

COVER STORY

Taking pride in business

THE FIGHT TO EXPAND THE HRO BROUGHT THE BUSINESS COMMUNITY TOGETHER — AGAIN

BY TYLER WHITE | JACKSONVILLE BUSINESS JOURNAL

For most of the past decade, Jacksonville attorney Jimmy Midyette has been one of many working to bring Jacksonville in line with other major Florida cities regarding equal rights for the city's LGBTQ residents and workers. ¶ He thought Jacksonville was there in 2017, when the City Council passed a law adding sexual orientation and gender expression to Jacksonville's Human Rights Ordinance. Then, in May, a court found technical issues regarding the HRO's enforceability – the issue was suddenly on the table again. ¶ As it has in the past, opposition to the bill included tales of attacks on women and children in bathrooms, among others, but advocates like Midyette call these scare tactics – and this time, they could point to the lack of dire consequences. ¶ “It's been on the books for three years,” Midyette said. “None of the things that the opponents have said would happen have happened.”

13 MILLION

Number of LGBT people 13 and older in the U.S.

1.4 MILLION

Number of transgender adults

8.1 MILLION

Number of LGBT employees

Last week, the issue was put to rest again: The Jacksonville City Council voted 15-4 to reaffirm its support for protection against employment, housing and public accommodations discrimination.

Midyette said he was shocked but happy to see the bill pass and commended the council members' support.

“We in the LGBT community are thankful for the quick action by the Council and mayor to secure equality in Jacksonville,” he said.

The passage of the recent legislation as well as the bill that passed in 2017, happened in the wake of strong support for the measure from the business community, from Jacksonville Jaguars owner Shad Khan to the JaxChamber and major local employers.

For many of those businesses, such protections are foremost a matter of human rights, but they're also good business, helping the city attract and keep companies and workers.

“When [LGBT people] work in cities and states that have nondiscrimination policies that mirror what their companies have, they feel that they can not only bring their full selves to work but bring their full selves to everything they do in their lives,” said Jonathan Lovitz, senior vice president for the National LGBT Chamber of Commerce.

The organization's 2017 economic report showing LGBT-owned businesses add more than \$1.7 trillion annually to the U.S. economy.

The Legislation

Getting to the bill that passed in 2017 was a long road. Legislation to expand the HRO was initially introduced in 2012, where it was defeated on a 10-9 vote. A second attempt, in 2016, was withdrawn after it seemed certain the bill would be defeated.

The legislation was finally passed with a 12-6 vote on Valentine's Day 2017. Mayor Lenny Curry allowed the bill to become law without his signature.

Since then, opponents to the expansion have fought it in court.

The issue they won on: The bill passed by the council didn't have the changes adequately written out when it was passed, instead instructing city attorneys to do so later. That, the court ruled, violated state open meeting laws.

The fix was simple – pass a bill with the changes spelled out – but after years of fighting for the changes, some proponents were worried.

And being a city that removed equal rights protection in 2020 would be a black eye for the city, with potentially wide-reaching ramifications.

Action

That's when the business community stepped up, as it did in 2017.

The JAX Chamber Board of Directors unanimously voted to reaffirm its support for the city's HRO

“Making sure that everyone in our community is protected from discrimination is and always will be a top priority for the Chamber,” JAX Chamber Chair Henry Brown said in a statement.

The Jacksonville Civic Council also reiterated its support for the HRO, with CEO Jeanne Miller emphasizing this is a “technical correction to maintain a policy that's already in place.”

She said having this HRO in place allows for a great-

er diversity in both general and LGBT-related events in the city.

Bill opponents made claims during public statements the city council was rushing the vote and that hosting council meetings via Zoom prevent public participation, but Miller noted city council has followed correct process and procedures despite changes to regular proceedings due to the COVID-19 pandemic.

Dan Merkan, policy director for LGBT nonprofit JASMYN, said passing this bill again will help “set the tone” that city leaders care about everyone in Jacksonville, including the city's fairly large LGBT community. JASMYN has served homeless LGBT youth with temporary housing and other programs for 26 years and opened a day services center in early 2020.

Wells Fargo voiced its support for the federal Equality Act, as well as local ordinances providing protections for its workers.

“Wells Fargo is proud to stand behind comprehensive federal nondiscrimination protections for LGBTQ employees ... which aligns with Wells Fargo's vision, values and goals,” the statement said.

