

# New Omaha Ordinance Prohibits Sexual Orientation and Gender Identity Discrimination in Employment

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The City of Omaha has joined many other major American cities in barring discrimination based on sexual orientation and gender identity. The Omaha City Council, by a 4-3 vote, approved an ordinance extending protections to gay, lesbian, bisexual and transgendered persons. Mayor Jim Suttle signed the ordinance into law, which went into effect March 28. The amendment to Omaha's equal employment opportunity ordinance prohibits employers, employment agencies, job training programs, labor groups, public accommodations and businesses that contract with the City from discriminating against an individual on the basis of sexual orientation and gender identity.

"Sexual orientation" under the ordinance is defined as "actual or perceived heterosexuality, homosexuality or bisexuality." The ordinance defines "gender identity" as the "actual or perceived appearance, expression, identity or behavior of a person as being male or female, whether or not that appearance expression, identity or behavior is different from that traditionally associated with the person's designated sex at birth."

The new law applies to employers with at least six employees and allows gay, lesbian, bisexual and transgender residents to file complaints with Omaha's Human Rights and Relations Department. Religious organizations are exempt from the ordinance.

Employers must wait to see how the ordinance will affect them and whether it will lead to new discrimination charges. Please contact a Jackson Lewis attorney if you have any questions regarding compliance pursuant to the new ordinance or how it affects your business.

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