Honolulu	HI		Yes		Revised Ord. Of Honolulu Sec. 1-11.1; 1-11.2. See also, Ord. 88-16	Honolulu County may not discriminate against its employees based on sexual orientation.	
County of Howard	MD				Title 12, Subtitle 2, Section 12.208(II)(a); religious exception applies to Educational Institutions only [Sec. 12.208(III)(b)]	"It shall be unlawful if, because of discrimination; an employer: (1) Discharges a person; (2) Refuses to hire a person; (3) Acts against a person with respect to compensation or other terms and conditions of employment; or (4) Limits, segregates, classifies or assigns employees." "Discrimination" does not include discrimination on the basis of sexual orientation.	
County of Ingham	MI				Equal Opportunity/Affirmative Action Policy 1 re: Purchasing and Contracting Policy), rev. 8/12/82	"All persons or firms selling or contracting in any manner with the various departments and agencies of Ingham County government shall be required to file an "Affidavit of Equal Opportunity/Affirmative Action" at least once a calendar year, with the office of the Ingham County Comptroller." No sexual orientation language in Affidavit.	
County of Jefferson	KY		Yes		County Code Section 92.06(A)(1)	It is an unlawful practice "to fail to hire or to discharge any individual, otherwise discriminate against any individual with respect to his or her compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, national origin, age forty (40) and over, disability, sex, gender identity, or sexual orientation."	

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 Maybe = May be interpreted to contain such provision
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 K = Contract(or)

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State and Local Governments with Antidiscrimination Ordinances that Include Sexual Orientation

Privileged and
Confidential

Employer Name	State	Expressly relates to K	Empl. Disc. (Implied)	Religious Exempt	Ordinance Number(s)	Status/Information	Contact Information
County of King	WA	Yes			City Code Section 12.17.020 (A) (Ord. 13981 Sec. 3, 2000)	It is an unfair contracting practice for a: King County government agency, business enterprise doing business in unincorporated King County or business enterprise required to comply with this chapter by the terms of an agreement with King County under K.C.C. 12.17.100 to discriminate against a person with respect to the bid, award or referral of a contract or with respect to the conditions, terms, price, performance standards or other provisions of a contract;" (Note: "Discriminate" is defined to refer to those actions which "adversely affect or differentiate between or among individuals or groups of individuals, by reasons of race, color, age, gender, marital status, sexual orientation, religion, ancestry, national origin, [or] disability...."	
County of Los Angeles	CA				County Ord. Section 2.07.020	County shall not discriminate in employment on the basis of sexual orientation.	
County of Marin	CA		Maybe		Ord. Sec. 2.42.020	"County policy to prohibit discrimination based on...sexual orientation."	
County of Miami-Dade	FL				Ordinance Nos. 82-37 and 98-30; Resolution No. R-1049-93	Together the three require city manager to consider affirmative action plans with respect to minorities and women when considering contract bids and to require documentation establishing that contractors have non-discriminatory employment and procurement policies.	
County of Minnehaha	SD		Yes		County Equal Opportunity Statement	"In compliance with Title VII of the Civil Rights Act of 1964 as amended and under authority of SDCL 7-8-20, it is the policy of the Minnehaha County government to provide equal employment opportunities to all persons irrespective of race, color, creed, age, sex, disability, sexual orientation, national origin, veteran's status or any other non-merit factors." No specific ordinance re: discrimination on the basis of sexual orientation.	
County of Montgomery	MD	Yes			City Code Sec. 11B-33 (a)	"Each contractor and subcontractor must comply with the requirements of Chapter 27, and all federal civil rights requirements prohibiting discrimination in employment."	
County of Multnomah	OR	Yes			Ordinance No. 90, Division 60.030 (2) (revising County Code No. MCC 2.20.250(B)	"Every county contract shall contain a provision prohibiting discrimination by the contractor based on race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, source of income, or political affiliation in programs, activities, services, benefits and employment."	
County of Nassau	NY					nf	
County of Northhampton	PA					nf	

