

# Vermont

LGBTQ+ Business Climate Score

out of a possible 100 points

87.50

NO 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/](https://outleadership.com/driving-equality/us-state-ceo-briefs/)

# Vermont



## 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.

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.

18.0/20



## 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.

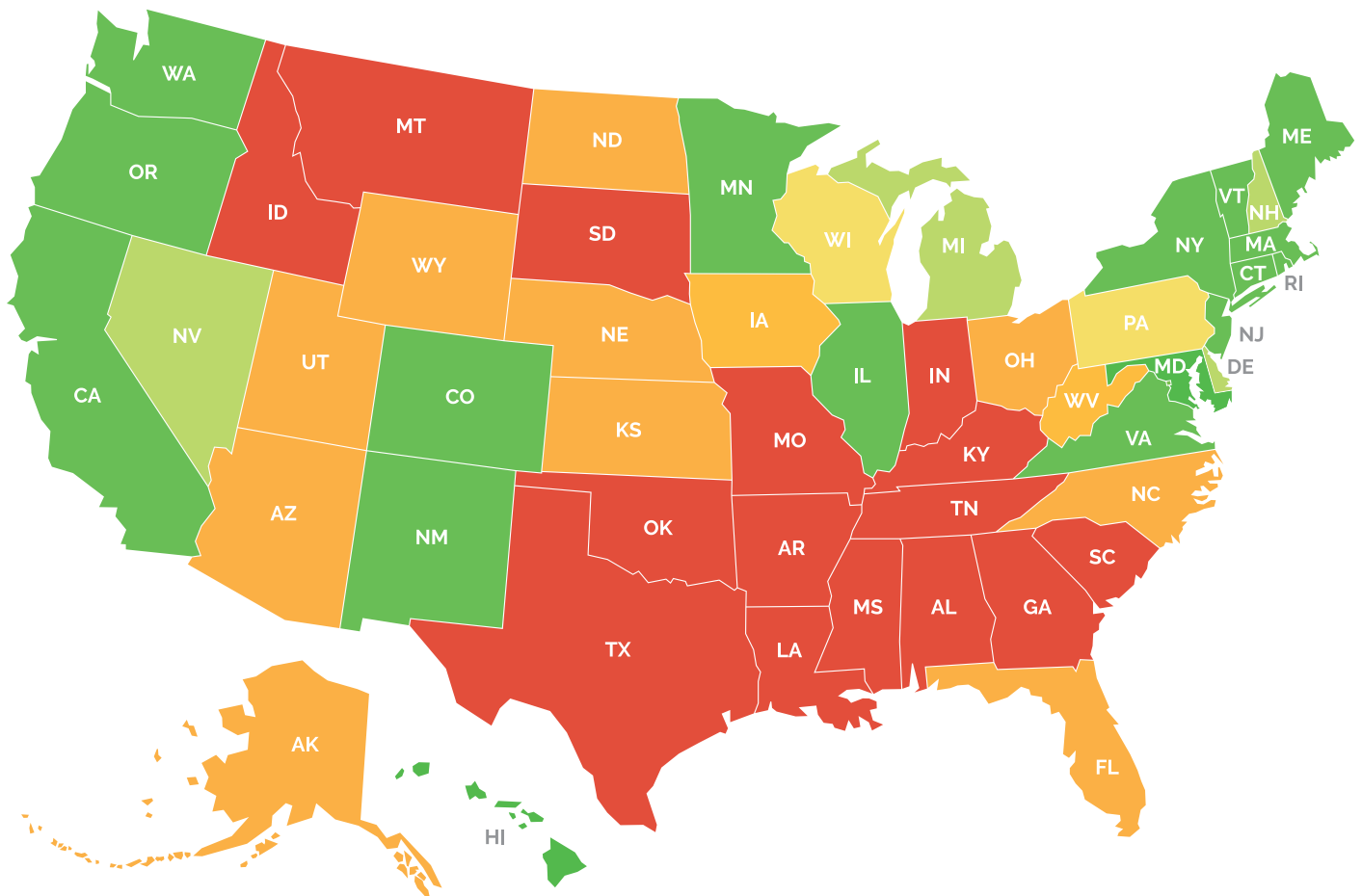
13.0/20

## 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.





# Vermont Talking Points

5.2% of Vermonters identify as LGBTQ+. Conservatively, that's LGBTQ+ personal income of \$1.7 billion – it's a market my business can't afford to ignore.

Vermont'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%, or \$976 million, thanks to its inclusive approach. That said, there's still a gap between policy and culture, and organizations in Vermont have a business imperative to ensure that LGBTQ+ people feel welcome in their workplaces.

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

## Regional Context

# The Northeast

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.

The Northeast has the lowest percentage of those who are out at work (49.6%). LGBTQ+ workers in urban environments, however, do feel slightly more comfortable talking about their personal lives vs. urban LGBTQ+ workers for the rest of the country (17% more likely than nationwide). Workers in this region are more likely to hear or engage in negative conversations about LGBTQ+ people at work. Particularly for the non-LGBTQ+ group, which is 23% more likely to report observing or experiencing negative conversations about LGBTQ+ people vs the nation as a whole. Despite being more likely to hear negative conversations at work, workers in this region are the least likely to say that they hear this negativity from state leadership. They are 61% less likely to report that leadership in their state talks about LGBTQ+ people in predominantly negative terms. Like most regions, there is a strong difference between urban and rural audiences, especially for the self-rated importance of team diversity when looking for jobs. LGBTQ+ / Allies living in Rural areas care the least about diverse teams when looking for jobs (49% less likely than nationwide). Finally, audiences in the Northeast were 20% more likely to list "Supporting LGBTQ+ Pride celebrations" as one of their top three ways businesses can demonstrate their support for the community.

