

LGBTQ+ Business Climate Score

Washington

85.83

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

Washington



Legal & Nondiscrimination Protection

There is a nonbinary gender option for birth certificates and driver's licenses. Changing gender markers on both of those documents is an easy, straightforward process that doesn't require surgery. The state has comprehensive nondiscrimination protections inclusive of sexual orientation and gender identity.



Youth & Family Support

It's illegal for licensed clinicians to practice conversion therapy for minors in the state. Children in foster care are protected from discrimination on the basis of sexual orientation or gender identity. Adoption agencies are banned from discriminating against potential parents on religious grounds.





Political & Religious Attitudes

The state's Governor and U.S. Senators consistently speak and vote for LGBTQ+ equality and inclusion. The state does not have a religious exemption law that allows LGBTQ+ discrimination.

20/20



Health Access & Safety

State Medicaid and private insurance providers must cover trans-related healthcare. Exposing someone to HIV can still be prosecuted as a felony, punishable by life in prison.*

15/20



Work Environment & Employment

17% of transgender employees in Washington reported being harassed in the past year due to their gender identity, 23% reported mistreatment such as having someone at work share private information about their gender. 25% of LGBTQ+ individuals in Washington reported food insecurity, compared to 12% among non-LGBTQ+ people (12%). Up to 22% of LGBTQ+ individuals in Washington reported making less than \$24,000 per year. 10% of LGBTQ+ individuals report unemployment in Washington, compared to 5% of non-LGBTQ+ people.

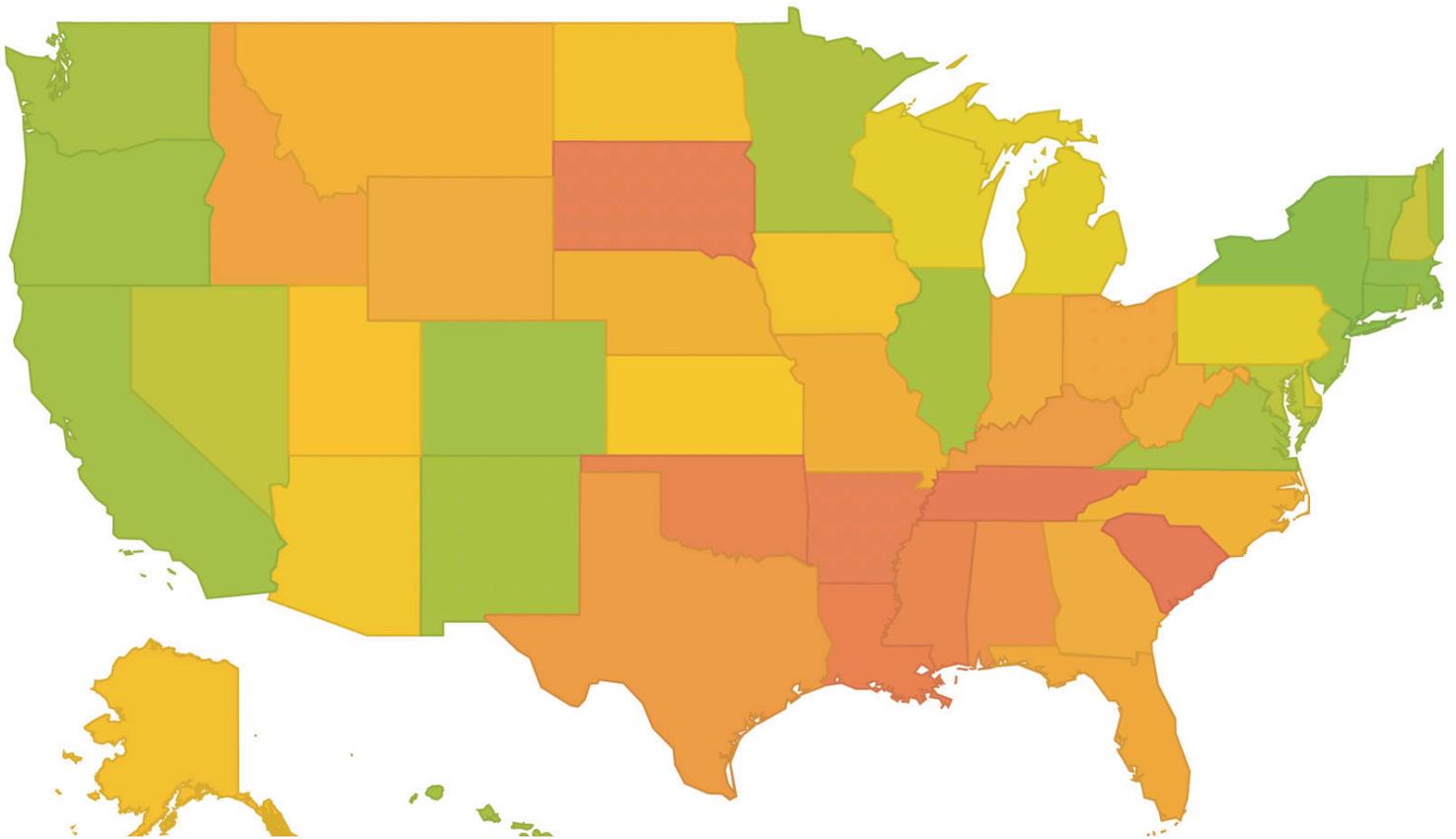
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A Note on Methodology

