


City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 18, 2009

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER 

SUBJECT: RESOLUTION CALLING UPON THE VIRGINIA GENERAL ASSEMBLY TO CODIFY THE BASIC RIGHT OF ALL PUBLIC EMPLOYEES TO BE FREE FROM DISCRIMINATION

ISSUE: Resolution calling upon the Virginia General Assembly to codify the basic right of all public employees to be free from discrimination.

RECOMMENDATION: That City Council adopt this proposed resolution.

DISCUSSION: The 2009 General Assembly considered legislation (HB 2385, introduced by Delegate Adam Ebbin) that would have prohibited Virginia's state and local governments from discriminating in public employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a special disabled veteran or other veteran protected under federal law. The legislation was defeated in the House General Laws Committee.

Governor Tim Kaine and his predecessor, Governor Mark Warner both included sexual orientation in the first Executive Orders they signed, declaring it to be "the firm and unwavering policy of the Commonwealth of Virginia to assure equal opportunity in all facets of state government." Executive Orders do not bind future administrations, however, and without a similar statute, there is no way to ensure that discrimination in public employment would be prohibited in future administrations.

Attached is a resolution requesting passage of legislation in the 2010 General Assembly Session to ban discrimination in public employment (by the state or any locality) on the basis of sexual orientation.

RESOLUTION NO. ____

WHEREAS, Alexandria City Council in the past has affirmed the City's acceptance of diversity within this community, where all persons are treated with human dignity and respect; and

WHEREAS, lesbian, gay, bisexual and transgender people are vital members of our community, and serve as police officers, teachers, and doctors; and

WHEREAS, recruiting and retaining the best public employees requires state and local governments to offer employment opportunities that are as attractive as possible; and

WHEREAS, private businesses have already recognized the competitive advantage afforded by offering progressive employment practices regarding lesbian, gay, bisexual, and transgender employees; and leaders in the industry such as IBM have had such policies for more than a decade; and

WHEREAS, 94 percent of Fortune 500 companies have non-discrimination policies protecting employees on the basis of sexual orientation, and 125 of them include gender identity; and

WHEREAS, there is no federal law protecting gay, lesbian, bisexual or transgender persons employed by the Commonwealth of Virginia or its localities from such workplace discrimination; and

WHEREAS, there is currently no state law in Virginia prohibiting discrimination against employees of state or local government based on sexual orientation; and

WHEREAS, all employees of the Commonwealth or its political subdivisions or agencies deserve statutory protection against such employment discrimination; and

WHEREAS, recent survey research by the Equality Virginia Education Fund shows that more than 90 percent of Virginians support the right of gay, lesbian, bisexual and transgender citizens to work for the government without discrimination; and

WHEREAS, the Gallup Poll reported, based on a May 10-13, 2007, Values and Beliefs Poll, that 89 percent of U.S. citizens believe that gays and lesbians should have workplace discrimination protection;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Alexandria that the City calls upon the Virginia General Assembly to pass legislation in the 2010 Session codifying the basic human right of all public employees to be free from discrimination in the workplace based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, status as a special disabled veteran or other veteran covered by the Vietnam Era Veterans Readjustment Act of 1974, as amended and sexual orientation, including gender identity; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to members of the City's delegation to the General Assembly.

ADOPTED: June 23, 2009

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson, CMC, City Clerk

RESOLUTION NO. 2353

**Resolution Calling Upon the Virginia General Assembly to Codify
The Basic Right of All Public Employees to be Free from Discrimination**

WHEREAS, Alexandria City Council in the past has affirmed the City's acceptance of diversity within this community, where all persons are treated with human dignity and respect; and

WHEREAS, lesbian, gay, bisexual and transgender people are vital members of our community, and serve as police officers, teachers, and doctors; and

WHEREAS, recruiting and retaining the best public employees requires state and local governments to offer employment opportunities that are as attractive as possible; and

WHEREAS, private businesses have already recognized the competitive advantage afforded by offering progressive employment practices regarding lesbian, gay, bisexual, and transgender employees; and leaders in the industry such as IBM have had such policies for more than a decade; and

WHEREAS, 94 percent of Fortune 500 companies have non-discrimination policies protecting employees on the basis of sexual orientation, and 125 of them include gender identity; and

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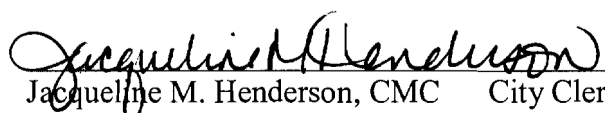
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