*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 Northeast region included: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont.

# 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 Vermont, 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 Vermont, which has consistently helped lead the way on LGBTQ+ inclusion.

## Talent Risk

1

NO RISK

Vermont 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 Vermont.

## Future Risk

1

NO RISK

Vermont is one of the few states that has seen no anti-LGBTQ+ bills filed in recent years. The state has statewide nondiscrimination protections and we do not see any risk of a negative event in the foreseeable future.





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# Current Legal Status of LGBTQ+ People in Vermont

## Legal status of the Lesbian, Gay and Bisexual Community

Vermont law bans discrimination based on both sexual orientation and gender identity in public accommodations, education, housing, credit, insurance and union practices.

The state also bans bullying on the basis of sexual orientation and gender identity, including cyberbullying.

Vermont allows individuals to amend their birth certificates to reflect their gender identities.

Vermont bans the use of the LGBTQ+ "panic" defense in court cases. By state law, any business or place open to the public must accommodate all members of the public, a protection that includes sexual orientation and gender identity.

Since 1992 LGBTQ+ non-discrimination laws have protected people from discrimination in housing, employment and public accommodations on the basis of sex. In 2007, this law was expanded to include gender identity and expression.

Employment discrimination on the basis of sexual orientation or gender identity is banned in Vermont. However, religious organizations are allowed to make employment decisions that "promote the religious principles for which it is established or maintained." This exemption does not allow employers to use religious beliefs as a justification for discrimination.

The state's Department of Children and Families has a comprehensive policy addressing the needs of LGBTQ+ youth who come to their attention. The policy outlines ways to assist families with having an LGBTQ+ child. If the family is not overtly rejecting a child, but they are not as supportive as the child needs them to be, DCF instructs its workers to make appropriate referrals to agencies such as Outright Vermont.

DCF's nondiscrimination policy covers sexual orientation and gender identity. Same-sex parents are listed as "parent" on a child's birth certificate. A law went into effect in 2019 making it easier to prove parentage, updating old laws that focused on heterosexual couples.



There are no religious exemptions available to agencies seeking to prevent LGBTQ+-parent adoption.

There is no explicit criminalization of exposure or transmission of HIV, though general criminal laws have been used to criminalize HIV status.

The Vermont commissioner of health has the authority to quarantine a person diagnosed or suspected of having a disease dangerous to the public health. This includes HIV.

There are hate crimes protections covering sexual orientation and gender identity.

Conversion therapy for minors is banned in Vermont.

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## Legal Status of the Transgender Community

In 2022, Vermont passed a law allowing individuals to amend their birth certificates to reflect their gender identities. The law allows individuals born within Vermont to legally change their sex marker on a birth certificate to "male, female or X" based on self-determination (without any court order, mental health diagnosis, sexual reassignment surgery, divorce and/or even a medical practitioner's permission).

In 2021, Vermont became the 14th state to ban the use of the LGBTQ+ "panic" defense in court cases. The new law prevents a defendant at trial or sentencing from justifying violent actions by citing a victim's actual or perceived sexual orientation or gender identity.

To update a Vermont ID with a name change, applicants first change their name with the Social Security Administration, then submit a court order certifying the name change. Applicants must notify the DMV of a legal name change within 30 days of the name change.

No documentation is needed to update the gender on a driver's license, and the state has a nonbinary "X" option.

Medicaid in Vermont covers gender affirmation related healthcare, including for minors with parental consent.

Insurers operating in Vermont must cover trans-related healthcare.

State law requires single-user public restrooms to be designated gender neutral.



## Government Statements and Actions

In 2022, Vermont passed a law allowing individuals to amend their birth certificates to reflect their gender identities.

Taylor Small became the first openly trans state lawmaker when she won election to the house in 2020.

In May 2021, Vermont became the 14th state to ban the use of the LGBTQ+ "panic" defense in court cases. The law prevents a defendant at trial or sentencing from justifying violent actions by citing a victim's actual or perceived sexual orientation or gender identity.

Christine Hallquist became the first outwardly transgender candidate to win a major party endorsement for Governor in 2018. (She lost the general election.)

In 2019, an act signed into law created a working group to make recommendations to the state about how schools can be more inclusive of minority groups – including LGBTQ+ people – in their curricula.

U.S. Senator Bernie Sanders is one of the original lawmakers who puts a transgender flag outside his office in March to mark Trans Visibility Day.



# Socio-cultural Environment of LGBTQ+ People in Vermont

## Status of LGBTQ+ Organizing and Community

Burlington Pride celebrates its 40th anniversary in September 2023. Vermont is the state with the highest percentage of people identifying as LGBTQ+.

## Cultural Views of the LGBTQ+ Community

57% of Vermonters oppose religious exemptions that would allow small businesses to discriminate against LGBTQ+ people.

71% of Vermonters support LGBTQ+ nondiscrimination 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.