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County of Onandaga	NY		Yes	Yes	"Local Law No. 2" County of Onandaga, NY	"This law is created to eliminate and prevent discrimination based upon sexual or affectional preference or sexual orientation ..." Includes all employers with more than 4 employees. "Nothing contained in this law shall be construed to bar any religious or denominational institution or organization, or any organization operating for charitable or educational purposes...from giving preference to persons of the same religious or...from making such selection...to promote the religious principles for which it is established or maintained."	Received from Syracuse, NY City Clerk's Office.
County of Palm Beach	FL				Palm Beach County Code. Ch. 15 Human Rights, Article 3 - Housing	Sexual orientation discrimination illegal in housing.	
County of Prince Georges	MD					nf	
County of Salt Lake	UT					nf	Submitted written request 3/8/01. Regan to receive response in 3-5 days.
County of San Mateo	CA		Yes		Ord. 2125, 2498; Ord 3511, 3580	San Mateo created a Human Relations Commission to prevent discrimination, including sexual orientation. The County ordinance for contractors does not refer to sexual orientation.	
County of Santa Barbara	CA				Ord. 3653 Sec.2; Ord. 2993	Santa Barbara prohibits discrimination based on sexual orientation for any employees of civil service. The County ordinance for contractors does not refer to sexual orientation.	
County of Santa Cruz	CA					nf	Check sent to Clerk of the Board to process copies of Affirmative Action policy 3/14/01
County of Sonoma	CA					nf	Left message with County Counsel's office 3/15/01
County of Suffolk	NY				Form CMJ11--Standard contract with the city of Boston/County of Suffolk	Standard contract does not include "sexual orientation" language. Sexual Orientation discrimination illegal in housing.	
County of Tompkins	NY					nf	Left message with County Counsel's office (Mitchell Morris) 3/15/01
County of Ventura	CA				No code ordinance; language printed on all standard contracts with the County (does not apply to sexual orientation)	All contracts with County must set forth following language: "The following Affirmative Action compliance policy for contractors and vendors is hereby established as the policy and practice of our company: Our company will recruit, employ, and treat applicants and employees without regard to race, age, color, sex, religion, ancestry, national origin, marital status or handicap..."	Submitted written request 3/8/01. Regan to receive response in 3-5 days.

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County of Wayne	MI	Yes			Ord. 537, Sec. 125-4 (effective Sept. 1999)	Prohibits discrimination of contractors based on sexual orientation	
County of Westchester	NY					Per Law Dept., cannot give out information re County Code; suggest contact Pace Law School re research request	E-mail to Pace Law School, Social Justice Center, 3/16/01
State of California	CA		Yes		Cal Gov Code Sec. 12935; Labor Code Sec. 1102.1; Cal Gov Code Sec. 12940	Dept. of Fair Employment and Housing adopts rules and regulations and conducts hearings to oversee housing and employment discrimination based on sexual orientation. (24 Cal.3d.458; 235 Cal.App.3d 654) prohibits discrimination based on sexual orientation. Unlawful for employer to discriminate based on sexual orientation. "It shall be an unlawful employment practice, unless based upon a bona fide occupational qualification...for an employee, because of...sexual orientation...to refuse to hire or employ the person." "Employer" does not include a religious association or corporation not organized for private profit."	
State of Colorado	CO					NA	
State of Connecticut	CT	Yes		Yes	Conn. Gen. Stat. Sec. 4a-60a; Conn. Gen. Stat. Sec. 46a-81p	Contracts of the state and political subdivisions shall not discriminate any person or group based on sexual orientation. Religious organizations are exempt from sexual orientation discrimination. "Every contract to which the state or any political subdivision of the state...is a party shall [provide]...the contractor agrees that...the contractor will not discriminate...on the grounds of sexual orientation." "This provision...shall not apply to a religious corporation...with respect to the employment of individuals to perform work connected with the carrying on...of its activities."	
State of Delaware	DE					NA	
State of Hawaii	HI		Yes	Yes	HRS Sec 42F-103, HRS Sec 368-1, HRS Sec 368-2, HRS Sec 368-3	Prohibits discrimination of individual grants and subsidies based on sexual orientation. Prohibits discrimination of individuals based on sexual orientation in employment, housing, public accommodations and state financial assistance. Prohibits employers, employment agencies or labor organizations to discrimination based on sexual orientation. Religious organizations are exempt from discriminating against individuals based on their sexual orientation. Nothing in this part will "prohibit or prevent any religious organization...from...making a selection calculated to promote the religious principles for which the organization is established or maintained."	

