



# Village of Biscayne Park Commission Agenda Report

**Village Commission Meeting Date:** September 1, 2015

**Subject:** Resolution 2015-46 Supporting the  
"Competitive Workplace Act"

**Prepared By:** Heidi Siegel, AICP, Village Manager

**Sponsored By:** Staff

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## **BACKGROUND**

The Village has a rich history of offering equal protections to all of its employees and supporting matters that enrich the lives of Florida lesbian, gay, bisexual and transgender residents.

The Village Charter Section 7.07 prohibits discrimination based on sexual orientation. Additionally, Ordinance 2012-04 provides for domestic partnerships benefits for Village employees and their families and Resolution 2014-45 expresses the Village support for marriage equality.

The Florida Competitive Workforce Act (FCWA) prohibits discrimination based on sexual orientation and gender identity or expression in employment, housing and public accommodations. The FCWA would amend Ch. 760 of the Florida State Statutes that currently prohibits discrimination based on race, color, religion, sex national origin, age, handicap, or marital status.

## **FISCAL / BUDGET IMPACT**

N/A.

## **STAFF RECOMMENDATION**

Staff recommends approval of Resolution 2015-46.

## **ATTACHMENTS**

- Resolution 2015-46

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2  
3 **RESOLUTION NO. 2015-46**  
4

5 **A RESOLUTION OF THE VILLAGE COMMISSION**  
6 **OF THE VILLAGE OF BISCAYNE PARK**  
7 **SUPPORTING FLORIDA LEGISLATURE SB 120**  
8 **AND HB 45, ENTITLED THE “FLORIDA**  
9 **COMPETITIVE WORKFORCE ACT,” OR SIMILAR**  
10 **LEGISLATION THAT WOULD PROHIBIT**  
11 **DISCRIMINATION IN FLORIDA ON THE BASIS OF**  
12 **SEXUAL ORIENTATION AND GENDER IDENTITY**  
13 **OR EXPRESSION; PROVIDING FOR AN**  
14 **EFFECTIVE DATE**  
15

16  
17 WHEREAS, SB 120 and HB 583 would amend the Florida Civil Rights Act and Fair Housing  
18 Act, codified at Chapter 760 of the Florida Statutes, to prohibit discrimination in employment,  
19 housing, and public accommodations on the basis of sexual orientation and gender identity or  
20 expression; and  
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22 WHEREAS, the Village of Biscayne Park prides itself on being a diverse and inclusive  
23 community and has demonstrated a long history of opposing discrimination on the basis of, among  
24 other things, sexual orientation; and  
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26 WHEREAS, the Village of Biscayne Park Charter Section 7.07 prohibits discrimination based  
27 on sexual orientation, Ordinance 2012-04 provides for domestic partnership benefits to Village  
28 employees, and Resolution 2014-45 expresses the Village’s support for marriage equality; and  
29

30 WHEREAS, for example, the Miami-Dade Human Rights Ordinance, codified at Chapter 11A  
31 of the County Code, currently prohibits discrimination in employment, family leave, public  
32 accommodations, credit and financing practices, and housing accommodations on the basis of,  
33 among other things, a person’s sexual orientation and gender identity or expression; and  
34

35 WHEREAS, despite these protections against discrimination afforded by the Village and  
36 Miami-Dade County to the people who live and work here, state law currently does not offer such  
37 protections on a statewide level to lesbian, gay, bisexual, and transgender Floridians; and  
38

39 WHEREAS, because Florida law currently fails to prohibit discrimination statewide on the  
40 basis on sexual orientation and gender identity or expression, the lesbian, gay, bisexual, and  
41 transgender Floridians who reside in counties with no local protections are vulnerable to, and  
42 without recourse against, such invidious discrimination; and  
43

44 WHEREAS, there are currently only 10 Florida counties, and approximately 20 municipalities  
45 in the State, that have passed measures prohibiting discrimination based on sexual orientation and  
46 gender identity or expression, meaning that many thousands of lesbian, gay, bisexual, and  
47 transgender Floridians are without protection in the realms of employment, housing, and public  
48 accommodations; and  
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50 WHEREAS, to that end, the sponsor of HB 45, Rep. Raschein, has observed that in America,  
51 “[w]e were founded on the principles of liberty and freedom, and if you can’t allow a person to work  
52 or live somewhere because of their sexual orientation, that’s unacceptable”; and  
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1  
2 WHEREAS, in addition to ensuring basic fairness and equal treatment for all Floridians,  
3 legislation prohibiting discrimination on the basis of sexual orientation and gender identity or  
4 expression is increasingly seen as essential to attracting the best and brightest to Florida’s workforce;  
5 and  
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7 WHEREAS, to that end, the sponsor of SB 120, Senator Abruzzo, has explained that “to  
8 remain economically competitive in a global marketplace, Florida must provide an environment that  
9 is welcoming to all,” and “[r]ecruiting and retaining talent regardless of their sexual orientation or  
10 gender identity will only serve to enhance our reputation and augment our economic viability”; and  
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12 WHEREAS, similarly, Rep. Mike Miller (R – Winter Park) has observed that if enacted, “[t]he  
13 Competitive Workforce Act will create a stronger workforce in Florida,” because “[p]assing  
14 consistent standards across the state will guarantee we are able to draw on the creativity and  
15 expertise of all our residents in order to drive our state’s business success”; and  
16

17 WHEREAS, 84 percent of the nation’s largest companies – many of which do business in  
18 Florida – have adopted comprehensive anti-discrimination policies that offer protections to persons  
19 who are lesbian, gay, bisexual, or transgender precisely because it is good for business and helps  
20 them attract and recruit outstanding talent; and  
21

22 WHEREAS, the Florida Competitive Workforce Act is supported by the Florida Businesses  
23 for a Competitive Workforce (“FBCW”), a coalition comprised of 34 large employers, including  
24 Fortune 500 companies, and more than 400 local businesses in Florida, such as Carnival  
25 Corporation, Darden, Office Depot, Raymond James, Walt Disney World Resorts, Wells Fargo, and  
26 Winn Dixie; and  
27

28 WHEREAS, some version of the Florida Competitive Workforce Act has been introduced in  
29 Tallahassee during every legislative session since 2010, but the bill has never received a committee  
30 hearing in the House or Senate; and  
31

32 WHEREAS, to ensure that all Floridians are protected against discrimination on the basis of  
33 sexual orientation and gender identity or expression, and to ensure that Florida remains competitive  
34 in attracting the best and brightest workers and businesses to the State, it is imperative that the  
35 Legislature take action in the upcoming session to enact the Florida Competitive Workforce Act or  
36 similar legislation; and  
37

38 WHEREAS, the Village Commission wishes to express its strong support for such legislation.  
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41 **NOW THEREFORE BE IT RESOLVED BY THE VILLAGE COMMISSION OF THE**  
42 **VILLAGE OF BISCAYNE PARK, FLORIDA, THAT:**  
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44 **Section 1.** The foregoing "WHEREAS" clauses are true and correct and hereby ratified  
45 and confirmed by the Village Commission.  
46

47 **Section 2.** The Village Commission supports the Florida Legislature in enacting SB  
48 120 and HB 45, entitled the “Florida Competitive Workforce Act,” or similar legislation that would  
49 prohibit discrimination in Florida on the basis of sexual orientation and gender identity or  
50 expression.  
51

52 **Section 3.** The Village Commission directs the Village Clerk to transmit certified  
53 copies of this resolution to the Governor, the Senate President, the House Speaker, Senator Joseph  
54 Abruzzo, Representative Holly Raschein and the Chair and Members of the Miami-Dade State

