

MEMORANDUM

Agenda Item No. 11(A)(12)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 1, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging the Florida Legislature to enact SB 120 or HB 45, entitled the "Florida Competitive Workforce Act," or similar legislation that would prohibit discrimination in Florida on the basis of sexual orientation and gender identity or expression

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
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Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(12)
9-1-15

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT SB 120 OR HB 45, ENTITLED THE "FLORIDA COMPETITIVE WORKFORCE ACT," OR SIMILAR LEGISLATION THAT WOULD PROHIBIT DISCRIMINATION IN FLORIDA ON THE BASIS OF SEXUAL ORIENTATION AND GENDER IDENTITY OR EXPRESSION

WHEREAS, Senate Bill 120 ("SB 120") and House Bill 45 ("HB 45"), both entitled the "Florida Competitive Workforce Act," have been filed for consideration during the Florida Legislature's 2016 session by Senator Joseph Abruzzo (D – Boynton Beach) and Representative Holly Raschein (R – Key Largo), respectively; and

WHEREAS, SB 120 and HB 583 would amend the Florida Civil Rights Act and Fair Housing Act, codified at Chapter 760 of the Florida Statutes, to prohibit discrimination in employment, housing, and public accommodations on the basis of sexual orientation and gender identity or expression; and

WHEREAS, Miami-Dade County (the "County") prides itself on being a diverse and inclusive community and has demonstrated a long history of opposing discrimination on the basis of, among other things, sexual orientation and gender identity or expression; and

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

WHEREAS, according to an exit poll conducted by SAVE Dade, Inc. during the 2012 general election, over 90 percent of the County's voters who were polled felt that people should not be fired from the workplace simply for being gay or transgender; and

WHEREAS, despite these sentiments and the protections against discrimination afforded by the County to the people who live and work here, state law currently does not offer such protections on a statewide level to lesbian, gay, bisexual, and transgender Floridians; and

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

WHEREAS, there are currently only 10 Florida counties, and approximately 20 municipalities in the State, that have passed measures prohibiting discrimination based on sexual orientation and gender identity or expression, meaning that many thousands of lesbian, gay, bisexual, and transgender Floridians are without protection in the realms of employment, housing, and public accommodations; and

WHEREAS, to that end, the sponsor of HB 45, Rep. Raschein, has observed that in America, "[w]e were founded on the principles of liberty and freedom, and if you can't allow a person to work or live somewhere because of their sexual orientation, that's unacceptable"; and

WHEREAS, in addition to ensuring basic fairness and equal treatment for all Floridians, legislation prohibiting discrimination on the basis of sexual orientation and gender identity or expression is increasingly seen as essential to attracting the best and brightest to Florida's workforce; and

WHEREAS, to that end, the sponsor of SB 120, Senator Abruzzo, has explained that “to remain economically competitive in a global marketplace, Florida must provide an environment that is welcoming to all,” and “[r]ecruiting and retaining talent regardless of their sexual orientation or gender identity will only serve to enhance our reputation and augment our economic viability”; and

WHEREAS, similarly, Rep. Mike Miller (R – Winter Park) has observed that if enacted, “[t]he Competitive Workforce Act will create a stronger workforce in Florida,” because “[p]assing consistent standards across the state will guarantee we are able to draw on the creativity and expertise of all our residents in order to drive our state’s business success”; and

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

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

WHEREAS, a complete list of the companies and businesses across the State that have united to form the FBCW coalition, and to promote and advocate for the passage of the Florida Competitive Workforce Act, is attached hereto; and

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

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

WHEREAS, this Board wishes to express its strong support for such legislation,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to enact SB 120 or HB 45, entitled the “Florida Competitive Workforce Act,” or similar legislation that would prohibit discrimination in Florida on the basis of sexual orientation and gender identity or expression.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, the Senate President, the House Speaker, Senator Joseph Abruzzo, Representative Holly Raschein and the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 3. Directs the County’s State Lobbyists to advocate for the enactment of the legislation described in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2016 State Legislative Package.

