

Ohio

LGBTQ+ Business Climate Score

out of a possible 100 points

50.35

NOTABLE RISK



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 outleadership.com/driving-equality/us-state-ceo-briefs/

Ohio



Legal & Nondiscrimination Protection

The Legal and Nondiscrimination Protections section includes two subsections: The **Personal Legal Scale** assesses the state's laws directly impacting LGBTQ+ individuals. This includes processes for transgender people to change their gender markers on birth certificates and driver's licenses, as well as protections for individuals in housing, the workplace, public spaces, foster care, and more. **Two Nondiscrimination Protections Scales** assess the extent to which LGBTQ+ people are protected under state law. One evaluates nondiscrimination laws related to employment and the other evaluates any nondiscrimination laws related to housing, public accommodations, credit and lending.



Youth & Family Support

The Youth and Family Support section contains three subsections. The **Family Support Scale** measures how supportive the state is of LGBTQ+ people who are in or wish to start families. Elements of this scale include: the percentage of LGBTQ+ families raising children, and whether state family leave laws cover same-gender couples and allow workers to care for the children they are raising. The **Children and Youth Scale** assesses the resources available to LGBTQ+ children and youth in the state, including whether the state has non-discrimination laws and policies for LGBTQ+ students. The **Targeted Laws** section evaluates states on whether they ban discussion of same-gender marriage in schools, and whether they ban conversion therapy for minors.





Political & Religious Attitudes

The Political and Religious Attitudes section contains two subsections. Taken together, these scales assess the tone of the state's conversation around LGBTQ+ rights. The **Religious Protections Scale** assesses the extent and impacts of a state's constitutional or statutory religious exemption laws, and whether state law provides for targeted religious exemption from laws governing child welfare services, private wedding services, and the provision of medical care. The **State Leadership Scores** are Out Leadership's unique measures evaluating the state's most senior elected officials – the Governor and the two U.S. Senators – and assessing how they've represented their views of LGBTQ+ people in speeches and in their political platforms, and in terms of how they've acted with regard to laws impacting LGBTQ+ equality.

13.20/20



Health Access & Safety

The Health Access and Safety section contains two subsections. The **Health Scale** assesses LGBTQ+ people's access to insurance and medical care in each state, giving particular emphasis to the most economically precarious and vulnerable members of the community. The **Safety Scale** is based on two significant laws protecting or criminalizing behaviors affecting LGBTQ+ people. It asks whether the state protects LGBTQ+ people in its hate crime laws. It also assesses whether the state criminalizes exposure to or transmission of HIV.

6.00/20



Work Environment & Employment

The Work Environment and Employment section contains two subsections. The **Work Environment Scale** assesses transgender individuals' experiences at work, including incidences of verbal harassment, sexual assault, and other mistreatment. The **Employment Scale** is based on assessments of LGBTQ+ employment in the state. This scale includes the percentage of LGBTQ+ people making less than \$24,000 annually (approximately the current Federal poverty line), and the differences in unemployment rates and food insecurity between LGBTQ+ and non-LGBTQ+ identified individuals.