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State of Illinois	IL			Yes	775 ILCS 5/1-103, 775 ILCS 5/2-101, 775 ILCS 5/2-102	Unlawful discrimination means to discriminate against a person because of their race, color, religion, national origin, ancestry, age, sex, etc. NOT sexual orientation. Employer does not include religious organizations. Prohibits employers from discrimination on the basis of citizenship status or unlawful discrimination.	
State of Maryland	MD					Illegal to discriminate based on sexual orientation when dealing with the housing authority.	
State of Massachusetts	MA				Mass. Gen. Laws Ch. 151B, Sec. 2	Unlawful discrimination based on race, color religious creed, national origin, ancestry or sex. Does NOT include sexual orientation.	
State of Minnesota	MN		Yes	Yes	Minn. Stat. Sec. 363.01, Minn. Stat. Sec. 363.02, Minn. Stat. Sec. 363.03	Per statute, a local commission created for the purpose of dealing with discrimination based on sexual orientation. Religious or fraternal corporations, associations, or societies are exempt from employing individuals based on sexual orientation. States it is an unfair employment practice for an employer or a labor organization to discriminate based on sexual orientation. "Except when based on a bona fide occupational qualification, it is an unfair employment practice...for an employer, because of...sexual orientation...to discriminate against a person."	
State of Montana	MT					NA	
State of Nevada	NV	Yes			Nev. Rev. Stat. Ann. Sec. 338.125	Contracts with the state and political subdivisions "must contain...[an agreement] not to discriminate...because of...sexual orientation."	
State of New Hampshire	NH				RSA 21-I:52	State employees shall have no "employment action taken on account of such person's sexual orientation."	
State of New Jersey	NJ	Yes			N.J. Stat. Sec. 10:5-32, N.J. Stat. Sec. 10:5-33	Public works contract shall be awarded to any contractor, subcontractor or business firm who guarantees equal opportunity with regards to sexual orientation. The contractor must agree, "During performance of this contract, [the contractor] will not discriminate against any employee or applicant for employment because of...sexual orientation...."	
State of New Mexico	NM				N.M.Stat. Ann. Sec. 11-13-1 (Indian Gaming Compact)	Section 4(5) Mandates that "the Tribe shall adopt laws prohibiting the Tribe, the Gaming Enterprise and a Management Contractor from discriminating in the employment of persons to work for the gaming Enterprise or in the Gaming Facility on the grounds of race, color, national origin, gender, sexual orientation, age or handicap."	
State of New York	NY				NY CLS Exec Sec. 296 (2000)	Prohibits employment discrimination generally, does NOT include sexual orientation.	
State of Pennsylvania	PA					NA	

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State of Rhode Island	RI				R.I. Gen. Laws Section 28-5-7 and 28-5.1-7	Generals laws state that it is unlawful to refuse to hire any applicant, or to refuse to render service to any state citizen, based on race, color, religion, sex, sexual orientation, age, national origin, or disability.	
State of Vermont	VT		Yes	Yes	3 V.S.A. Sec. 961; 3 V.S.A. Sec. 963; 21 V.S.A. § 495; 21 V.S.A. § 1726	Employers shall not discriminate based on sexual orientation. An employee organization entering into an agreement shall not discriminate based on sexual orientation. State of Vermont states it is unlawful employment practice for any employer, employment agency or labor organization to discriminate based on sexual orientation. Employers shall not discriminate based on sexual orientation. "It shall be an unfair labor practice for an employer...to discriminate against an employee on account of...sexual orientation." "The provisions of this section prohibiting discrimination on the basis of sexual orientation shall not be construed to prevent any religious...organization [from] taking any action with respect to matters of employment which is calculated...to promote...religious principles...."	
State of Washington	WA					NA	
State of Wisconsin	WI	Yes			Wis. Stat. Sec. 234.29	Contractors and subcontractors engaged in the construction of economic development or housing projects shall not discriminate against any person or group based on sexual orientation.	
Ann Arbor School District	MI				Ann Arbor Public School District Board of Education Policies 1000-1600, 9000-9730	N/A	
Central County Emergency 911	MO					nf	Confirmed via phone that no written policy prohibiting
City School Board of Rochester	NY					nf	
County of Broward School District	FL	Yes	Yes		School Board Policy No. 4001.1	"The School Board of Broward County, Florida shall not discriminate against students, parents or guardians of students, employees, applicants, contractors, or individuals participating in school board sponsored activities... This policy is established to provide an environment free from discrimination and harassment based upon age, race, color, disability, gender, marital status, national origin, religion, or sexual orientation."	
County of Dade School District	FL		Yes		School Board Rules, Chapter 4, Section 4A-1.01; Chapter 3, Section 3G-1.04 provides for a Business Development and Assistance Program for minority and women's businesses to participate in procurement contracting with the school board	"It is the policy of the School Board that no person will be denied access, employment, training, or promotion on the basis of gender, race, color, religion, ethnic or national origin, political beliefs, marital status, age, sexual orientation, social and family background, linguistic preference, pregnancy, or disability, and that merit principles will be followed."	
Lake Washington School District	WA					nf	

