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State Nondiscrimination Laws: Employment

No updates required since February 28, 2025

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Recommended citation:

Movement Advancement Project. "Equality Maps: Employment Nondiscrimination Laws."
www.mapresearch.org/equality_maps/employment_non_discrimination_laws. Accessed [date of access].



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Background

Employment nondiscrimination laws protect people from being unfairly fired, not hired, or otherwise discriminated against in the workplace because of some aspect of who they are. While state laws vary, these laws commonly include protections against discrimination based on race, religion, age, disability, sex, and—less commonly—sexual orientation or gender identity.

As a result of the June 2020 U.S. Supreme Court ruling in [Bostock v. Clayton County, Georgia](#), employment discrimination based on sexual orientation or gender identity is illegal under federal law. As a result of this ruling, LGBTQ people across the country can continue to file complaints with the federal Equal Employment Opportunity Commission (EEOC) and seek recourse for discrimination in the workplace through federal courts. However, state-based laws and protections still vary. These state laws remain important for many reasons, including so that LGBTQ people are protected against discrimination at every level of government; have opportunities for recourse through state commissions or courts (which may proceed faster than federal courts); because they may apply to more employers or in circumstances beyond what federal law covers; and because they are often passed alongside additional protections not yet enshrined in federal law, such as protections against discrimination in public places.

Equality Maps & Additional Resources

- See our [Equality Map: Employment Nondiscrimination Laws](#), which is updated and maintained in real time alongside this document.
 - See also our [Equality Map: Local-Level Employment Nondiscrimination Ordinances](#), which is also updated and maintained in real time. Lists of municipalities with local-level nondiscrimination ordinances can be found on each state profile page on our website.
- For more on LGBTQ people's economic experiences, see our landing page on [economic security](#), including our 2023 report [The LGBTQ+ Economic and Financial \(LEAF\) Survey: Understanding the Financial Lives of LGBTQ+ People in the United States](#), conducted in partnership with the [Center for LGBTQ+ Economic Advancement and Research](#) (CLEAR).



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Summary Table

Category	Count	List	Link	Year
States with laws that explicitly prohibit employment discrimination based on sexual orientation and gender identity	22 states, D.C., + 3 territories	California	AB 101 (SO) AB 196 (GI)	1992 (SO) 2003 (GI)
		Colorado	SB 07-025	2007
		Connecticut	HB 7133 (SO) HB 6599 (GI)	1991 (SO) 2011 (GI)
		Delaware	SB 121 (SO) SB 97 (GI)	2009 (SO) 2013 (GI)
		District of Columbia	Law 16-58 (GI)	1973 (SO) 2006 (GI)
		Guam	Bill 102-33	2015
		Hawai`i	SB 1811 (SO) HB 546 (GI)	1991 (SO) 2011 (GI)
		Illinois	SB 3186	2005
		Maine	LD 1196	2005
		Maryland	SB 205 (SO) SB 212 (GI)	2001 (SO) 2014 (GI)
		Massachusetts	S 53/Act 516 (SO) H 3810 (GI)	1989 (SO) 2011 (GI)
		Michigan	SB 4	2023
		Minnesota	HF 585	1993
		Nevada	AB 311 (SO) AB 211 (GI)	1999 (SO) 2011 (GI)
		New Hampshire	HB 421 (SO) HB 1319 (GI)	1997 (SO) 2018 (GI)
		New Jersey	L1992 c.146 (SO) S 362 (GI)	1992 (SO) 2006 (GI)
		New Mexico	HB 314	2003
		New York	S 720 (SO) S 1047 (GI)	2002 (SO) 2019 (GI)
		Oregon	SB 2	2007
		Puerto Rico	SB 238/Act 22-2013	2013
		Rhode Island	H 6678A/PL 1995 c.32 (SO) H 5920A/PL 2001 c.340 (GI)	1995 (SO) 2001 (GI)
		U.S. Virgin Islands	Bill 34-0271/Act 8687	2023
		Utah	SB 296	2015
		Vermont	S 131 (SO) S 51/Act 41 (GI)	1992 (SO) 2007 (GI)
		Virginia	SB 868	2020
		Washington	HB 2661/PL 2006 c.4	2006