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of September, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

James E. ("Eddie") Kirtley





The Florida Competitive Workforce Act

ISSUE: The Competitive Workforce Act is bi-partisan legislation that promotes fairness and modernizes state law by banning anti-gay and gender-based discrimination. While it is illegal to discriminate in employment, housing and public accommodations based on race, color, religion, sex, national origin, age, handicap or marital status, state law does not protect individuals from discrimination based on sexual orientation and gender identification.

SUMMARY: Top employers in the state have united to form *Florida Businesses for a Competitive Workforce*, a 501c(4) coalition that aims to grow Florida's economy by attracting and retaining the best workers to the state with the promise of equal opportunity employment.

BACKGROUND: Recruiting and retaining talent is critical to the state's long-term business success, and coalition members understand that Florida employers must attract qualified and diverse applicants who reflect the diverse population of the state. The link between strong anti-discrimination laws and the ability to draw the best and the brightest is the reason that 84 percent of the nation's largest companies have adopted comprehensive anti-discrimination policies that include sexual orientation and gender identity.

A July 2013 poll conducted by The Tarrance Group found:

- Nearly all (93 percent) of those surveyed agreed that all hardworking people, including gays and lesbians, should be treated fairly and protected in the workplace.
- Three out of every four people surveyed thought it was already illegal to fire, refuse a business service, and refuse to rent an apartment or house to someone because they are gay, lesbian, bisexual and transgender.
- More than half (56 percent) of those surveyed said they would be more likely to vote for a state legislator who voted "yes" in favor of adding sexual orientation and gender identity to Florida's anti-discrimination laws. Another 18 percent said they were unsure or it would not make a difference.

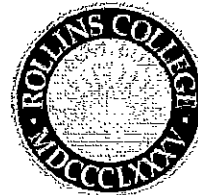
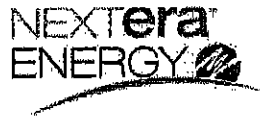
A March 2013 poll conducted by the Bob Graham Center for Public Service in collaboration with the University of Florida's Bureau of Economic and Business Research found:

- Seventy-three (73) percent of the respondents support the Competitive Workforce Act.

REQUEST: Members of the *Florida Businesses for a Competitive Workforce Coalition* ask for your favorable support of the Competitive Workforce Act. For additional information, please visit our website at www.FLCompetitiveWorkforce.com, or contact Christina Johnson, coalition communications director, at (850) 391-5040 or via email at Christina@On3PR.com.



COALITION MEMBERS





Altamonte Springs

Brockman Insurance Group
 Ignacio Hidalgo MD PA
 MaidPro
 Marc It Sold!
 Meehle Law
 Plaza Property Services LLC
 Saul Cornell Violins

Bartow

Tim Jones Barbershop
Bonita Springs Alicia
 Furniture
 Bondi Blu Boutique
 Bonita Springs Bead Shop
 CA Custom Designs
 Contemporary Style
 DaVinci Teeth Whitening
 Ecig
 Eric Allen Group, LLC
 Heavenly Vapor, LLC
 Little Boutique by Jeanne
 Power Mobile
 Sunglass Lady
 The Vintage Perfumista
 Touched By An Angel
 Young At Heart

Brandon

Out Staff
Cape Canaveral
 Charles Haelaar Studio
 Crazy Cuz's Custom Creation
 Euro Kafe

Cape Coral

Backstreets Sports Bar
 Colvia LLC
 De Leon Cleaning/ Janitorial LLC
 Dixie Roadhouse
 Grayson Rogers LLC
 Rack'Em Billiards
 Rockade
 The Dek
 Tubby's City Hangout
 Twin Mavericks LLC
 Www.SparkUpSuccess.com

Clearwater

Cristino's Coal Oven Pizza

Coconut Grove

Pointe Group Advisors
Coral Gables
 Acqua Boutique
 Anton Acero Beauty Studio
 Art Room Inc
 Bloom
 Catholic Law Students Association,
 University of Miami
 Coral Gables Chamber of Commerce
 Coral Gables Congregational Church
 Cruiseport Destinations
 Edoardo Borrelli
 Greenlife Organic Bistro
 Hotel Chateau Bleu
 Ina Young LLC
 Keeping the Books, Inc
 La Bella Salon
 Pazarella Hair Design Boutique
 The Golden Triangle
 Transformation Dynamix
Dade City
 Sawmill Resort and Campground

