

Local Policy Toolkit: HRO

Thank you for your interest in passing a non-discrimination policy in your community. This is intended to be a guide to help you understand the components that are necessary to pass the best policy and to help you develop the campaign you'll need to get the job done.

What is an HRO?

An HRO is a Human Rights Ordinance. A Human Rights Ordinance is a policy passed on the local level (city or county) to prohibit discrimination based on certain characteristics. These policies often ban discrimination in housing, public accommodations, and employment. HRO policies most often ban discrimination based on race, religion, sex, disability, ethnicity, national origin and marital status.

A growing number of cities and counties are including sexual orientation and gender identity and expression in their policies. They understand that it is important to include lesbian, gay, bisexual and transgender (LGBT) people in non-discrimination laws. A large part of the work we do at Equality Florida is to work with teams in communities all across the state to ensure LGBT people are covered under these laws. In fact, now a majority of Floridians live in a municipality that includes LGBT people in its non-discrimination laws.

QUICK NOTE:

It is important to do research about what laws already exist in your community. Some communities already have HRO policies that include other categories, but leave out sexual orientation and gender identity and expression. In that case you will need to work your bill sponsor to include those categories in pre-existing law. In other cases, your municipality may not have any non-discrimination laws already in place, so your team will need to work with your sponsor to develop a new law.

Important Definitions

When working on policy that we want to become law, it is vital that the correct definitions and wording are included. That's why we have developed model definitions for key terms that will appear in your policy. Using our recommended definitions will help ensure that there are no unintended consequences as a result of the policy that might actually do harm to our community.

Model Definitions

- **Gender:** used interchangeably with sex and means actual or perceived sex
- **Gender identity or expression:** a gender-related identity, appearance, expression or behavior of an individual, regardless of the individual's assigned sex at birth
- **Sexual orientation:** an individual's actual or perceived heterosexuality, homosexuality or bisexuality

Talking Points

As you work to educate lawmaker's and key stakeholders in your community about the need for LGBT inclusion into non-discrimination laws, consider these key talking points to make your case.

- **The public supports it.** Employment non-discrimination laws on the basis of sexual orientation have **overwhelming public support**, with every Gallup poll since 2001 showing public support in excess of **85%**, and equal or higher levels of support from young voters aged 18 to 29.
- 79% of Floridians believe that LGBT people should be protected under nondiscrimination laws.
- **Businesses are doing it. 89% of Fortune 500 Companies** prohibit discrimination based on sexual orientation, 41% include gender identity
- The overwhelming majority, **60%**, of Fortune 100 corporations that prohibit discrimination based on gender identity have recognized that permitting these forms of discrimination place them at a competitive disadvantage.
- **It is now the standard in Florida to include LGBT people into non-discrimination laws.** Employment non-discrimination laws on the basis of sexual orientation have **overwhelming public support**, with every Gallup poll since 2001 showing public support in excess of **85%**, and equal or higher levels of support from young voters aged 18 to 29.
- Places in Florida that already provide LGBT protections: Gainesville, Orlando, Orange County, Leon County, Palm Beach County, Broward County, Monroe County, Gulfport, Dunedin, Tampa, Miami Beach, Tallahassee.

It's important to note that more and more businesses and cities are enacting these policies. These companies and cities do it, not only because it is the right thing to do, but because it helps them recruit and retain top talent.

We understand our community faces discrimination because we live it everyday, but many of our lawmakers aren't aware of the problem. That's why it is also important to lawmakers to hear from people who have experienced discrimination. Your team should try to find someone with a story who can share it with lawmakers and put a human face on the issue.

HRO Campaign Checklist

Now that you have all the background info, it's time to start putting together the campaign to pass an HRO in your community. Here are key elements important to passing your policy:

- **Put together your team.** The first step in any campaign is to put together the team that is going to help you. Think of a few people (5-6) that will be dedicated to passing the policy. The most important quality of each of your team mates is commitment, but also think about what voices will be helpful. For instance, someone with a faith background might be important, or if your community has a large Hispanic population; someone who is a leader in the Hispanic community could be key to moving the process forward. Think of key stakeholders who might be important for lawmakers to hear from.
- **Do your research.** It's important to know exactly the climate you are working in before you start, that way you and your team are better able to plan your strategy.
 - What laws already exist? Does your community already have an HRO and you are adding to it, or do you need to create new law altogether? You can often check by calling the city and asking them. Be sure they send you a copy of whatever laws may already exist.
 - Know the process for passage. Once you understand what law you need to push for, you need to know how to pass that law. Many times, passing policies require two hearings by the full commission, but not always. Some policies can be pass on a consent agenda (lawmakers don't vote on individual items, but vote in a large block).
 - Know your lawmakers. Once you understand passage, it's important to understand who you are working with. Do some research on each of the members of the commission. Have they ever

voted on LGBT legislation in the past? Or other social issues that might indicate how they would vote on your issue? What affiliations do they have? Search for clues on how friendly a legislator may be to the cause.

- **Take a vote count.** When you understand more about your lawmakers you can form a vote count, or an estimate of how many votes you think you have, and how many you think you need to get a majority. If your commission has 5 members, you need 3 votes. Divide up the commission into Yes Votes, No Votes and Swing Votes, people you think you might be able to convince. It is important to make an honest assessment, that way your team can make a realistic plan for success.
- **Find a sponsor.** Identify the most friendly person on your commission or council, and set a meeting with them. Tell them about the issue, and why your community needs it, and ask them to sponsor the policy. If they agree, talk to them about your vote count and see if they have input as to how their colleagues would vote. Also, make sure to discuss your understanding of the process for passage and confirm it is correct.
- **Set a timeline.** Once you get input from your sponsor, you and your team should set a timeline for passage depending on the process for passage and how much time you estimate it will take to get a majority of the commission on board. While it is ok for a plan to change, make sure you set measurable goals and deadlines for your team. That way you will ensure the process moves forward and doesn't stall.
- **Round up your yes votes.** Once you find a sponsor and set a timeline, it's time to get the other members of the commission on board. Set meetings with the lawmakers you thought would vote Yes and present them with all of the information and ask how they would vote.
- **Educate your swing votes and turn them into yeses.** After you get your yes votes on board, go to the swing votes and work on making them yes votes. Set a meeting with them and present your case. This should be primarily an information gathering meeting. Let the lawmaker do a lot of the talking and try to get a read on where they are on the issue. If they still seem on the fence, decide what you think would push them to a yes. Will hearing from hundreds of their constituents convince them? Or hearing from business leaders who support LGBT inclusion?
- **Public Education.** It's important to make sure your community is ready for such a change. Decide what ways you can educate your community on the issue, for instance by placing an op-ed in the local paper that explains why the issue is important. Reach out to groups that you think would support the policy change and bring them into the loop.
- **Getting the item on the agenda.** Once you have a majority support on the commission, talk to your sponsor about getting the item on the agenda and prepare for a final vote on the issue.
- **Turning out supporters.** When you know the exact date and time the item will be on the agenda, start reaching out to your supporters and try to get them to the meeting. It will be important for legislators to see there are lots of people in the community who support adding LGBT people to the local nondiscrimination law. Often we ask our supporters to wear a color so they are easily identifiable in the commission chambers. Red is a color that has been used in several communities throughout the state.
- **Celebrate!**

Need More Info?

If you need more info about HROs or want to see what other communities in Florida have passed policies, please visit www.eqfl.org. If you have questions please e-mail Mallory Wells, Equality Florida's Public Policy Director, at mallory@eqfl.org.