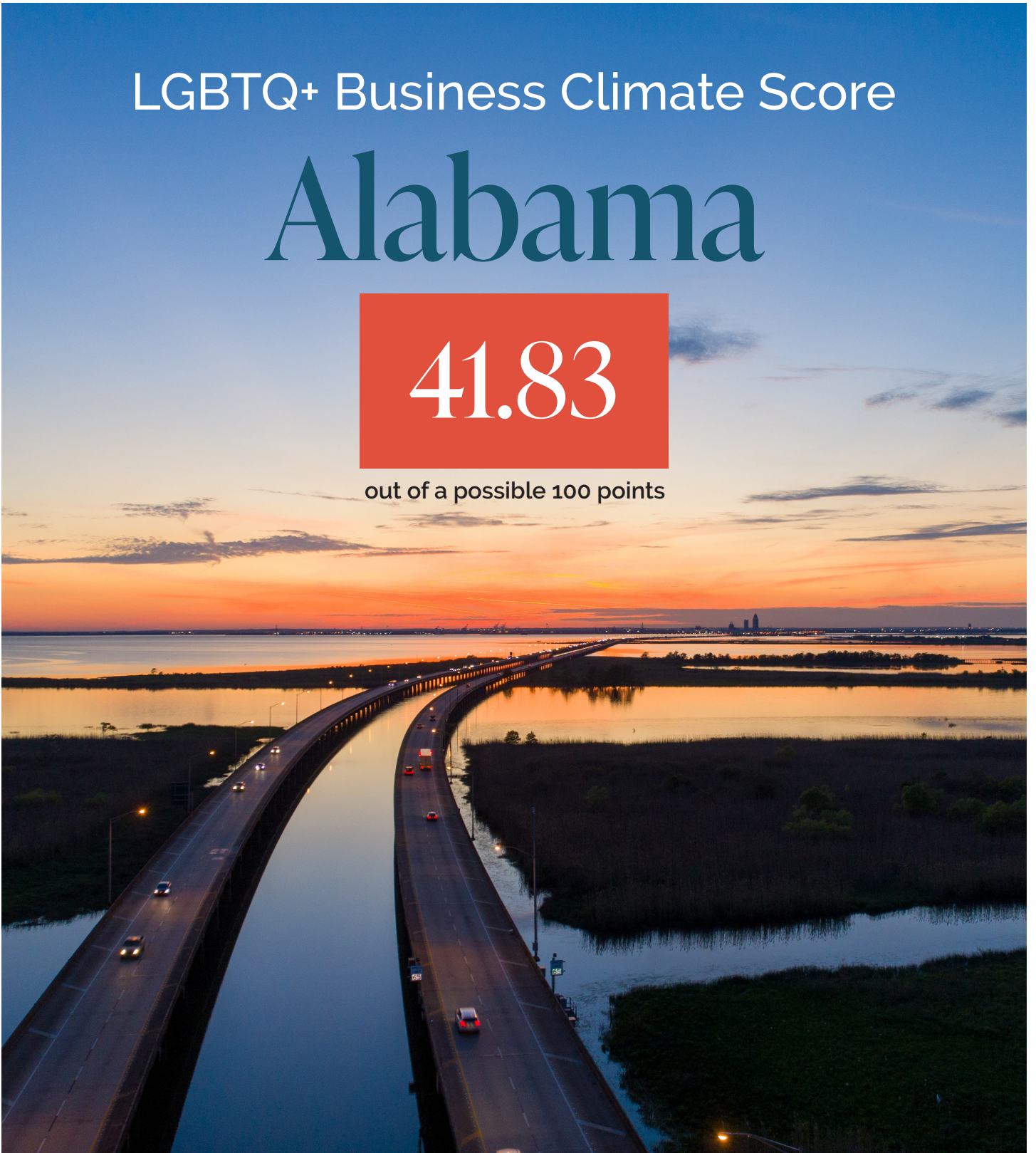


LGBTQ+ Business Climate Score

Alabama

41.83

out of a possible 100 points



Out Leadership's Business Climate Index for the 50 United States is an assessment of states' performance on LGBTQ+ inclusion. It measures the impact government policies and prevalent attitudes have on the LGBTQ+ people residing in each state, quantifying the economic imperatives for inclusion and the costs of discrimination. It equips business leaders and policy makers with a clear sense of the most impactful steps states can take to make themselves more hospitable to forward-thinking, innovative, inclusive businesses.