Deland

Hollmann Mixed Media

Fernandina Beach

Music by Pegge LLC

Fleming Island

My Pepper Jelly
 Vintage Furniture Paint

Fort Lauderdale

Coastal Preferred Properties
 Dickey Consulting Group
 H & H Jewels
 Intercity Taxi
 Landscapes by Jared, LLC
 Michael Kimmey, PA

Fort Myers

John Michael's Photography
 The Gathering Place
 Visuality

Gainesville

Community Outreach Relief Effort,
 Incorporated
 Humble Pie
 Whey Natural! USA
Gulfport

Marius Moore Photography

Holiday

Moon Bay Glass
Jacksonville
 #igersjax
 5 Points Antiques
 AIDS Healthcare Foundation
 All About Events Jacksonville LLC
 Avondale United Methodist Church
 Avondale Wealth Advisors
 Baby's Close-Up 3D/4D Ultrasound Theater
 Beer:30 Inc.
 Birdies Five Points
 Black Sheep Restaurant
 Bobble G. O'Connor & Associates
 C.A.S.K.

Catering by Liz Grenamyer
 Chamblin's Uptown
 Character Counts! in Jacksonville
 City Xtra Magazine
 Corner Taco
 Diversions Specialty Gift Store
 Down to Earth Farm

Droubi's Cafe and Sweets
 East Coast Transfer LLC
 Eco Relics
 Edge City
 Fans & Stoves Antique Mall
 First Coast Multi-Lines Agency
 First United Methodist Church Jacksonville
 Folio Weekly

If True Solutions, LLC
 Jacksonville Magazine
 Kane Business Solutions
 Kris Graham Photography
 Mackoul Rentals

Marsh Landing Cleaners
 Matthew's Restaurant
 mShack
 My Well Being
 Rain Dogs
 Relectromatics
 Riverside Avenue Christina Church
 Riverside United Church of Christ
 Salt & Sol

Southern Roots Filling Station
 St. Luke's Community Church
 Steven Romero Photography



Sun-Ray Cinema
 Sweet Spot Urban Lounge
 Sweet Theory Baking Co
 The Cummer Museum of Art & Gardens
 The Frazier Group
 The Jenks House Bed & Breakfast
 The STORY of...
 Therapy for Living
 Uptown Lifestyle Concierge & Excursions
 Xero Hour Inc
Jacksonville Beach
 Willman Consulting, Inc.
 Yoga 4 Change Inc.
Key West
 Cocco and Salem Gallery
 Financial Resources Management Corp.
 The Gardens Hotel
Kissimmee
 Earl Harris Photography
Lake Mary
 Barbery & Associates, CPA
Lakeland
 Arteology
 Black Swan Bazaar
 Brooke Pottery
 Divicious Deli & Coffee Shop, LLC
 Downtown Lakeland Partnership
 Fresco's Bakery & Bistro
 Hattie's Branches Boutique
 Iconic ECig Vapor Boutique
 Inspire Seeds, LLC
 Lakeland Downtown Development
 Lifegarden Farm
 Maximize Digital Media
 Moxie Salon and Day Spa
 Palace Pizza Inc.
 Red Door Lakeland
 Satya Life Yoga
 Swan Brewing, LLC
 The Purple Onion
 Tony's Studio B
 Tweetz Fer Dawgs
 Two Hens and a Hound
 Two Popes LLC
 Whimsy Boutique
Largo
 Knotty Nanna Handcrafted Macrame &
 Crochet
Maitland
 Vapor Safari LLC
Melbourne

