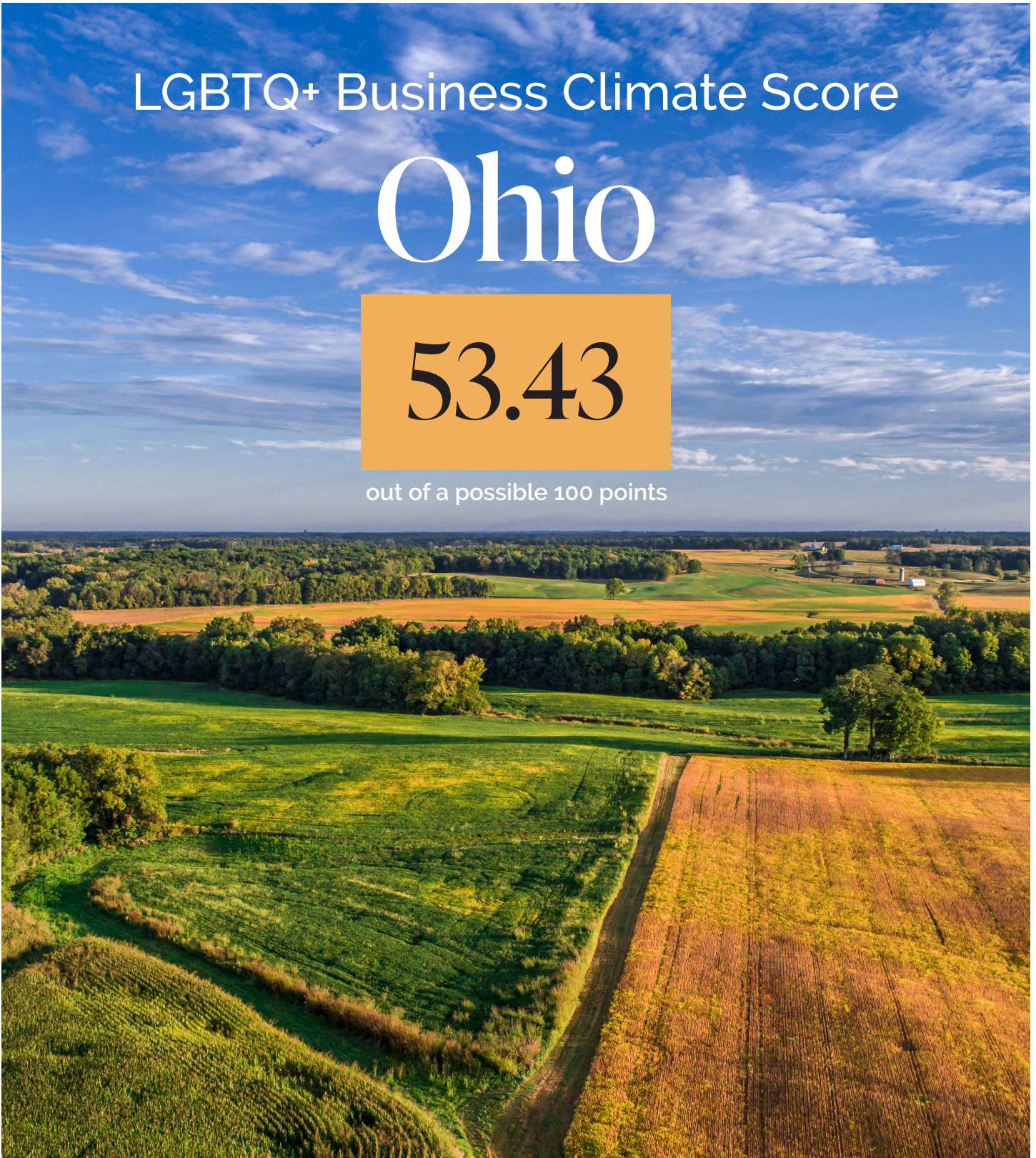


LGBTQ+ Business Climate Score

Ohio

53.43

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

Ohio



Legal & Nondiscrimination Protection

There are no statewide nondiscrimination laws inclusive of sexual orientation and gender identity, though there are protections for state employees. As of June 2021, Ohio becomes the second-to-last state to allow changing gender markers on birth certificates. It is possible to change gender markers on a driver's license, but this requires a form signed by a physician stating the applicant is "ready for or has completed" a gender transition (surgery is not required).

