

EQUALITY IS GAINESVILLE'S BUSINESS

Frequently Asked Questions

Q: What is Equality Is Gainesville's Business?

A: Equality is Gainesville's Business (EQGB) is a political committee that was created to defeat Gainesville's proposed Charter Amendment 1. EQGB is comprised of a diverse coalition of Gainesville and University of Florida organizations and individuals.

Q: What is Charter Amendment 1?

A: Charter Amendment 1 is a proposed amendment to the Gainesville City Charter that will appear on the ballot for the March 24, 2009 City election. The proposed amendment is the result of a citizen petition initiative by a far-right group who seeks to take away the City Commission's ability to enact and enforce Gainesville local nondiscrimination laws.

Q. What will people see on the ballot?

A. On March 24th, the City of Gainesville's municipal ballot will read:

Amendment to City Charter Prohibiting the City from
Providing Certain Civil Rights.

SHALL THE CITY CHARTER BE AMENDED TO PROHIBIT THE ADOPTION OR ENFORCEMENT OF ORDINANCES, REGULATIONS, RULES OR POLICIES THAT PROVIDE PROTECTED STATUS, PREFERENCES OR DISCRIMINATION CLAIMS BASED ON CLASSIFICATIONS, CHARACTERISTICS OR ORIENTATIONS NOT RECOGNIZED BY THE FLORIDA CIVIL RIGHTS ACT? THE ACT RECOGNIZES RACE, COLOR, CREED, RELIGION, GENDER, NATIONAL ORIGIN, AGE, HANDICAP, MARITAL AND FAMILIAL STATUS. ADDITIONALLY, THIS AMENDMENT VOIDS EXISTING ORDINANCES CONCERNING SEXUAL ORIENTATION, GENDER IDENTITY, AND OTHER ORDINANCES INCONSISTENT WITH THIS AMENDMENT.

Q: Who will be affected by proposed Charter Amendment 1?

A: While Charter Amendment 1 clearly targets lesbian, gay, bisexual, and transgender (LGBT) people, its sweeping language has implications far beyond the LGBT community. The proposed amendment affects all citizens of Gainesville, because it takes away Gainesville's power to create, enact, or enforce nondiscrimination protections beyond the limited protections of the Florida Civil Rights Act. Charter Amendment 1 would remove sexual orientation and gender identity and it would prohibit Gainesville from adding additional protections such as veteran status, socio-economic status, or political party affiliation.

In addition, Charter Amendment 1 would remove existing nondiscrimination protections in employment for all categories (race, color, creed, religion, gender, national origin, age, handicap, marital and familial status) which are broader than those provide by state law. Specifically, Gainesville's current nondiscrimination protections apply to businesses with 5 or more employees, but state law only applies protections for employers with 15 or more employees. If Charter Amendment 1 passes, Gainesville's protections would have to mirror state law and individuals working for businesses with fewer than 15 employees who currently are protected under local law would lose

those protections (for race, color, creed, religion, gender, national origin, age, handicap, marital and familial status).

Q: What is the Human Rights Ordinance?

A: Chapter 8 of the Gainesville Code of Ordinances (the Human Rights Ordinance) sets forth the City of Gainesville's nondiscrimination law. It prohibits discrimination in employment, housing, public accommodations, and credit extension practices. It also creates the process and procedures for addressing claims of discrimination.

Q: Who is currently protected under Gainesville's Human Rights Ordinance?

A: The Human Rights Ordinance prohibits discrimination in employment, housing, public accommodations, and credit extension practices based on an individual's sexual orientation, race, color, gender, age, religion, national origin, marital status, disability or gender identity.

Q: Who does the Florida's Civil Rights Act protect?

A. The Florida Civil Rights Act (Florida Statute §§ 760.01-760.11, 509.092) prohibits discrimination in employment, housing, public accommodations, and education based on race, color, creed, religion, gender, national origin, age, handicap, marital and familial status.

Q: Are there other places that have nondiscrimination protections for sexual orientation and gender identity?

A. Yes, there are 8 cities and counties in Florida, 108 cities and counties nationwide, and 13 states and the District of Columbia that have nondiscrimination laws that are similar to Gainesville's human rights ordinance.