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.





Washington Talking Points

5.2% of Washingtonians identify as LGBTQ+. Conservatively, that's LGBTQ+ personal income of \$23.8 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 \$57,480 to replace an employee in Washington, and it can cost up to \$470,000 to replace senior executives. Washington and the businesses operating there have strong financial incentives to create inclusive workplaces in the interest of keeping these costs down.

Washington's comprehensive nondiscrimination law protects LGBTQ+ people, so the state is already experiencing the positive economic impacts of such policies.

One estimate suggests that the state's economy may have grown 3%, thanks to its inclusive approach. That said, there's still a gap between policy and culture, and organizations in Washington have a business imperative to ensure that LGBTQ+ people feel welcome in their workplaces.

Washington has a favorable economic environment for business investment – but taking steps to make LGBTQ+ people feel safer and more included would better enable companies to attract top LGBTQ+ talent.

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 Washington continue to foster a business environment where being inclusive is supported.

Regional Context

The West

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.

Overall, 52.5% of LGBTQ+ workers in the West are out at work. However, urbanicity has a big impact on whether LGBTQ+ workers feel comfortable sharing personal information at work (LGBTQ+ workers are 26% less likely to share when in rural areas vs 4% less likely to share in urban areas compared to national average). There is also a big impact when it comes to age and being open to managers, with older LGBTQ+ workers in this region being more likely to share with their managers than any other age group nationwide (52% more likely). West workers are also 14% more likely to report microaggressions at work which may be why LGBTQ+/Allies are also 15% more likely to say they want to work with companies that are more supportive of LGBTQ+ rights. Even though there are reports of microaggressions in the workplace, workers in this region were 35% less likely to say that the state's leadership talked negatively about LGBTQ+ issues.

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 Western region included: Alaska, California, Colorado, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming.

Current Legal Status of LGBTQ+ People in Washington

Legal status of the Lesbian, Gay and Bisexual Community

Washington state law prohibits discrimination based on sexual orientation and gender identity in housing, employment, education, lending, insurance and public accommodation.

Children in foster care are protected from discrimination on the basis of sexual orientation, gender identity, or gender expression.

Washington's anti-bullying law prohibits bullying on the basis of sexual orientation, gender expression and gender identity.

Washington state does not permit agencies to refuse placements based on their religious beliefs.