Brain Basket
 Jotkoff Financial Group
 Scentsy Fragrance
 Scisser Me Timbers
 Space Coast Progressive Alliance
 Tabone's Po Boys
Miami
 2 Guys Company
 305 Concepts Wynwood LLC
 332 Collective
 A Bella Casa
 Amazon Services Inc.
 Arc & Arrow Creative Group
 Artemis Designs Miami LLC
 Augustin Gainza Fine Cuban and Latin
 Azucar Ice Cream
 Ball and Chain
 Barbie's Autos Corporation
 Barlington Group
 Beria Parfums
 Brickell Mattress
 Britto Charette LLC
 Caballero Appraisal Services & Associates
 Car2Go
 Cardon y el Tirano
 ChamberSouth
 Coconut Grove Building Improvement
 District
 Cole, Scott and Kissane PA
 Coyo Taco
 CPSB, Inc.
 CrepeMaker
 Daily Offering Yoga
 Danilo Gonzalez Gallery
 Design Suites Miami
 El Cristo Restaurant
 Espacio Corp.
 Esquisito Restaurant
 Eyes on You Photo Events
 Fausto Commercial Realty Consultants
 Fireman Derek's Bake Shop
 Flash Studios
 Fortis Development Group
 Fratellino Ristorante
 Futurama
 Gabriel Productions International
 Genuine Hospitality Group
 George Ortiz Casting
 Golden Desire, Inc.
 Granda Entertainment, LLC
 Greens Garage

House of Art
 I.M. Unique Salon, Inc.
 Ibiza Bijoux Corp
 Infinity Flowers
 Irrera Fashion Boutique
 James Whitney Ray Incorporated
 John Defarro Event Projects
 Junior and Hatter
 Kefler Williams Real Estate
 Kreative Gardens Inc.
 Larry Hyer, Inc.
 Leonor Murciano Fine Arts
 LGBT Creative
 Little Havana Cigar Factory
 Little Havana To Go
 Little Havana Visitors Center
 Madellne Beauty Salon Corp
 Maderas Rainforest Conservancy
 Magnolia Thrift Shop
 Marta G Ismail Gallery
 Marta Neira Photography
 Mega Shoes, Inc.
 Mia Animation LLC
 Miami Gay and Lesbian Film Festival
 Molina Art Gallery Inc
 Moyi's Antiques and Collectibles
 Obrapia Enterprises, Inc.
 Orange Pedal Bicycle Shop
 Orshan PA
 Panther Coffee
 Penner Studio
 Peter Tunney Gallery Miami
 Pizza Pazza
 Pop Communications
 R House
 Reveal Boutique
 Rupees Inc
 Santos Fine Art Gallery
 Tabelina
 The Glamour Concept
 Threadcount
 Top Cigars
 Trilverden Creative
 Unity on the Bay
 Unzueta Gallery
 Villamil Contemporary Fine Art
 Vitruvian Creative
 White Glove Standards Inc.
 Windridge Yacht Center
 Worldmedia Interactive



Wynwood 250 LLC
 Wynwood Business Improvement District
 Zak the Baker
 Zoffinger Interiors
Miami Beach
 729 Meridian Avenue, LLC
 Afterglow Marketing
 Anna Saulino Jewelry LLC
 Benefits Design Resources, Inc
 Blue Fin Charters
 Collins Park Neighborhood Association
 Greater Miami and The Beaches Hotel
 Association
 Hahne Real Estate
 Heather Davis Productions Inc.
 Lion Agency
 Sobe Miami LLC, Palace Bar
 Source Events
 South Florida Hispanic Chamber of
 Commerce
 Southeast Bankers Mortgage Corporations
 Strang Adams, PA Attorneys at Law
 The Murry Agency
 Tio Gazpacho LLC
 VangiArt
Miami Shores
 Pridelines Youth Services
Miami Springs
 66 Films Inc
Micco
 Richard Currier Art
Middleburg
 Carry On For Our Son Corporation
Miramar
 William Kidd Ceramics
Mulberry
 Unique Bark, LLC
 Wilkerson's Inc
Naples
 Adelheid's Cupcakes
 Capriccio Ristorante & Lounge
 Daniela's Restaurant
 Dennison-Moran Gallery
 IM Tapas
 S Dimarco Jewelry
 The Garden District
 The Greek Gourmet -- Naples
 Tree of Life Artistic Jewelry
New Port Richey
 AB Specialty Pharmacy INC.
 People Places LLC

