

## **RESOLUTION R09-03 CMS**

### **A RESOLUTION IN SUPPORT OF OHIO HOUSE BILL 176, THE EQUAL HOUSING AND EMPLOYMENT ACT, WHICH WOULD OUTLAW DISCRIMINATORY PRACTICES ON THE BASIS OF SEXUAL ORIENTATION AND GENDER IDENTITY OR EXPRESSION**

**WHEREAS**, House Bill 176, introduced in the 128th General Assembly by Representatives Dan Stewart of the 25th House District (D-Columbus) and Ross McGregor of the 72nd House District (R-Springfield), would amend the Ohio Revised Code to prohibit discrimination on the basis of sexual orientation or gender identity or expression, in many areas of activity already covered by prohibitions against various unlawful discriminatory practices within the purview of the Ohio Civil Rights Commission; and

**WHEREAS**, in addition to bipartisan sponsorship, there is also bipartisan cosponsorship of House Bill 176, including that of Representative Joseph Koziura of the 57th House District; and

**WHEREAS**, Senator Sue Morano of the 13th Senate District is on record as a cosponsor of a predecessor bill, S.B. 305 introduced in the 127th General Assembly; and

**WHEREAS**, the most fundamental and honored principles of our national heritage affirm that all persons have certain rights that cannot be assigned, taken away, or compromised; and

**WHEREAS**, these inalienable rights include the rights to life, liberty, and the pursuit of happiness; and

**WHEREAS**, life and liberty cannot be enjoyed, nor happiness pursued, if a person is identified, persecuted, or discriminated against on the basis of an element of his or her inherent nature; and

**WHEREAS**, in concert with our national, cultural, and political history of confronting discriminating practices and prohibiting their continuance, now comes the time to forever ban discrimination on the basis of sexual orientation or gender identification or expression; and

**WHEREAS**, twenty states and fifteen Ohio cities, including the City of Oberlin, have adopted laws or policies which prohibit discrimination on the basis of sexual orientation and gender identification or expression; and

**WHEREAS**, the intentional exclusion of persons may deny the community perspectives which nurture the development of new ideas, principles, products, or services; and

**WHEREAS**, job applicants and employees should only be evaluated on the basis of their potential ability, or actual performance, to fulfill the duties of a job, and not on the basis of sexual orientation or gender identity or expression which are not determinants of a person's ability or performance.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Oberlin, County of Lorain, State of Ohio, a majority of all members elected thereto concurring:

**SECTION 1.** That the Oberlin City Council hereby endorses House Bill 176, which would prohibit discrimination on the basis of sexual orientation and gender identity or expression.

**SECTION 2.** That the Clerk of Council is hereby directed to send a copy of this Resolution to both of the City of Oberlin's representatives in the State Legislature, and to Governor Ted Strickland, urging their expeditious consideration and enactment of this legislation.

**SECTION 3.** It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

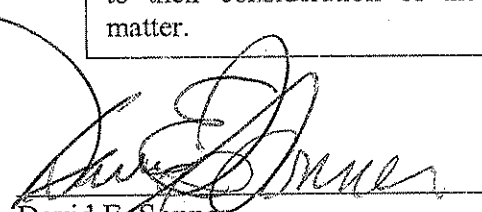
**SECTION 4.** That this resolution shall take effect at the earliest date allowed by law.

PASSED: 1<sup>st</sup> Reading -- June 15, 2009 (E)  
2<sup>nd</sup> Reading --  
3<sup>rd</sup> Reading --

...to provide a sense of this Council to the State legislature in timely fashion with respect to their consideration of the matter.

ATTEST:

  
Belinda B. Anderson  
CLERK OF COUNCIL

  
David E. Sonner  
PRESIDENT OF COUNCIL

POSTED: 6/16/2009

EFFECTIVE DATE: 6/15/2009