CSX also released a statement reaffirming their commitment to “fostering a diverse and inclusive culture.”

Corporate Equality

Those companies aren't alone. For many business, especially larger ones, HRO protections are part of the checklist when they're looking to expand or relocate

“It's almost like a civic to-do list,” Midyette said. “You have to check that box to hold yourself out as a modern welcoming city that is serious about business.”

HRO expansions for LGBT workers offer “peace of mind” to allow them to focus on growing their business and protecting their family, said the LGBT Chamber's Lovitz.

Lovitz said LGBTQ people are a “thriving, vibrant part” of the American – and specifically Floridian – economy despite the current workplace and economic challenges.

“Just imagine how much stronger we could be if we didn't have to look over our shoulders from 9 to 5,” he said in regards to workplace protections.

He also said big cities such as Nashville and Louisville have seen growth in their economies following the implementation of HRO protections.

The reverse – not having those protections – jeopardizes the city's ability to grow and attract new businesses here for expansion and relocation, said Florida Blue Market President Darnell Smith. He also said this is an important issue for younger workers and could affect what type of sports and entertainment events could be hosted in Jacksonville.

“We would be the only large major city in Florida without these protections and it would not bode well for our great city,” Smith said.

Florida Blue has garnered numerous perfect scores as one of the “Best Places to Work” with the Human Rights Campaign's Corporate Equality Index, which measures inclusiveness and policies regarding LGBT concerns within large companies.

Smith said the company has made strides to provide make Florida Blue more welcoming by providing resources such as transgender 101 training for leaders and employees, an on-campus chapter of PFLAG and expansion of coverage for gender confirmation

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surgeries.

Small Businesses

For smaller companies, particularly LGBT-owned ones, the legislation is a sign the city is evolving, moving out of a fraught past.

Bobby Kelley, owner and operator of a Springfield boutique store, recounted feelings of culture shock when first moving to Jacksonville with his husband in 2015.

Some customers would make “brave, brazen” comments including reacting in disgust to his sexual orientation, and one customer expressing pleasure at the thought of another “white-owned business” opening up.

“Well, plot twist ... not only is it not a white-owned business, but it’s an interracial gay married couple that owns the business,” Kelley said.

He said arguments by HRO opponents are based in “morbid misinformation,” and only make it more challenging for business owners like himself to thrive in Jacksonville.

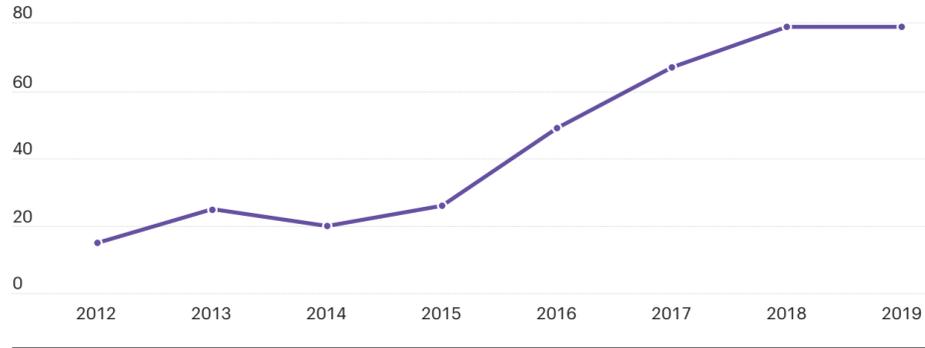
“It just is so illogical that people want to constantly protest everybody having a fair shot,” he said. “People were so upset about something that has nothing to do with them.”

Selecia Young-Jones, owner of Rainbow Notary and Nuptials Network, said having equal protection under the law is vital, despite it being a hard pill for some people to swallow.

“We all get the same bite at the apple,” she said. “We all get the same opportunity [and] we all get the same protections.”

GRADING EQUALITY

For eight years, the Human Rights Campaign Foundation and the Equality Federation Institute have been assessing LGBTQ inclusion in municipal law, policy and services. Here’s how Jacksonville has scored over the years:



PRIVATE EMPLOYERS

The HRC Foundation also ranks employers. Companies have to be one of the top 1,000 publicly traded firms, one of the top 200 law firms or be a private employer with 500 or more employees. This year, 1,059 employers agreed to participate; members of the Fortune 500 who did not take part were also ranked. Here are local business scores:

