



Updated Wednesday, January 19, 2022

The Federal Equal Employment Opportunity Commission is currently accepting complaints of sexual orientation and gender identity discrimination in employment based on Title VII's prohibition against sex discrimination.

*North Carolina's executive order enumerates sexual orientation and gender identity. However, this order has a bathroom carve out for transgender employees making the executive order not fully inclusive.

*On June 15, 2020, the U.S. Supreme Court ruled in *Bostock v. Clayton County, Georgia* that sexual orientation and gender identity discrimination are prohibited under federal sex-based employment protections.

For more information on the Supreme Court of the United States' decision in the *Bostock vs. Clayton County* case, see [What the Supreme Court Ruling in Bostock Means For State Legislative Efforts](#).

Updated January 19, 2022, 2021

- **Prohibit discrimination against public employees based on sexual orientation only (0):**

- **Prohibit discrimination against public employees based on sexual orientation and gender identity (6 States):** Indiana, Michigan, Missouri, Montana, North Carolina, Ohio

- **Prohibit discrimination based on sexual orientation only (1 State):** Wisconsin

- **Enforcement authorities are accepting complaints on the basis of sexual orientation and gender identity because the state has adopted the Bostock rationale into state law* (9 States):** Alaska, Arizona, Florida, Kansas, Kentucky, Nebraska, North Dakota, Pennsylvania, Texas

- **Prohibit discrimination based on sexual orientation and gender identity (22 States & DC):** California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Hampshire, New Jersey, New Mexico, New York, Oregon, Rhode Island, Utah, Vermont, Virginia, Washington, Washington, DC