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Category	Count	List	Link	Year
States that explicitly interpret existing ban on employment discrimination based on sex to include sexual orientation and gender identity	10 states	Alaska	AK Human Rights Commission	2020
		Arizona	Bruer v. State of Arizona	2020
		Florida	FL Commission of Human Rights	2020
		Kansas	KS Human Rights Commission	2020
		Kentucky	KY Commission on Human Rights	2021
		Nebraska	NE Equal Opportunity Commission	2020
		North Dakota	ND Department of Labor and Human Rights	2020
		Ohio	OH Civil Rights Commission	2021
		Pennsylvania	53 Pa.B. 3188 (Regulation) PA Human Rights Commission (Agency guidance)	2023 2018
		Texas	Tarrant County Community College v. Sims	2021
States with laws that explicitly prohibit employment discrimination based on sexual orientation only	2 states	Iowa	SF 427 (SO+GI) SF418 (Removing GI)	2007 2025
		Wisconsin	AB70/PL 1981 c.112	1982
States with no explicit prohibition on employment discrimination based on sexual orientation or gender identity	16 states + 2 territories	Alabama Arkansas Georgia Idaho Indiana Louisiana Mississippi Missouri Montana North Carolina Oklahoma South Carolina South Dakota Tennessee West Virginia Wyoming American Samoa Northern Mariana Islands		



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State-by-State Sources & More Detail

Alabama

- State employment nondiscrimination law does not enumerate sexual orientation or gender identity, though federal law offers protections (see note)

Alaska

- State agency explicitly interprets existing protections against discrimination based on sex to include both sexual orientation and gender identity
- See [Alaska State Commission for Human Rights](#) (Dec 2020), including agency social media [posts](#)
 - Following the June 2020 Supreme Court ruling in *Bostock* (see above), the state agency initially interpreted sex to include sexual orientation and gender identity for employment, housing, public accommodations, credit/lending, and government agencies/practices. However, under pressure from conservative interest groups amid the 2022 election season, the agency rescinded its interpretation for all areas except for employment, which was explicitly covered by the U.S. Supreme Court ruling in *Bostock* (see above). See [this coverage](#) for more details about this reversal, and see also the agency's August 2022 [social media post](#) announcing the change.

Arizona

- State attorney general explicitly interprets existing protections against discrimination based on sex to include both sexual orientation and gender identity
- See Arizona Attorney General's court filing in [Bruer vs. The State of Arizona](#) (2020).

Arkansas

- State employment nondiscrimination law does not enumerate sexual orientation or gender identity, though federal law offers protections (see note)
- State has law preventing passage or enforcement of local nondiscrimination laws. See [Ark. Code Ann. §14-1-403](#) (2015).

California

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [Cal. Code § 12940](#). Amended to include sexual orientation in 1992 (AB 101; strengthened in 1999, effective 1/1/2000, by [AB 1001](#)). Amended to include gender identity in 2003 ([AB 196](#)).

Colorado

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [CRS §24-34-402](#) and [SB 07-025](#) (2007; sexual orientation defined to include "transgender status," see [CRS §24-34-301](#)).



Connecticut

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [CGS Ch. 814c §46a-60](#). Amended to include sexual orientation in 1991 ([HB 7133](#)) and to include gender identity in 2011 ([HB 6599](#)).

Delaware

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [SB 121](#) (2009) for sexual orientation and [SB 97](#) (2013) for gender identity.

District of Columbia

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [D.C. Code § 2-1402.11](#). Passed, including sexual orientation, in 1973. Re-adopted as the D.C. Human Rights Act in 1977. Amended to include gender identity in 2006 ([Law 16-58](#)).