Q. What other classes would Gainesville want to protect? Why?

A. Three examples of classes that the City might want to add in the future are: veteran status, socio-economic status, and political party affiliation. There are several reasons why the City might decide to add these types of protections. For instance, the City might want to add protections for veterans to make sure that Gainesville is an open and welcoming place for those who return from war and to prevent and address any discrimination that they might face.

Q. I have heard Charter Amendment 1 would affect existing protections for other classes such as race, gender, religion, and sex. Is this true?

A: Yes. Charter Amendment 1 prohibits Gainesville from offering protections beyond what are provided in the Florida Civil Rights Act. The Charter Amendment would remove existing protections nondiscrimination protections in employment for all categories (race, color, creed, religion, gender, national origin, age, handicap, marital and familial status) which are broader than those provide by state law. Specifically, Gainesville's current nondiscrimination protections apply to businesses with 5 or more employees, but state law only applies protections for employers with 15 or more employees. If Charter Amendment 1 passes, Gainesville's protections would have to mirror state law and individuals working for businesses with fewer than 15 employees who currently are protected under local law would lose those protections (for race, color, creed, religion, gender, national origin, age, handicap, marital and familial status).

Q. When is the election?

A. Tuesday March 24, 2009

Q. When and where is early voting?

A. March 16-21 at the Alachua County Administration Building (12 SE 1st Street)

Q. Can I vote absentee? How do I get an absentee ballot?

A. Request an absentee ballot from the Supervisor of Elections at 352-374-5252. The last day to request your absentee ballot is Wednesday, March 18, 2009 by 5 PM.

Q. Who wrote Charter Amendment 1?

A. The proposed Charter Amendment was drafted by a conservative group in Ann Arbor, Michigan, called the Thomas More Law Center. This non-profit law firm calls itself "The Sword and Shield for People of Faith" and its legal work a "ministry." Their mission includes removing protections for lesbian, gay, bisexual, and transgender people, and they are working in cities and counties throughout the United States to promote their agenda. In a fundraising letter, their Chief Counsel states they are "currently helping several Florida pro-family groups oppose the radical homosexual agenda in their communities. ...The law center also helped draft a charter amendment and organize Christians and business leaders in Gainesville to overturn a misguided attempt to give civil rights to the self-perceived gender identity of individuals." Their intention could not be clearer. We encourage you to check it out for yourself:

http://www.thomasmore.org/qry/page.taf?id=20& function=detail&sbtblct_uid1=350& nc=510be3b1fc_af872ae265624e3eb129a1

Q. Does Charter Amendment 1 somehow make Gainesville safer?

A. No. Charter Amendment 1 has nothing to do with public safety. Criminal laws are in place to prohibit and punish criminal acts. This is true whether or not the charter amendment passes. The only thing that Charter Amendment 1 does is make discrimination legal by: removing nondiscrimination protections for lesbian, gay, bisexual, and transgender people; prohibiting Gainesville from adding protections for additional categories such as veteran or socio-economic status; and prohibiting Gainesville from continuing to offer nondiscrimination protections in employment that are stronger than those provided by state law.

Q. Does Gainesville's Human Rights Ordinance (nondiscrimination laws) change criminal law?

A. No. Nothing in Gainesville's Human Rights Ordinance changes criminal law. Gainesville's Human Rights Ordinance prohibits discrimination in employment, housing, public accommodations, and credit. Nothing about those provisions legalize behavior that is and should be prohibited by criminal law. Any suggestion to the contrary is plainly false.

Q. I have heard that Gainesville's Human Rights Ordinance (nondiscrimination laws) permits men to go into women's bathrooms and target women and children. Is this true?

A. No. This is a scare tactic with absolutely no basis in reality. Gainesville's nondiscrimination laws do not allow men to go into women's bathrooms; and, criminal law prohibits any unlawful behavior. Gainesville's nondiscrimination laws do not legalize criminal behavior. The nondiscrimination laws simply protect citizens of Gainesville from discrimination in housing, employment, public accommodations, and credit.