

## Governor Wolf Signs Executive Orders Tackling LGBT Discrimination

This afternoon Pennsylvania Governor Tom Wolf signed two Executive Orders tackling LGBT discrimination. These two Executive Orders pertain to 1) Commonwealth of Pennsylvania employees; and 2) the Commonwealth grants and procurement process. The first of these Executive Orders is Order 2016-04, Equal Employment Opportunity. This order prohibits any agency under the Governor's jurisdiction from discriminating against any employee or applicant for employment on the basis of race, color, religious creed, ancestry, union membership, age, gender, sexual orientation, gender identity or expression, national origin, AIDS or HIV status, or disability. The Order also prohibits sexual harassment or harassment based on any of these factors. The second is Order 2016-05, Contract Compliance. This Order directs the Pennsylvania Department of General Services to develop and manage Commonwealth agency programs to ensure that discrimination based on race, gender, creed, color, sexual orientation, or gender identity or expression does not exist in the award, selection, or performance of any contracts or grants issued by those agencies. The Order also establishes a Commonwealth Contract Compliance Program. There is currently no statewide legislative protection for sexual orientation, gender identity or expression.

In the wake of the passage of a bill in North Carolina that banned anti-discrimination rules except those based on the state's anti-discrimination laws, Governor Wolf's Executive Orders further strengthen the protections already available for LGBT individuals in Philadelphia. The Philadelphia Commission on Human Relations enforces the City of Philadelphia's Fair Practices Ordinance, which prohibits discrimination based on gender identity and sexual orientation in the context of employment, public accommodation and the delivery of city services, and housing and real property. The EEOC has recently filed lawsuits on behalf of LGBT individuals under Title VII's sex discrimination provisions, including a lawsuit filed against an employer in Pennsylvania last month.

**Comment:** Governor Wolf's actions further underline the importance of keeping up with the latest developments in anti-discrimination laws. Employers must be proactive to prevent discrimination in the workplace, especially against lesbian, gay, bisexual, or transgender employees.

Yesterday, Weber Gallagher's Employment Group hosted a panel for employers on what they must know about eliminating LGBT discrimination in the workplace. For more information about the Executive Orders you can read [Order 2016-04](#) and [Order 2016-05](#).