Florida

- State agency explicitly interprets existing protections against discrimination based on sex to include both sexual orientation and gender identity
- See [Florida Commission on Human Rights](#) (2020), including Section 5 of the [intake questionnaire for employment discrimination complaints](#)

Georgia

- State has no employment nondiscrimination law, though federal law offers protections (see note)

Hawai`i

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [HRS §378-2](#), amended to include sexual orientation in 1991 ([SB 1811](#)) and to include gender identity in 2011 ([HB 546](#)).

Idaho

- State employment nondiscrimination law does not enumerate sexual orientation or gender identity, though federal law offers protections (see note)

Illinois

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [775 ILCS 5/1-102](#) or [SB 3186](#) (2005, effective 2006; sexual orientation defined to include gender identity)

Indiana

- State employment nondiscrimination law does not enumerate sexual orientation or gender identity, though federal law offers protections (see note)



Iowa

- State employment nondiscrimination law enumerates only sexual orientation, though federal law offers protections for gender identity (see note)
- See [Iowa Code §216.86](#) and [216.6a](#). See [SF 427](#) (2007) adding sexual orientation and gender identity, and see [SF 137](#) (2009) adding wage discrimination. However, see [SF 418](#) (2025), removing gender identity.

Kansas

- State agency explicitly interprets existing protections against discrimination based on sex to include both sexual orientation and gender identity
- See Kansas Human Rights Commission's [Statement on Bostock](#) (2020).

Kentucky

- State agency explicitly interprets existing protections against discrimination based on sex to include both sexual orientation and gender identity
- See [Kentucky Commission on Human Rights](#) ([June 2021](#) post confirmed sexual orientation, and by [September 2021](#) updated to include gender identity)

Louisiana

- State employment nondiscrimination law does not enumerate sexual orientation or gender identity, though federal law offers protections (see note)

Maine

- State employment nondiscrimination law covers sexual orientation and gender identity
- See Me. Rev. Stat. tit. 5, [§4571](#), [§4572](#), [LD 1196](#) (2005; sexual orientation defined to include gender identity), and [LD 1701](#) (2019; moving gender identity to standalone definition)

Maryland

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [SB205](#) (2001; adding sexual orientation) and [SB212](#) (2014; adding gender identity)

Massachusetts

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [Mass. Gen. Laws Ch 151B §4](#), [S53/Act 516](#) (1989; sexual orientation), and [H3810](#) (2011; gender identity)

Michigan

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [SB4](#) (2023), as well as the Michigan Supreme Court's decision in [Rouch World LLC v. Department of Civil Rights](#) (July 2022).
- Formerly, state agency explicitly interpreted existing protections against discrimination based on sex to include both sexual orientation and gender identity. See Michigan Civil Rights Commission's [Interpretive Statement](#) (2018).



Minnesota

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [Minn. Stat. § 363A.08](#), [HF585](#) (1993; sexual orientation defined to cover gender identity), and [SF2909](#) (2023; moving gender identity to standalone definition)

Mississippi

- State has no employment nondiscrimination law, though federal law offers protections (see note)

Missouri

- State employment nondiscrimination law does not enumerate sexual orientation or gender identity, though federal law offers protections (see note)

Montana

- State employment nondiscrimination law does not enumerate sexual orientation or gender identity, though federal law offers protections (see note)

Nebraska

- State agency explicitly interprets existing protections against discrimination based on sex to include both sexual orientation and gender identity
- See Nebraska Equal Opportunity Commission's [statement](#) (2020).

Nevada

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [AB 311](#) (1999; sexual orientation) and [AB 211](#) (2011; gender identity).

New Hampshire

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [HB 421](#) (1997; sexual orientation) and [HB 1319](#) (2018; gender identity)

New Jersey

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [N.J. Stat. § 10:5-4](#) and [10:5-12](#), [L1992 c.146](#) (1992; sexual orientation), and [S362](#) (2006, effective 2007; gender identity)

New Mexico

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [HB 314](#) (2003)

New York

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [SB 720](#) (2002) for sexual orientation and [SB 1047](#) (2019) for gender identity
- Prior to 2019, the [New York Code of Rules and Regulations §466](#) prohibited gender identity discrimination via executive order (2015).