Washington does not have a religious exemption law. State legislators introduced one in 2017, but it failed to pass.

It's a Class A felony to administer, transmit or expose another person to HIV "with the intent to inflict great bodily harm," punishable by up to life imprisonment and/or a fine of up to \$50,000.

Washington's health code allows public health officials to request permission to detain people when they "know or have reason to believe" that a person has a sexually transmitted disease and is engaging in behaviors that present an "imminent danger to the public health".

The state's hate crimes protections cover sexual orientation, gender identity, and gender expression.

Licensed clinicians are prohibited from using conversion therapy on minors, but non-licensed counselors who do so aren't breaking the law.

Legal Status of the Transgender Community

There has been a nonbinary "x" option available on birth certificates since 2018, and the same option is available on driver's licenses as of October 2019.

Any adult born in Washington can change birth certificate gender markers with a notarized form. A name change requires a court order.

A name change on a driver's license requires showing evidence that an applicant has legally made the switch, such as a court order or an amended birth certificate.

Changing the gender marker on a driver's license entails submitting a change of gender designation request.

Washington Apple Health, the state's Medicaid program, covers medically necessary surgical and nonsurgical services for transgender individuals. These include services such as gender affirming related hormones, primary care visits, mental health visits, and various surgeries.

Washington's antidiscrimination law prohibits discrimination against transgender individuals in insurance transactions.

Washington's antidiscrimination rules include a provision that trans people cannot be forced to use a gender-segregated facility that is inconsistent with their gender identity. This applies to all places of public accommodation and workplaces with eight or more employees.

Government Statements and Actions

Gov Jay Inslee signed a bill banning the gay "panic defense" in March 2020.

The state created an LGBTQ Commission in 2019 to communicate with the state's LGBTQ community, identify and advocate for its needs and push for equity and inclusion in government.

The Governor signed strengthened protections for trans students in the state in July 2019, mandating that each school district follow a central policy with strong anti-bullying and equality protections, and that they appoint a point person responsible for the policy's enforcement.

Second-term Seattle Mayor Jenny Durkan was the second-ever openly lesbian candidate elected to lead a major American city.

In June 2019, the state Supreme Court upheld a prior decision against a woman who refused to sell flowers to a gay couple for their wedding. The court ruled the woman violated the state's anti-discrimination and consumer protection laws.

There are currently 4 anti-LGBTQ+ bills working their way 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

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Brand Risk

1 NO RISK

Companies incur no brand risk by doing business in Washington, which has comprehensive laws protecting LGBTQ+ people and a correspondingly great reputation.

Client Risk

1 NO RISK

There's no reason to believe that LGBTQ+ or strong ally clients would pull business from companies operating in Washington, which has publicly prioritizes LGBTQ+ welfare.

Talent Risk

1 NO RISK

Washington has comprehensive nondiscrimination laws and protections, making it a state top LGBTQ+ talent would prioritize.

Marketing Risk

1 NO RISK

There's no risk in marketing to the LGBTQ+ community in Washington.

Future Risk

1 NO RISK

Washington state has state wide nondiscrimination protections in place, and a low and declining volume of discriminatory legislation filed in the past few years. We do not see any risk of a negative event in the foreseeable future.

Socio-cultural Environment of LGBTQ+ People in Washington

Status of LGBTQ+ Organizing and Community

The state's largest pride event, in Seattle, is 47 years old and attracted some 60,000 people in 2019. It went digital in 2020 and 2021 due to the coronavirus.

A separate organization, Capitol Hill Pride, has an in-person event planned for June 2021.