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State and Local Governments with Antidiscrimination Ordinances that Include Sexual Orientation

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Employer Name	State	Expressly relates to K	Emphy. Disc. (Implied)	Religious Exempt	Ordinance Number(s)	Status/Information	Contact Information
County of Leon School District	FL				School Board Policy No. 2.29	"The policies, procedures, and practices of the school district shall be administered in a manner that does not discriminate against applicants or employees because of race, color, religion, national origin, age, gender, disability, marital status, or status as a veteran."	
Town of Middlebury	VT					nf	
Minneapolis Public Library	MN					nf	
Village of Oak Park	IL	Yes			Oak Park Illinois Village Code, Ch. 13 Human Rights, Article 3 - Fair Employment Practices Section 13-3-4 Contracts with Village of Oak Park	Any contracts with the Village of Oak Park shall incorporate provisions of Section 13-3-1: unlawful to refuse to employ based on sexual orientation.	
Pinellas County School District	FL					nf	
Seattle Public Library	WA					nf	
Town of West Hartford	CT					The City of West Hartford had the complete code for the city was available online. There was no mention in the code about sexual orientation or discrimination.	

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Analysis of Antidiscrimination Ordinances That Include Sexual Orientation

Total number of ordinances with antidiscrimination clauses that expressly relate to contractors	48					
Total number of ordinances with religious exemptions from antidiscrimination ordinances that either expressly or impliedly relate to contractors	28					
Percent of total number of ordinances with antidiscrimination clauses that expressly relate to contractors	20.5%					
Percent of total number of ordinances with religious exemptions from antidiscrimination ordinances that either expressly or impliedly relate to contractors	12.0%					
Total number of ordinances banning discrimination by all employers and that may be implied to relate to contractors	55					
Total number of ordinances with religious exemptions that apply to antidiscrimination contract clauses	6					

Total number of ordinances with antidiscrimination clauses that may relate to contractors	6					
Total number of ordinances with exemptions that may include religious organizations	4					
Percent of total number of ordinances with antidiscrimination clauses that may relate to contractors	2.6%					
Percent of total number of ordinances with exemptions that may include religious organizations	1.7%					
Total number of ordinances with an antidiscrimination policy that may ban employment-based discrimination	13					

Analysis of Instances of Antidiscrimination Ordinances That Include Sexual Orientation

Total number of ordinances with antidiscrimination clauses that either expressly or impliedly ban employment discrimination by contractors	54					
Total number of ordinances that clearly exempt religious organizations plus total number of ordinances with exemptions that may include religious organizations	32					
Percent of total number of ordinances with antidiscrimination clauses that either expressly or impliedly ban employment discrimination by contractors	23.1%					
Percent of total number of ordinances that clearly exempt religious organizations plus total number of ordinances with exemptions that may include religious organizations	13.7%					

Not Done	0					
Total Codes and Cities Investigated	234					
Codes Not Found or Available	45					
Total Codes and Cities found	189					



City of Seattle Legislative Information Service

Information updated as of May 5, 2000 9:19 AM

Council Bill Number: 112928

Ordinance Number: 119748

AN ORDINANCE related to contracts; creating a new Seattle Municipal Code Chapter 20.45 requiring contractors on City contracts to provide employee benefits to their employees with domestic partners equivalent to those provided to their employees with spouses.