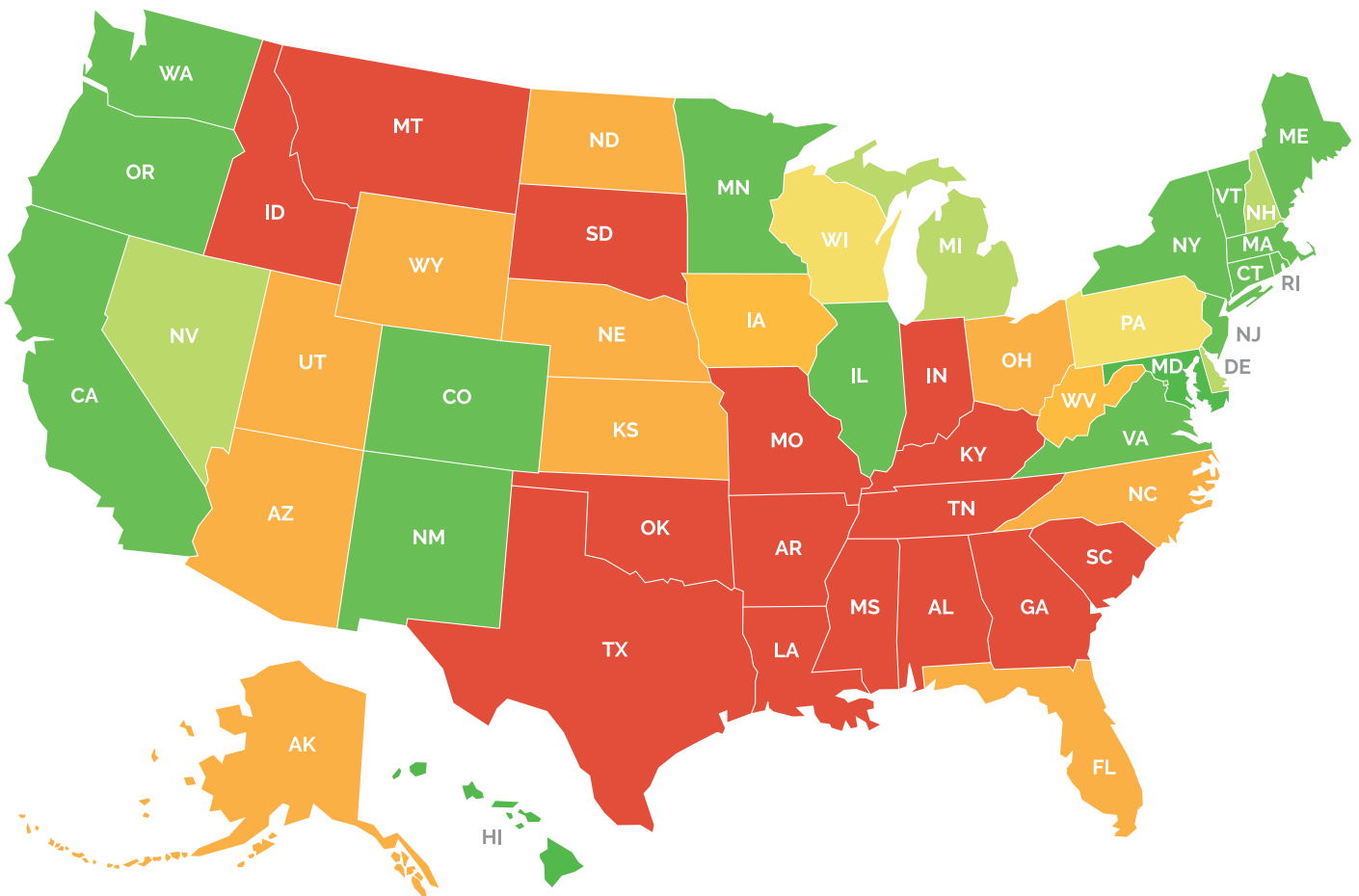
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A Note on Methodology

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.

Increased hostile policy toward the LGBTQ+ community will have a negative impact on companies ability to attract and retain top talent.

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

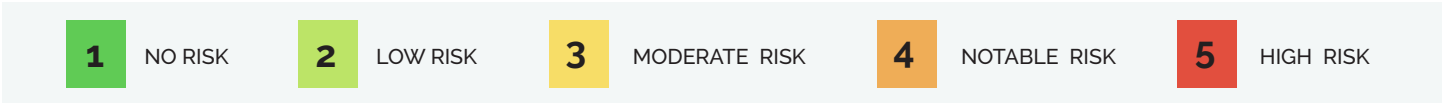
Out Leadership and FCB partnered on original market research into the attitudes of American workers on LGBTQ+ inclusion, which fielded in 2019 and 2020. These briefs as a whole will be updated on an ongoing basis by Out Leadership because we recognize the ever-changing nature of policy on the local,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

Only 50.8% of LGBTQ+ workers 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.

Impact of LGBTQ+ Discrimination on Business Talent



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<h2>Brand Risk</h2> <p>3 MODERATE RISK</p> <p>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.</p>	<h2>Client Risk</h2> <p>4 NOTABLE RISK</p> <p>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.</p>
<h2>Talent Risk</h2> <p>3 MODERATE RISK</p> <p>Ohio still lacks nondiscrimination and hate crime protections, making working there unattractive for LGBTQ+ professionals.</p>	<h2>Marketing Risk</h2> <p>4 NOTABLE RISK</p> <p>The slow rate of progress on equality in Ohio makes marketing to LGBTQ+ people there a notable risk.</p>
<h2>Future Risk</h2> <p>2 LOW RISK</p> <p>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.</p>	

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 over the last few years, 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, and re-introduced in the 2023 session, would prohibit the teaching of LGBTQ+ topics in public schools.

Republican Gov. Mike DeWine has a history of supporting anti-LGBTQ+ policies and has enacted anti-LGBTQ+ laws during his time in office.

A bill that would ban conversion therapy in the state was introduced in the senate in 2021 but has not been passed as of 2023.

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.



Socio-cultural Environment of LGBTQ+ People in Ohio

Status of LGBTQ+ Organizing and Community

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