North Carolina

- State employment nondiscrimination law does not enumerate sexual orientation or gender identity, though federal law offers protections (see note)
- Previously, state law prevented passage or enforcement of local nondiscrimination laws. See [HB 2](#) (2016) and [HB 142](#) (2017). The part of HB 142 that preempted local ordinances expired on December 1, 2020.

North Dakota

- State agency explicitly interprets existing protections against discrimination based on sex to include both sexual orientation and gender identity
- See [North Dakota Department of Labor and Human Rights statement](#) (2020)

Ohio

- State agency explicitly interprets existing protections against discrimination based on sex to include both sexual orientation and gender identity
- See [Ohio Civil Rights Commission](#) (2021)

Oklahoma

- State employment nondiscrimination law does not enumerate sexual orientation or gender identity, though federal law offers protections (see note)

Oregon

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [SB2](#) (2007; sexual orientation defined to include gender identity).

Pennsylvania

- State regulations and agency both explicitly interprets existing protections against discrimination based on sex to include both sexual orientation and gender identity
- Regulations: [53 Pa.B. 3188](#) (2023)
- Agency: See Pennsylvania's Human Relations Commission's [Guidance on Discrimination on the Basis of Sex Under the Pennsylvania Human Relations Act \(PHRA\)](#) (2018).

Rhode Island

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [RI Stat § 28-5-7](#), [H 6678A/PL 1995 c.32](#) (1995; sexual orientation), and [H 5920A](#) (2001; gender identity)

South Carolina

- State employment nondiscrimination law does not enumerate sexual orientation or gender identity, though federal law offers protections (see note)

South Dakota

- State employment nondiscrimination law does not enumerate sexual orientation or gender identity, though federal law offers protections (see note)



Tennessee

- State employment nondiscrimination law does not enumerate sexual orientation or gender identity, though federal law offers protections (see note)
- State has law preventing passage or enforcement of local nondiscrimination laws. See [Tenn. Code Ann. § 7-51-1802](#) (2011).

Texas

- Texas 5th Circuit Court of Appeals explicitly interprets existing protections against discrimination based on sex to include both sexual orientation and gender identity
- See Texas 5th Circuit Court of Appeals ruling in [Tarrant County Community College v. Sims](#) (2021) and [Texas Workforce Commission archive](#) (under ‘Who is Protected?’). However, following a state legislator’s criticism of this inclusion, the TWC removed the LGBTQ-specific language from its [website](#) in [November 2024](#) (read local reporting [here](#)).

Utah

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [SB296](#) (2015)

Vermont

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [21 VSA § 495](#), [S131](#) (1992; sexual orientation), and [S51](#) (2007; gender identity)

Virginia

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [SB 868](#) (2020)

Washington

- State employment nondiscrimination law covers sexual orientation and gender identity
- See [RCW § 49-60-180](#) and [HB 2661/PL 2006 c.4](#) (2006; sexual orientation defined to include gender identity)

West Virginia

- State employment nondiscrimination law does not enumerate sexual orientation or gender identity, though federal law offers protections (see note)

Wisconsin

- State employment nondiscrimination law enumerates only sexual orientation, though federal law offers protections for gender identity (see note)
- See [WI Stat 111.31](#) and [AB70/PL 1981 c.112](#) (1982).

Wyoming

- State employment nondiscrimination law does not enumerate sexual orientation or gender identity, though federal law offers protections (see note)



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U.S. Territories

American Samoa

- No territory-level protections against employment discrimination based on sexual orientation or gender identity.

Guam

- Territory employment nondiscrimination law covers sexual orientation and gender identity
- See [Bill 102-33](#) (2015)

Commonwealth of the Northern Mariana Islands

- No territory-level protections against employment discrimination based on sexual orientation or gender identity.

Puerto Rico

- Territory employment nondiscrimination law covers sexual orientation and gender identity
- See [SB238/Act 22-2013](#) (2013)

U.S. Virgin Islands

- Territory employment nondiscrimination law covers sexual orientation and gender identity
- See [Bill 34-0271/Act 8687](#) (2023) and [10 V.I.C. § 64](#).