

Employment Protections for State Employees

Current as of August 24, 2017

Some states that lack state-wide employment protections based on sexual orientation and gender identity have taken action to protect state employees from discrimination.

NOTE: Various rulings by the federal Equal Employment Opportunity Commission extend Title VII's prohibition on sex discrimination to prohibit discrimination on the bases of sexual orientation and gender identity. However, EEOC rulings are not binding on private employers and federal courts may rule differently.

Alaska

- [Administrative Order No. 195](#) (2002) prohibits discrimination in state employment based on sexual orientation.

Arizona

- [Executive Order 2003-22](#) (2003) prohibits discrimination in state employment based on sexual orientation.

California

- Employment non-discrimination law covers sexual orientation and gender identity
- See [Cal. Code § 12940](#)

Colorado

- Employment non-discrimination law covers sexual orientation and gender identity
- See [C.R.S. 24-34-402](#) (2007)

Connecticut

- Employment non-discrimination law covers sexual orientation and gender identity
- See [Conn. Gen. Stat. § 46a-60](#), amended to include sexual orientation in 1991 and amended to include gender identity in 2011.

Delaware

- Employment non-discrimination law covers sexual orientation and gender identity
- See [Del. S.B. 121, 145th Gen. Assem. \(2009\)](#) and [Del. S.B. 97, 147th Gen. Assem. \(2013\)](#).



District of Columbia

- Employment non-discrimination law covers sexual orientation and gender identity
- See [D.C. Code § 2-1402.11](#), amended to include sexual orientation in 1977 and amended to include gender identity in 2006.

Hawaii

- Employment non-discrimination law covers sexual orientation and gender identity
- See [Hawaii Rev. Stat. §378-2](#) (amended to include sexual orientation in 1991) and [H.B. 546](#) (2011).

Illinois

- Employment non-discrimination law covers sexual orientation and gender identity
- See [775 ILCS 5/2-102](#) (2005).

Indiana

- [Workplace Harassment Prevention](#) policy (2005), resulting from a Governor's Affirmative Action State (2005), prohibits discrimination in state employment based on sexual orientation or gender identity.

Iowa

- Employment non-discrimination law covers sexual orientation and gender identity
- See [Iowa Code § 216.86](#) and [216.6a](#) (2007).

Kansas

- [Executive Order 07-24](#) (2007) prohibits discrimination in state employment based on sexual orientation or gender identity.

Kentucky

- [Executive Order 2008-473](#) (2008) prohibits discrimination in state employment based on sexual orientation or gender identity.

Maine

- Employment non-discrimination law covers sexual orientation and gender identity
- See [Me. Rev. Stat. tit. 5, §4571](#) and [§4572](#) (2005).



Maryland

- Employment non-discrimination law covers sexual orientation and gender identity
- See [S.B. 212](#) (2001 for sexual orientation protection and 2014 for gender identity protection)

Massachusetts

- Employment non-discrimination law covers sexual orientation and gender identity
- See [Mass. Gen. Laws, chapter 151B, § 4](#), amended to include sexual orientation in 1989 and amended to include gender identity in 2011.
- [Executive Order 526](#) prohibits discrimination in state employment and by state contractors based on sexual orientation and gender identity (2011).

Michigan

- [Executive Order 2003-24](#) (2003) prohibits discrimination in state employment based on sexual orientation.
- [Executive Order 2007-24](#) (2007) prohibits discrimination in state employment based on gender identity or expression.

Minnesota

- Employment non-discrimination law covers sexual orientation and gender identity
- See [Minn. Stat. § 363A.08](#) (1993).

Missouri

- [Executive Order 10-24](#) (2010) prohibits discrimination in state employment based on sexual orientation.

Montana

- [Executive Order No. 04-2016](#) (2016) prohibits discrimination in state employment and contracts based on sexual orientation and gender identity.

Nevada

- Employment non-discrimination law covers sexual orientation and gender identity
- See [A.B. 311](#) (1999) and [A.B. 211](#) (2011).



New Hampshire

- Employment non-discrimination law covers only sexual orientation, though federal law offers some protections (see note); see [H.B. 421](#) (1997).

New Jersey

- Employment non-discrimination law covers sexual orientation and gender identity
- See [N.J. Stat. § 10:5-4](#), and [10:5-12](#) amended to include sexual orientation in 1992 and amended to include gender identity in 2007.

New Mexico

- Employment non-discrimination law covers sexual orientation and gender identity
- See [H.B. 314](#) (2003).

New York

- Employment non-discrimination law covers sexual orientation and gender identity
- See [S.B. 720](#) (2002) and [New York Code of Rules and Regulations §466](#) (2015).

North Carolina

- Employment non-discrimination law covers sexual orientation and gender identity
- See [Executive Order 93](#) (2016).

Ohio

- [Executive Order 2007-10S](#) (2007) prohibits discrimination in state employment based on sexual orientation and gender identity.

Oregon

- Employment non-discrimination law covers sexual orientation and gender identity
- See [S.B. 2](#) (2007).

Pennsylvania

- [Executive Order 2016-04](#) (2016) prohibits discrimination in state employment based on sexual orientation or gender identity or expression.
- [Executive Order 2016-05](#) (2016) prohibits discrimination by state contractors based on sexual orientation or gender identity or expression.



Rhode Island

- Employment non-discrimination law covers sexual orientation and gender identity
- See [Rhode Island Stat. § 28-5-7](#), amended in 1995 to include sexual orientation and amended in 2001 to include gender identity.

Utah

- Employment non-discrimination law covers sexual orientation and gender identity
- See [S.B. 296](#) (2015).

Vermont

- Employment non-discrimination law covers sexual orientation and gender identity
- See [Vt. Stat. tit. 21, § 495](#), amended to include sexual orientation in 1992 and amended to include gender identity in 2007.

Virginia

- [Executive Order 1](#) (2014) prohibits discrimination in state employment based on sexual orientation or gender identity.
- [Executive Order 61](#) (2017) prohibits discrimination in by state contractors based on sexual orientation or gender identity.

Washington

- Employment non-discrimination law covers sexual orientation and gender identity
- See [Wash. Rev. Code § 49-60-180](#) (2006).

Wisconsin

- Employment non-discrimination law covers only sexual orientation, though federal law offers some protections (see note)
- See [Wis. Stat. § 111.321](#), [§ 111.322](#), and [§ 111.36](#) (1982).

MAP relied, in part, on [“A State-by-State Examination of Nondiscrimination Laws and Policies,”](#) by Jerome Hunt, Center for American Progress Action Fund, June 2012.