Color Coding



For more context around these scores, and to learn more about the criteria we used to assess how state laws, actions and attitudes toward LGBTQ+ people create business and talent risks, please visit www.outleadership.com/staterisk

Alabama



Legal & Nondiscrimination Protection

The state lacks nondiscrimination or hate crimes protections for LGBTQ+ people. Changing gender markers on driver's licenses and birth certificates both require gender affirmation surgery. Two of the 20+ murders of black transgender women in 2019 took place in Alabama.



Youth & Family Support

The state has no ban on conversion therapy. Children in foster care are not protected on the basis of sexual orientation or gender identity. Adoption agencies that eschew federal funding can discriminate against potential LGBTQ+ parents on religious grounds. The state is also one of five states where "No Promo Homo" laws, which prohibit or limit the mention or discussion of homosexuality and transgender identity in public schools, are still approved.





Political & Religious Attitudes

The state doesn't have a standalone religious exemption law, but there is a "religious freedom amendment" to the state's constitution. Alabama has one democratic U.S. Senator and one republican one, and their records on LGBTQ+ rights fall along party lines. The governor upholds existing protections but doesn't champion strengthening them.

7.60_{/20}



Health Access & Safety

Neither Medicaid nor state employee insurance have explicit language mandating trans-inclusive coverage. Knowingly transmitting HIV can be prosecuted as a misdemeanor.*

11.5_{/20}



Work Environment & Employment

11% of transgender employees in Alabama reported being harassed in the past year due to their gender identity and 18% report mistreatment such as being forced to use the wrong bathroom at work. 25% of LGBTQ+ individuals in Alabama report food insecurity, compared to 20% of their non-LGBTQ+ peers (20%). A high percentage (37%) of LGBTQ+ individuals in Alabama report making less than \$24,000 per year. 8% of LGBTQ+ individuals report unemployment in Alabama, compared to 6% of the non-LGBTQ+ population.

