

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Protected Class Definition Code Amendment - Sexual Orientation

Meeting Date: November 13, 2013
Department: Central Services
www.eugene-or.gov

Agenda Item Number: C
Staff Contact: Michael Kinnison
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ISSUE STATEMENT

SB 2, the Oregon Equality Act, expanded the definition of sexual orientation to include gender identity at the State level effective Jan. 1, 2008. The Human Rights Commission earlier this year voted to request the council support to amend the Eugene Code to include in the definition of sexual orientation, protections related to one's gender identity. Councilor Greg Evans, Council Liaison to the Human Rights Commission, has requested that this item be brought to the council for consideration.

BACKGROUND

The current Eugene Code (EC 4.615) protected class definition for Sexual Orientation is not consistent with State level definitions. The Legislature modified the State's definition in 2007 to include explicit protections related to gender identity, "regardless of whether the individual's gender identity, appearance, expression or behavior differs from those traditionally associated with the individual's sex at birth." Eugene Code defines sexual orientation more narrowly as "actual or perceived heterosexuality, homosexuality, or bisexuality."

This change would simply align language in the Eugene Code with existing protected class definitions in state law. Enforcement for discrimination-related complaints regarding housing, employment, and public accommodation is already provided by state level agencies, which utilize the existing state definition for sexual orientation. Amending the Eugene Code to be consistent with State definitions would not afford any additional legal protections related to gender identity nor would it impose additional requirements for City operations beyond those currently required by State law.

RELATED CITY POLICIES

City Council vision: Value all people, encouraging respect and appreciation for diversity, equity, justice, and social well-being. We recognize and appreciate our differences and embrace our common humanity as the source of our strength.

City Council goal for a *Safe Community* – a community where all people are safe, valued and welcome.

COUNCIL OPTIONS

Council can amend or not amend EC 4.615.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends scheduling a public hearing to consider amending the definition of sexual orientation in EC 4.615 to be consistent with the State law definition.

FOR MORE INFORMATION

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