Employment Nondiscrimination Protections for State Employees

No updates required since January 15, 2019

Note:
Some states that lack state-wide employment protections based on sexual orientation and gender identity have acted to protect state employees from discrimination. Additionally, 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.

Alabama
- No employment non-discrimination policy covering sexual orientation or gender identity, though federal law offers some protections (see note)

Alaska

Arizona

Arkansas
- No employment non-discrimination policy covering sexual orientation or gender identity, though federal law offers some protections (see note)

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

Delaware
- Employment non-discrimination law covers sexual orientation and gender identity
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.

Florida
- No employment non-discrimination policy covering sexual orientation or gender identity, though federal law offers some protections (see note)

Georgia
- No employment non-discrimination policy covering sexual orientation or gender identity, though federal law offers some protections (see note)

Hawaii
- Employment non-discrimination law covers sexual orientation and gender identity

Idaho
- No employment non-discrimination policy covering sexual orientation or gender identity, though federal law offers some protections (see note)

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) prohibited discrimination in state employment based on sexual orientation and gender identity, but it was rescinded in 2015.
Kentucky

Louisiana
- No employment non-discrimination policy covering sexual orientation or gender identity, though federal law offers some protections (see note)

Maine
- Employment non-discrimination law covers sexual orientation and gender identity

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
- Executive Order 526 prohibits discrimination in state employment and by state contractors based on sexual orientation and gender identity (2011).

Michigan
- Directive 2019-9 (2019) expanded protections to include all state employees (classified and unclassified); employees of all recipients of state contracts, grants, and loans; and prohibiting discrimination in state services.

Minnesota
- Employment non-discrimination law covers sexual orientation and gender identity

Mississippi
- No employment non-discrimination policy covering sexual orientation or gender identity, though federal law offers some protections (see note)

Missouri
Montana
• Executive Order No. 04-2016 (2016) prohibits discrimination in state employment and contracts based on sexual orientation and gender identity.

Nebraska
• No employment non-discrimination policy covering sexual orientation or gender identity, though federal law offers some protections (see note)

Nevada
• Employment non-discrimination law covers sexual orientation and gender identity

New Hampshire
• Employment non-discrimination law covers sexual orientation and gender identity

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

North Carolina
• Executive Order 24 (2017) prohibits discrimination in state employment and contracts based on sexual orientation and gender identity and expression

North Dakota
• No employment non-discrimination policy covering sexual orientation or gender identity, though federal law offers some protections (see note)
Ohio

- **Executive Order 2011-05K** (2011) prohibited discrimination in state employment based on sexual orientation only. This EO was rescinded by Gov. Kasich and replaced by EO 2018-12K (protecting both sexual orientation and gender identity).

Oklahoma

- No employment non-discrimination policy covering sexual orientation or gender identity, though federal law offers some protections (see note)

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.

South Carolina

- No employment non-discrimination policy covering sexual orientation or gender identity, though federal law offers some protections (see note)

South Dakota

- No employment non-discrimination policy covering sexual orientation or gender identity, though federal law offers some protections (see note)

Tennessee

- No employment non-discrimination policy covering sexual orientation or gender identity, though federal law offers some protections (see note)

Texas

- No employment non-discrimination policy covering sexual orientation or gender identity, though federal law offers some protections (see note)
Utah
- Employment non-discrimination law covers sexual orientation and gender identity

Vermont
- Employment non-discrimination law covers sexual orientation and gender identity

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

West Virginia
- No employment non-discrimination policy covering sexual orientation or gender identity, though federal law offers some protections (see note)

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).

Wyoming
- No employment non-discrimination policy covering sexual orientation or gender identity, though federal law offers some protections (see note)

U.S. Territories
Guam
- Private and public employment discrimination based on sexual orientation and gender identity is prohibited (Bill 102-33, 2015).

Commonwealth of the Northern Mariana Islands:
- Discrimination by the Commonwealth government and Marianas Visitors Authority prohibited based on sexual orientation (2013).
Puerto Rico


U.S. Virgin Islands

- The Government of the U.S. Virgin Islands does not permit discrimination based on sexual orientation or gender identity and accepts complaints from government employees of discrimination on those bases (Revised Sexual Harassment Policy, 2013).