15.50_{/20}



Youth & Family Support

Conversion therapy is legal in Ohio. LGBTQ+ people and couples are permitted to adopt in Ohio, but the non-biological partner in an unmarried couple has no claims to custody absent an official agreement. There are no non-discrimination laws or anti-bullying policies in place to support LGBTQ+ students in Ohio.

11.73_{/20}



Political & Religious Attitudes

Ohio's laws match federal laws protecting religious expression and the state has not adopted an anti-LGBTQ+ "religious freedom" law. Both U.S. senators have positive records of supporting LGBTQ+ issues. Though Governor Mike DeWine recently in stated LGBTQ+ nondiscrimination for state employees, his overall record on LGBTQ+ rights is poor.

14.20/20



Health Access & Safety

Transgender healthcare can be difficult to access under Medicaid, and the state has no insurance nondiscrimination protections in place for either gender identity or sexual orientation. The state does not ban private insurance companies from excluding transgender healthcare coverage. The state's hate crimes protections do not cover sexual orientation or gender identity. A positive HIV+ status can result in a felony, and HIV is the only disease specifically criminalized in Ohio's code.

6/20



Work Environment & Employment

19% of transgender employees in Ohio report being harassed in the past year due to their gender identity, and 34% report mistreatment such as being forced to use a restroom not matching gender. 33% of LGBTQ+ Ohioans report food insecurity, more than double non-LGBTQ+ Ohioans (16%). LGBTQ+ unemployment (11%) is more than twice the general rate (5%).