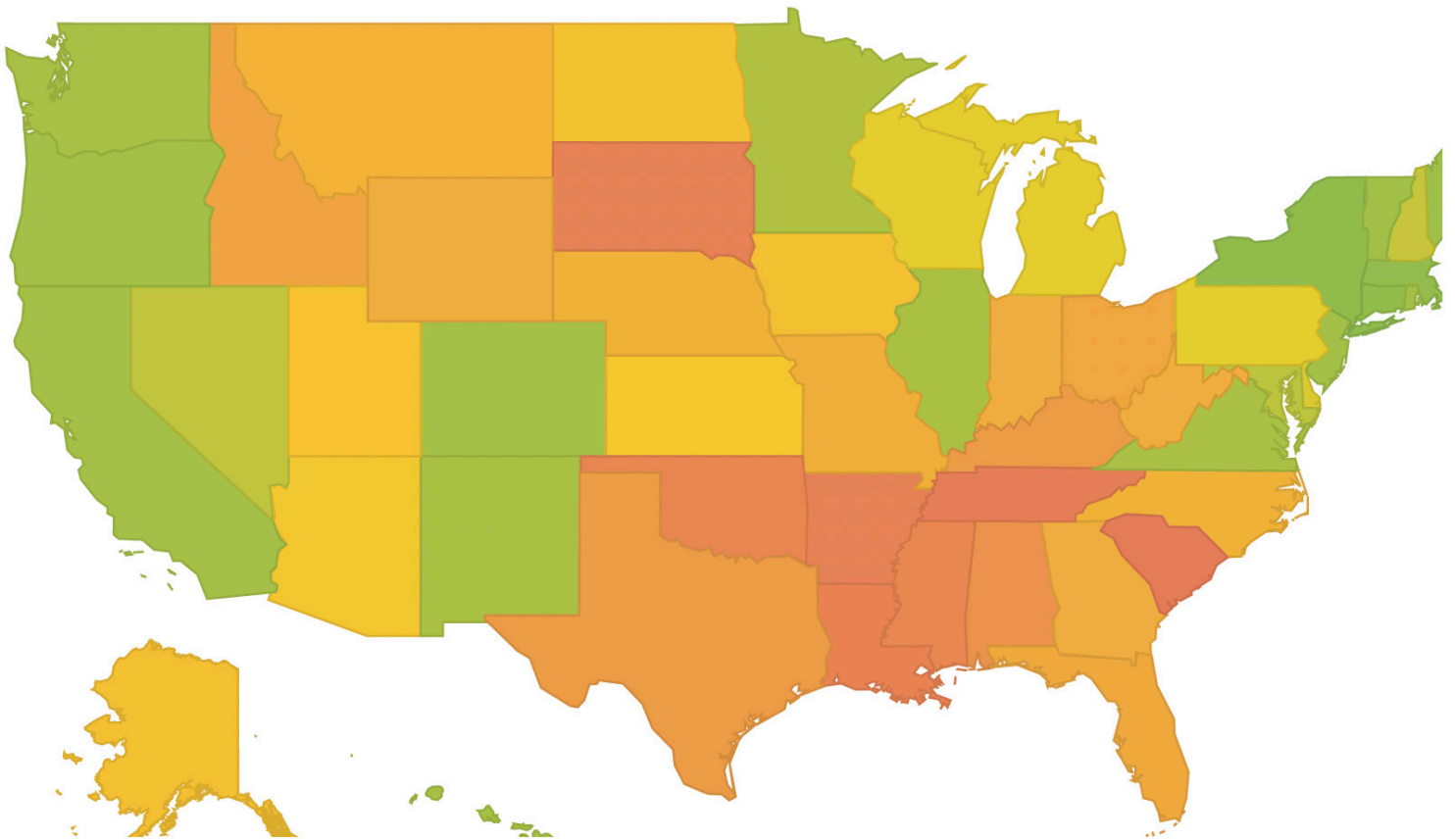
12_{/20}

A Note on Methodology

Download this report to learn how and why Out Leadership created the LGBTQ+ Business Climate Index for the 50 U.S. States, with important details about our methodology, including our data standards and practices. NOTE: *HIV criminalization laws are discriminatory and ineffective. These laws fail to account for advances made in treating and controlling HIV, may deter people from getting tested and seeking treatment, and can exacerbate the stigma targeting people living with HIV and LGBTQ+ people.

United States Heat Map

The legal and cultural situation for LGBTQ+ people varies widely across the country. This map, based on each state's total Business Climate Score, illustrates the states where LGBTQ+ people are empowered to participate more fully and openly in the economy, and the states that are lagging behind.





Alabama Talking Points

3.1% of Alabamans identify as LGBT+. Conservatively, that's LGBT+ personal income of \$6.4 billion – it's a market my business can't afford to ignore.

When LGBTQ+ employees don't feel welcome at work, they're less likely to stay, and employee turnover is a drag on the state economy and business competitiveness. It costs companies an average of \$8,106 to replace an employee in Alabama, and it can cost upwards of \$270,000 to replace senior executives. Alabama and the businesses operating there have strong incentives to create inclusive workplaces in the interest of keeping these costs down.

Nondiscrimination policies allow LGBTQ+ people to participate more fully in the economy.

Millennial and Gen Z consumers prefer to do business with companies with LGBTQ+ friendly advertising and policies – 54% say they're more likely to choose an LGBTQ+ inclusive brand over a competitor – which is why it's important that Alabama work to foster a business environment where being inclusive is supported.

Alabama has a regressive attitude towards trans-inclusive health coverage. Treating trans people as unequal makes us look complicit if we choose to do business in Alabama – equality is good for everyone's bottom line.

Regional Context

The Southeast

Out Leadership and FCB partnered on original market research into the attitudes of American workers on LGBTQ+ inclusion, which fielded in 2019 and 2020. These briefs as a whole will be updated on an ongoing basis by Out Leadership because we recognize the ever-changing nature of policy on the local, state, and national level.