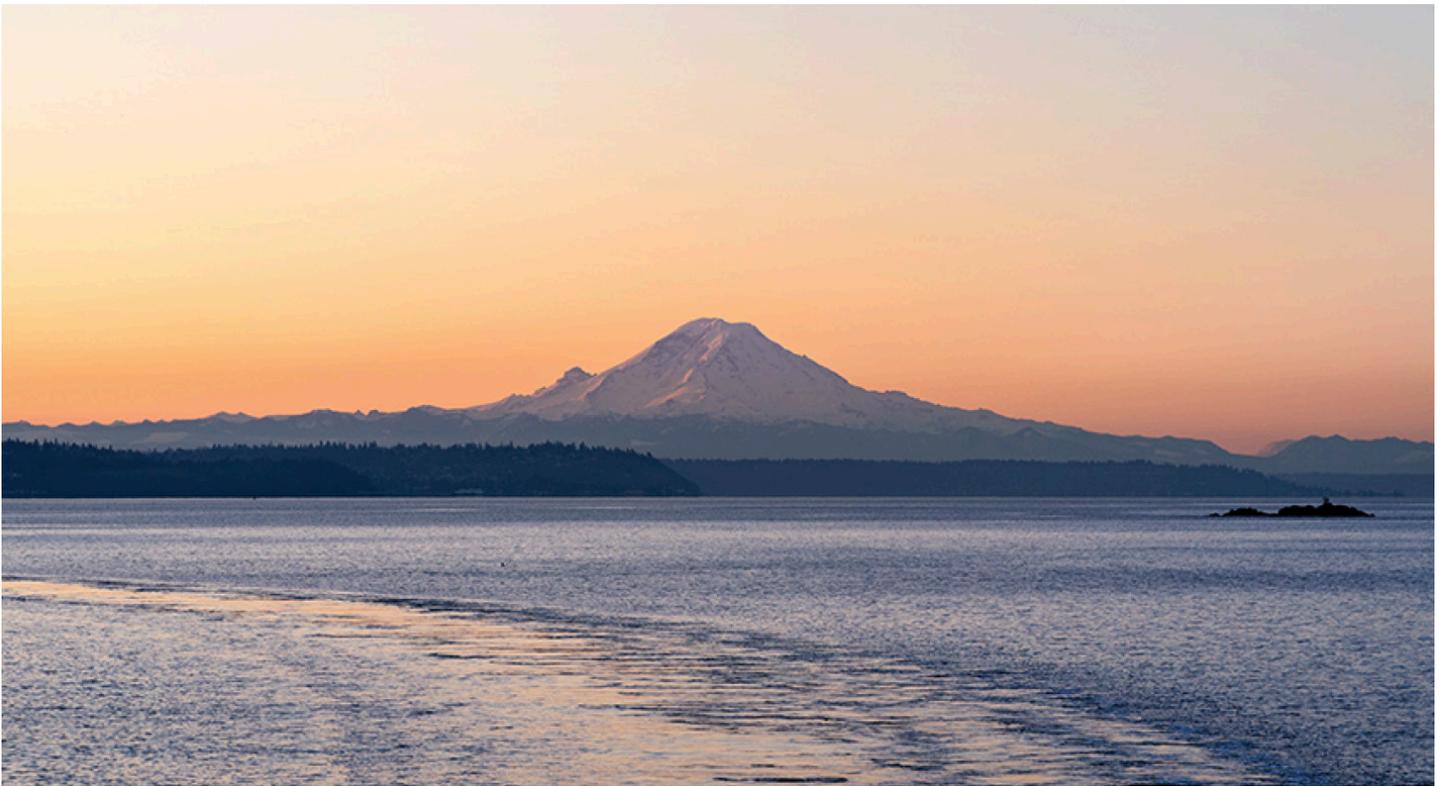
Cultural Views of the LGBTQ+ Community

When a Christian high school in the Seattle metro area got a more vocally conservative leader, at least five teachers quit rather than be complicit in potentially harming students in the LGBTQ+ community.

56% of Washingtonians oppose religious exemptions that would allow small business owners to discriminate against LGBTQ+ people.

74% of residents favor LGBTQ+ anti-discrimination protections.





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.