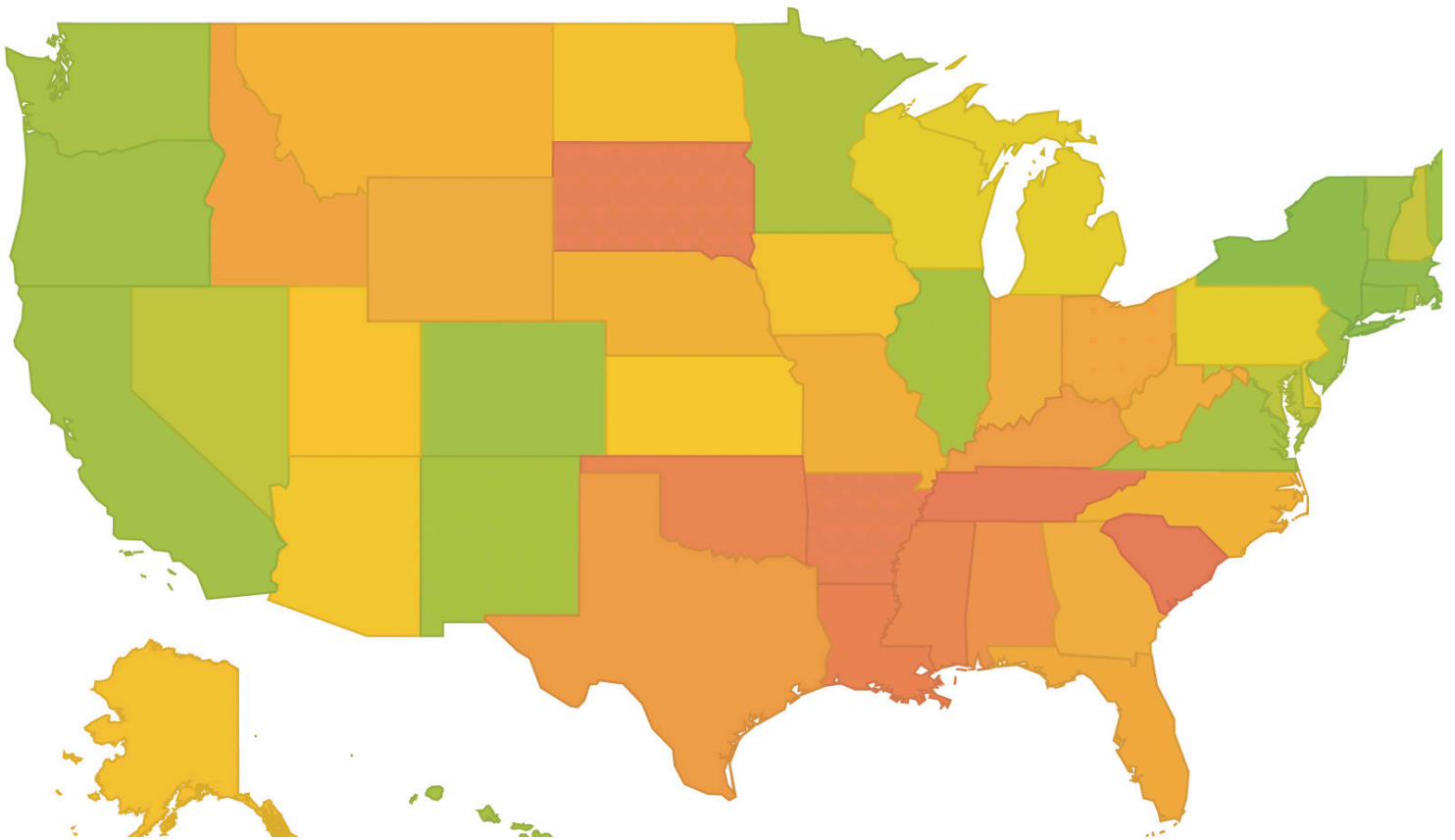
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A Note on Methodology

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.





Ohio Talking Points

4.3% of Ohioans identify as LGBTQ+. Conservatively, that's LGBTQ+ personal income of \$24.2 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 \$9,390 to replace an employee in Ohio, and it can cost over \$428,000 to replace senior executives. Ohio 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 Ohio continue to foster a business environment where being inclusive is supported.

Ohio has a regressive attitude towards trans people when it comes to hate crimes and antidiscrimination protections, health care protections, and changing gender markers on official IDs. Treating trans people as unequal makes us look complicit if we choose to do business in Ohio – equality is good for everyone's bottom line.

Regional Context

The Midwest

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.

Only 50.8% of the LGBTQ+ audience in the Midwest are out at work. They are only slightly more comfortable being open with their managers than other regions (14% more likely), but they are the least likely to cover their identity at work (17% less likely than nationwide). This could be due to the Midwest having the lowest rates for observing microaggressions (23% less likely) and hearing or engaging in negative conversations on average. However, workers in this region do not typically go out of their way to do business with inclusive companies (21% less likely than the nation as a whole). This is primarily driven by those who live in more rural areas where respondents were 85% less likely to do business with companies that are inclusive.

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 Midwest region included: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, North Dakota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

Current Legal Status of LGBTQ+ People in Ohio

Legal status of the Lesbian, Gay and Bisexual Community

In Ohio, there is currently no law prohibiting discrimination on the basis of sexual orientation or gender identity in housing, or public accommodations. Some 29 localities do have sexual orientation and/or gender identity inclusive nondiscrimination ordinances. Nondiscrimination policies on the basis of sexual orientation and gender identity are in place for state employees.

Ohio's hate crimes legislation does not specifically enumerate sexual orientation or gender identity as protected classes.