Date introduced/referred: Oct 4, 1999

Date passed: Nov 22, 1999

Status: Passed As Amended

Vote: 9-0

Date of Mayor's signature: Nov 23, 1999

Committee: Public Safety, Health & Technology

Sponsor: PODLODOWSKI

Index Terms: EMPLOYEE-BENEFITS, DOMESTIC-PARTNERS, CONTRACTS, CONSULTANT-CONTRACTS

Text

Note to users: {- indicates start of text that has been amended out
-} indicates end of text that has been amended out
{+ indicates start of text that has been amended in
+} indicates end of text that has been amended in

AN ORDINANCE related to contracts; creating a new Seattle Municipal Code Chapter 20.45 requiring contractors on City contracts to provide employee benefits to their employees with domestic partners equivalent to those provided to their employees with spouses.

WHEREAS, employee benefits routinely comprise between 30 and 40 percent of total employee compensation; and

WHEREAS, discrimination in the provision of employee benefits between employees with domestic partners and employees with spouses results in unequal pay for equal work; and

WHEREAS, Seattle law prohibits discrimination based on marital status and/or sexual orientation; and

WHEREAS, contractors with the City of Seattle are required to comply with the City's nondiscrimination laws; and

WHEREAS, it is the City's intent, through the contracting practices outlined herein, to equalize the total compensation between similarly situated employees with spouses and employees with domestic partners; Now, therefore

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is hereby added to the Seattle Municipal Code a new Chapter 20.45 to read as follows:

Chapter 20.45 City Contracts - Non-Discrimination in Benefits

20.45.010 Definitions. For the purposes of this chapter,

- A. "Contract" means a contract for public works, consulting, or supplies, material, equipment or services as set forth in SMC Ch. 3.18.800 et seq., estimated to cost Thirty Three Thousand Dollars (\$33,000.00) or more in 1999, consistent with the competitive threshold requirements of, and as adjusted pursuant to, Seattle Municipal Code Sections 3.18.840 and 3.114.140.
- B. "Contract awarding authority" means the City officer, department, commission, employee, or board authorized to enter into or to administer contracts on behalf of the City.
- C. "Department" means the Executive Services Department.
- D. "Director" means the Executive Services Department Director.
- E. "Domestic Partner" means any person who is registered with his/her employer as a domestic partner, or, in the absence of such employer-provided registry, is registered as a domestic partner with a governmental body pursuant to state or local law authorizing such registration. Any internal employer registry of domestic partnership must comply with criteria for domestic partnerships specified by rule by the Department.
- F. "Employee benefits" means the provision of bereavement leave; disability, life, and other types of insurance; family medical leave; health benefits; membership or membership discounts; moving expenses; pension and retirement benefits; vacation; travel benefits; and any other benefits given to employees, provided that it does not include benefits to the extent that the application of the requirements of this chapter to such benefits may be preempted by federal or state law.

Grants?

20.45.020 Discrimination in the provision of benefits prohibited.

A. No contractor on a City contract shall discriminate in the provision of employee benefits between an employee with a domestic partner and an employee with a spouse, subject to the following conditions:

1. In the event that the contractor's actual cost of providing a particular benefit for the domestic partner of an employee exceeds that of providing it for the spouse of an employee, or the contractor's actual cost of providing a particular benefit for the spouse of an employee exceeds that of providing it for the domestic partner of an employee, the contractor shall not be deemed to discriminate in the provision of employee benefits if the contractor conditions providing such benefit upon the employee agreeing to pay the excess costs.
2. The contractor shall not be deemed to discriminate in the provision of employee benefits if, despite taking reasonable measures to do so, the contractor is unable to extend a particular employee benefit to domestic partners, so long as the contractor provides the employee with a cash equivalent.

B. Other options for compliance allowed.

Provided that a contractor does not discriminate in the provision of benefits between employees with spouses and employees with domestic partners, a contractor may:

1. Elect to provide benefits to individuals in addition to employees' spouses and employees' domestic partners;
2. Allow each employee to designate a legally domiciled member of the employee's household as being eligible for spousal equivalent benefits; or
3. Provide benefits neither to employees' spouses nor to employees' domestic partners.