LGBTQ+ workers in the Southeast are the most likely to be out at work (54.4%), but they are also 25% more likely to feel that covering behaviors are important for work place success. More broadly, non LGBTQ+ workers in this region preferred for businesses to demonstrate their support for the LGBTQ+ community using internal initiatives (like hiring more LGBTQ+ employees and creating more inclusive HR policies). However, this group was 57% less likely to approve of more public demonstrations of support (like withdrawing sponsorship from sporting events in less inclusive areas). LGBTQ+ workers in this region are 39% more likely to support inclusive businesses and 17% more likely to consider LGBTQ+ friendliness in making spending decisions compared to the non-LGBT workers nationwide. However, there is a perception that state leadership speaks about the LGBTQ+ community in a more negative way (39% more likely than nationwide), which could partially explain why LGBTQ+ workers in the Southeast are 19% more likely to say that they would be open to moving to a state with better LGBTQ+ support.

Unless otherwise noted, all comparisons for more or less likely are compared to the National results. Regional results are based off of 1,500 respondents (LGBTQ+ and Non-LGBTQ+ responses have been weighted to be age-representative for each audience in each region). National results are based off of 600 respondents representative of each audience (LGBTQ+ vs Non-LGBTQ+).

States in the Southeast region included: Alabama, Arkansas, Kentucky, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.

Current Legal Status of LGBTQ+ People in Alabama

Legal status of the Lesbian, Gay and Bisexual Community

The state's nondiscrimination laws don't extend to sexual orientation or gender identity, but two cities – Birmingham and Montevallo – offer those protections. Mobile offers those protections for housing only.

State employees are not protected from discrimination on the basis of sexual orientation or gender identity.

There are no explicit legal protections for youths in foster care on the basis of sexual orientation or gender identity.

Adoption agencies that don't receive state or federal funding can use religious belief as a basis for declining prospective parents.

Same-sex adoptive parents can both be listed on a child's birth certificate. The law is nebulous on whether same-sex couples with biological children also have this right: the "mother" on the state's birth certificate form is whoever birthed the child, and the other parental blank says "husband."

The state is one of five states where "No Promo Homo" laws, which prohibit or limit the mention or discussion of homosexuality and transgender identity in public schools, are still approved.

The Alabama Religious Freedom Amendment was passed in 1998 as a state constitutional amendment.

HIV positive people who do anything that either transmits or could transmit, the virus can be charged with a misdemeanor.

The state's hate crimes laws have no protections or provisions for sexual orientation or gender identity.

Legal Status of the Transgender Community

It's possible to amend the gender marker on a birth certificate, but it requires gender confirmation surgery, court approval, and a name change.

People can amend gender markers on a driver's license by submitting

either an amended birth certificate or a document signed by a surgeon certifying that the applicant has completed gender affirmation surgery.

There are no explicit policies either mandating that Medicaid cover transgender-related healthcare or ensuring that private insurers do so.

Government Statements and Actions

In April 2021, Gov. Kay Ivey signed a bill banning trans students from participating on sports teams that align with their gender identity. Ivey also signed a bill in March 2021 to remove anti-LGBTQ language from the state's sexed curriculum. The new law repeals legislation from 1992 that required "the homosexual lifestyle" to be characterized as an immoral public health risk.

In March 2021, the Alabama state legislature voted to make access to gender affirming care for minors a felony, punishable by up to a decade in prison and/or a \$15,000 fine.

Lashunda Scales, the Jefferson County commissioner who is running for mayor of Birmingham, was accused in April 2020 of making an anti-LGBTQ comment at a Birmingham City Council meeting years earlier. She said the statement, which was picked up by a podcast, misrepresented her pro-LGBTQ views.

In June 2019, Mayor Mark Chambers of Carbon Hill, a 2,000-person town in Northwest Alabama, posted a homophobic screed on Facebook that was later deleted. He apologized but refused to resign, and two town council members resigned in protest. He resigned a year later, when allegedly anti-Black Facebook posts were found in the run up to that year's municipal elections.

On April 8th, Alabama Governor signed 'Don't Say Gay,' trans care and bathroom ban bills. All 3 bills have had a profound impact on the access and rights of LGBTQ+ youth and adults in healthcare, education and existing in Alabama.

HB 322 requires students in public K-12 schools to only use bathrooms and locker rooms that correspond with their assigned sex at birth. It also restricts LGBTQ+ content in public school classrooms.

SB184 bans gender affirming care to minors and fines parents and practitioners who break the law.