Ohio does not prohibit married LGBTQ+ couples from adopting. The state permits unmarried adults to adopt, and the Supreme Court of Ohio has explicitly recognized that the right to adopt is not limited to straight adoptive parents. Additionally, LGBTQ+ parents are protected by adoption and foster care nondiscrimination protections on the basis of sexual orientation and gender identity.

Ohio does not recognize second-parent adoptions but does recognize step-parent adoptions for married couples.

Ohio courts have upheld the enforceability of custody agreements between unmarried LGBTQ+ parents but have declined to recognize any parental rights of a non-biological partner in the absence of such an agreement, unless a determination of parental unsuitability is made.

There is no statewide ban on conversion therapy, although certain Ohio cities have adopted ordinances banning the practice.

Legal Status of the Transgender Community

Ohio allows a person to change the gender marker on their state identification documents (such as their driver's license) and, as of July 2021, allows changing the gender marker on their birth certificate. There is a nonbinary "X" option available for birth certificates, but not for driver's licenses.

To change the gender marker on an Ohio driver's license, a person must

submit a 'Declaration of Gender Change' form, which must be signed by a physician, psychologist or licensed therapist who can attest to the person being "sufficiently ready for, or has completed a gender role transition, and it is intended this role change is to be permanent." Gender options are male or female.

Ohio's state Medicaid program does not cover costs relating to "gender transformation." Ohio does not require private insurers to cover transgender healthcare.

The placement of incarcerated transgender individuals is determined on a case-by-case basis; there is no guarantee of placement in a facility that aligns with a prisoner's gender identity.

Government Statements and Actions

There are multiple anti-trans bills pending in the state house in the 2021 session, including one that would limit youth sports to cisgender participants, and another that would ban gender-confirmation treatment for minors. Additionally, a new bill introduced in the 2022 session would prohibit the teaching of LGBTQ+ topics in public schools.

A bill that would ban conversion therapy in the state was introduced in the senate in 2021.

Discrimination on the basis of gender identity is currently prohibited in Ohio under federal law. In March 2018, in the case of *EEOC v. R.G. & G.R. Harris Funeral Homes, Inc.*, the Sixth Circuit held that "[d]iscrimination on the basis of transgender and transitioning status is necessarily discrimination on the basis of sex" and therefore prohibited under Title VII. The U.S. Supreme Court reaffirmed this ruling in 2020.

Ohio currently has 5 anti-LGBTQ+ bills going through the state legislature.

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

3 MODERATE RISK

Companies incur moderate risk to their brands by operating in Ohio, which lacks discrimination protections but is making clear efforts to be more equitable and welcoming to its LGBTQ+ residents.

Client Risk

4 NOTABLE RISK

There is notable risk of LGBTQ+ or strong ally clients pulling their business from companies operating in Ohio in light of the state's business climate and reputation, and particularly its regressive birth certificate policy.

Talent Risk

3 MODERATE RISK

Ohio still lacks nondiscrimination and hate crime protections, making working there unattractive for LGBTQ+ professionals.

Marketing Risk

4 NOTABLE RISK

The slow rate of progress on equality in Ohio makes marketing to LGBTQ+ people there a notable risk.

Future Risk

2 LOW RISK

State lawmakers appear to have little appetite for discriminatory legislation, and there is some bipartisan support for nondiscrimination protections. The risk of a future negative event is low.



Socio-cultural Environment of LGBTQ+ People in Ohio

Status of LGBTQ+ Organizing and Community

Columbus's annual pride parade regularly attracts over 700,000 attendees.

Columbus is actively marketing itself as an LGBTQ+ destination, with an ad campaign and official website pages and newsletters.

Cleveland has earned a perfect score on HRC's LGBTQ+ inclusiveness rankings for the past three years.

Cultural Views of the LGBTQ+ Community

The number of hate groups active in the state is on the rise, according to the Southern Poverty Law Center.





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.

