

**Summary of the Proposed Amendments to Chapter 111, Alachua County Code
- Human Rights Ordinance -**

Significant proposed changes include:

- Adding protections based on sexual orientation and gender-identity or expression against discrimination or harassment in employment, housing and public accommodations.
- Adding domestic partner as an example in the definition of marital status (e.g., married, single or domestic partner).
- Lowering the threshold of a covered employer from 15 to 5 employees.
- Expanding prohibited discrimination under Public Accommodations:
 - (i) requiring access to gender-specific restroom or facility that is consistent with the individual's gender-identity as presented (physical appearance/attire).
 - (ii) for shared showers/changing areas (such as locker rooms): allowing a transgender individual who has completed the transitioning process access and safe use of the facility that is consistent with the individual's gender-identity as presented (physical appearance).

- *"Transitioning"* means the process of permanently changing one's gender.
 - (iii) where identification is normally required for membership or participation, requiring alternative forms of gender identification, such as a letter from a healthcare provider or counselor, to be accepted.
- Making the ordinance applicable county-wide. The ordinance will apply to incidents of alleged discriminatory practices within the geographic boundaries of Alachua County.
 - Exceptions:
 - (i) A municipality which has its own human rights ordinance, for example, the City of Gainesville, is excluded.
 - (ii) A municipality which enacts an ordinance to opt-out of some or all provisions of the Human Rights Ordinance is excluded, to the extent of the conflict between the two ordinances.

Exceptions:

- Does not apply to religious organizations or private membership clubs.
- Domestic partnership as recognized under the ordinance shall not be construed to rise to the level of marriage as defined under state or federal law.

- Does not require an employer or private establishment to treat an unmarried couple in the same manner as a married couple for the purposes of employment benefits or membership discounts; but does not preclude an employer or business from extending such benefits to domestic partners.
- Does not require an employer to violate terms of a bona fide seniority system or benefit plan.
- Does not prohibit an employer from requiring an employee to adhere to reasonable dress or grooming standards at work, provided the employer permits an employee who is undergoing gender transition to adhere to the same dress or grooming standards for the gender to which the employee is transitioning.
- Does not require an employer or private establishment to provide accommodations that create undue burden or hardship.
 - In determining whether an accommodation is readily achievable or creates an undue burden or hardship, the standards for analysis under federal enforcement guidelines apply:

Factors to be considered include:

(i) The nature and cost of the action;

(ii) The overall financial resources of the employer or the facility; the effect on expenses and resources; or the impact on operations.

- Does not require the construction of new or additional facilities (except where required for compliance with the current Florida Accessible Building Code).
- Does not prohibit a place of public accommodation from giving special discounts/promotions on goods and services on the basis of gender or age (such as ladies' night specials or senior citizen discounts).