Impact of LGBTQ+ Discrimination on Business Talent

1 NO RISK

2 LOW RISK

3 MODERATE RISK

4 NOTABLE RISK

5 HIGH RISK

For more context around these scores, and to learn more about the criteria we used to assess how state laws, actions and attitudes toward LGBTQ+ people create business and talent risks, please visit www.outleadership.com/staterisk

Brand Risk

5 HIGH RISK

Companies incur high risk to their brands by operating in Alabama, where there are no state wide LGBTQ+ inclusive nondiscrimination protection and the state's governor and one of the senators have negative voting records on LGBTQ+ issues.

Client Risk

5 HIGH RISK

There is notable risk of LGBTQ+ or strong ally clients pulling their business from companies operating in Alabama in light of the state's business climate and reputation.

Talent Risk

5 HIGH RISK

LGBTQ+ professionals are very likely to consider Alabama's legal and social environment unfriendly. There is no statewide LGBTQ+ inclusive nondiscrimination law, and the state has discriminatory policies on gender marker changes, all of which make working in Alabama unattractive to LGBTQ+ talent.

Marketing Risk

5 HIGH RISK

There is high risk involved in marketing to the LGBTQ+ community in Alabama, where there's been little progress towards legal equality over the last few decades.

Future Risk

4 NOTABLE RISK

Overall volume of discriminatory bills filed seems to be declining. However, there is a child welfare religious exemption law on the books, and there remains a notable risk of a future negative event.

Socio-cultural Environment of LGBTQ+ People in Alabama

Status of LGBTQ+ Organizing and Community

Birmingham has an annual LGBTQ+ black pride event, founded in 2018. Central Alabama Pride, based in Birmingham, is celebrating its 43rd anniversary in June 2021.

There's growing grassroots support and organizing in the state and in 2018 several cities and towns hosted their first-ever Pride events, including Auburn and Opelika.

Other organization supporting and advancing LGBTQ+ work include Southern Poverty Law Center in Montgomery, Equality Alabama and TAKE – Transgender Advocates Knowledgeable Empowering.

BIRMINGHAM AIDS OUTREACH (BAO) was the first nonprofit, community-based organization dedicated to providing HIV/AIDS prevention education and services for persons/families living with HIV/AIDS in the state of Alabama. All HIV programs at BAO are offered free of charge and include food bank, nutritional supplements and food vouchers, legal services, clothes and household items closet, medical assistance, counseling and support groups, among multiple other services.

In April 2014, BAO opened a LGBTQ youth center, the Magic City Acceptance Center (MCAC), a youth LGBTQ center offering all programs free of charge that include legal clinic, name change clinic, HIV/STD/STI testing and education, etc

In January 2016, BAO opened the Magic City Wellness Center (MCWC), a LGBTQ medical facility providing general medicine, a PrEP/PeP clinic, hormone replace therapy (HRT), free counseling and support groups, trans support group, etc.

In August 2019, BAO started the LGBTQ free legal program. BAO will open the Magic City Acceptance Academy (MCAA) August 2021, Alabama's first and only LGBTQ affirming charter school. There work will be impacted by the new laws past this year.



Cultural Views of the LGBTQ+ Community

In March 2020, the Alabama-based Foundation for Moral Law, a conservative advocacy organization founded by disgraced former State Supreme Court Justice Roy Moore, filed an amicus brief with the U.S. Supreme Court seeking to overturn *Obergefell v. Hodges*.

64% of Alabamians support employment nondiscrimination protections for LGBTQ+ people.

49% of Alabamians oppose allowing small businesses to discriminate against LGBTQ+ people on religious grounds.

Alabama is the only state in the nation where a majority of residents oppose same-sex marriage.

Alabama is the only state in the nation in which local marriage offices opted to cease offering marriage licenses to anyone rather than serving same-sex couples. A bill passed by the state house in 2019 ended the marriage license requirement as a workaround in favor of same-sex couples.



Partners

Our partnerships make our work possible. The first State LGBTQ+ Business Climate Index released in 2019 was funded by a grant from the Gill Foundation. The Index is based on data graciously shared by the Movement Advancement Project and the Williams Institute. Ropes & Gray is our pro bono legal partner for the CEO Business Briefs globally, and their research informs this Index. FCB partnered with us to conduct original market research into American attitudes toward LGBTQ+ workplace inclusion, informing the Regional Context section of the State CEO Briefs. America Competes supported the development of the scoring for the Risk Assessments, particularly for the Future Risk score.