C. Requirements inapplicable under certain conditions.

The Director may waive the requirements of this chapter where:

1. Award of a contract or amendment is necessary to respond to an emergency;
 2. The contractor is a sole source;
 3. No compliant contractors are capable of providing goods or services that respond to the City's requirements;
 4. The contractor is a public entity;
 5. The requirements are inconsistent with a grant, subvention or agreement with a public agency;
 6. The City is purchasing through a cooperative or joint purchasing agreement;
- D. Requests for waivers of the terms of this Chapter are to be made to the Department by the contract awarding authority in a manner prescribed by the Department. Decisions by the Department to issue or deny waivers are final.
- E. The Director may reject an entity's bid or proposal, or terminate a contract, if the Director determines that the entity was set up, or is being used, for the purpose of evading the intent of this Chapter.
- F. No contract awarding authority shall execute a contract with a contractor unless such contractor has agreed that the contractor will not discriminate in the provision of employee benefits as provided for in this chapter.
- G. All contracts awarded by the City shall contain provisions developed by the Department prohibiting discrimination in the provision of employee benefits, including provisions containing appropriate remedies for the breach thereof as prescribed by SMC Ch. 20.45.040, except as exempted by this chapter or rule.

*Waiver
Process?*

20.45.030 Limitations.

The requirements of this Chapter only shall apply to those portions of a contractor's operations that occur (i) within the City; (ii) on real property outside of the City if the property is owned by the City or if the City has a right to occupy the property, and if the contractor's presence at that location is connected to a contract with the City; and (iii) elsewhere in the United States where work related to a City contract is being performed. The requirements of this Chapter shall not apply to subcontracts or subcontractors of any contract or contractor.

20.45.40 Powers and duties of the Director.

The Executive Services Department Director shall have the power to:

- A. Adopt rules and regulations, in accordance with this chapter and the Administrative Code of The City of Seattle (SMC Chapter 3.02),

establishing standards and procedures for effectively carrying out this chapter;

B. Determine and impose appropriate sanctions and/or liquidated damages for violation of this chapter by contractors including, but are not limited to:

1. Disqualification of the contractor from bidding on or being awarded a City contract for a period of up to 5 years; and
2. Contractual remedies, including, but not limited to, liquidated damages and termination of the contract.

C. Examine contractor's benefit programs covered by this chapter;

D. Impose other appropriate contractual and civil remedies and sanctions for violations of this chapter;

E. Allow for remedial action after a finding of non-compliance, as specified by rule.

F. Perform such other duties as may be required by ordinance or which are necessary to implement the purposes of this chapter.

20.45.050 Effective date.

The provisions of this chapter shall apply to any contract awarded on or after September 30, 2000.

Section 2. On October 1, 2001, the Department will present to the Council a status report on the implementation of these provisions. This status report will include options for expanding the provisions to cover additional City contracts, including but not limited to employee benefits, franchise, concessions, and contracts under the formal competitive bid threshold, and will specifically outline alternative program options and associated resource requirements.

*F/U Report
on 10/1/01*

Section 3. Consistent with the Copernicus project objectives of improving and streamlining our contracting processes while still pursuing important social and economic policies of the City, the Department will evaluate the provisions of the new "Boost" program, this "Non-Discrimination in Benefits" ordinance, and the "City Contracts - Prevention of Discrimination Ordinance (SMC Ch. 20.44) in order to recommend ways to harmonize the various rules, processes and legislation with each other and with existing rules, processes and legislation related to contracting. By September 30, 2000, the Department will present to the Council a proposal for reducing time and cost of contracting, from a baseline established in December of 1999. On October 1, 2001, the Department's status report to Council on implementation and possible expansion of the provisions of this Chapter will include documentation of further contract processing efficiencies.

Section 4. Severability. The provisions of this ordinance are declared to be separate and severable. If a court of competent jurisdiction, all appeals having been exhausted or all appeal periods having run, finds any provision of this ordinance to be invalid or unenforceable as to any person or circumstance, such offending provision shall, if feasible, be deemed to be modified to be within the limits of enforceability or validity. However, if the offending provision cannot be so modified, it shall be null and void with respect to the particular person or circumstance, and all other provisions of this ordinance in all other respects, and the offending provision with respect to all other persons and all other circumstances, shall remain valid and enforceable.

Section 5. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not

approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 1999, and signed by me in open session in authentication of its passage this _____ day of _____, 1999.

President _____ of the City Council

Approved by me this _____ day of _____, 1999.

Mayor

Filed by me this _____ day of _____, 1999.

City Clerk
November 22, 1999

EBFinal#2.doc
(Ver. 1)