The Cheese Lodge
Newberry
 The Flour Pot Bakery
North Bay Village
 Sobe Jewelry
North Miami
 Bell David Planning Group
 Image Plus Graphics
 Laser Light Litho Corp
North Miami Beach
 Aids Healthcare Foundation
Oakland Park
 Hotspots Media Group
Ocala
 Grafito, Inc.
 Ocala Rehabilitation Associates, PA
 The Organic Chef Foods
Ocoee
 Katherine Matterson Sculpture
Orange Park
 North Florida Biomedical Services, Inc.
 SCBTwo
 Urbach Law Group
Orlando
 BMC Consulting
 Diana Marie Events
 Don Jefe's
 Ego Lab
 Gayle A. Owens Law, P.A.
 Heavenly Inkz Tattoo
 High Roller E Cigs and Vapor
 Jonathans Super Shine & Shoe Repair
 Law Offices of George E. Carr, P.A
 Olde 64
 Orlando Hold 'Em
 Quick Drop of Orlando
 Realm Tattoos
 Suarez Law Group
 Sugarbuzz Dezert Company
 Superior Craftsman Services, LLC
 The Dubliner
 The Rusty Spoon
 Whiskey Dicks
Palm Bay
 Animal Love Inc.
 Operation Tupperware
 Rex Mullen Realtor
Palm Coast
 Robert G. Cuff, P.A.
Panama City Beach
 Jae's Sinful Delights, Bakery and Cake Shop

Pembroke Pines
 CareerXChange Inc.
Pensacola
 First Day Ent
 Kreg Yingst Art
Plantation
 Black Tie Publishing
Ponte Vedra Beach
 Happy Cow Cuisine Vegan and Vegetarian
 Meals
 Medure
 Zany Du Designs
Port St. Lucie
 Weber Watercolors
Riverview
 Saxony Farms
Rockledge
 Mrs. Mango and Company LLC
Safety Harbor
 John Mascoli Artist
Sanford
 David Sculptures
South Miami
 South Florida Gay Wedding Corp
South Pasadena
 Su Allen Sculpture
St. Augustine
 Big Island Bowls
 FirstCoast Metropolitan Community Church
St. Petersburg
 Edge of 9
 Enigma
 Law Offices of William K. Saron, P.A.
 Smith & Associates Real Estate
 Strategic Campaigns LLC
 Your Neighborhood Realty
 Andersons Networking & Computer Repair
 Gay St. Pete House
 Rainbow 411
 Tampa Bay Bears
Seffner
 Act Out
 Ken Andrews Photography
 Olde World Coffee
Tallahassee
 On 3 Public Relations
Tamarac
 World Cruises & Travel
Tampa
 Aaron Berger PA
 Books and More Inc.



Costin Graphics Inc
Cristino's Coal Oven Pizza Tampa
Dave DeLaCruz Painting
Dehra Miotke LLC
DP Photography LLC
Florida Entertainment Group
Florida Wellness Medical Group
Foley Immigration Law
G Bar
Hamburger Mary's
Hillsborough County LGBTQ Democratic
Caucus
Honey Pot
James Group International
James Law Group
Love Hate Luck Dolls
MC Film Festival Store
NAtiva Accessories Inc.
Office of Diversity, Inclusion and Equal
Opportunity at the University of South
Florida System
One Fine Day, Inc.
PFLAG Tampa
Relentless Gear
Retro Nuevo Jewelry Designs
Spinal Connections of Tampa Bay, LLC
Tampa City Council
Tebella Tea
The Butterfly Queen Dream
The Change Project
The Dogs Bollocks
The Oxford Exchange
Tribeca Color Salon
Two Gals and a Glue Gun, LLC
Urban Body Clothing
Ybor City Wine Bar
Zimmer Accounting Service Incorporated
Temple Terrace
Jessi's Flaming Fruit Sauce
Karmyn's Karaoke
Trinity
GayestStoreOnEarth.com
Wesley Chapel
Santa Monica Honey
West Miami
Patrick Whiteside Consulting
Wilton Manors
Divine Mercy New Catholic Communities
Humpy's Pizza & Cupcakes
Winter Haven
Cypress Cigars

Inside/Out Fitness Co-Op, LLC
Richard's Fine Coffees
Six/Ten, LLC
The Shop
Trent Manning Studio
Winter Park
Falk Research Associates, Inc.
First Alliance Insurance
Gary Lambert Salon and Spa
Gecko CPA Firm
Jen Sauer Art Jenna
Michele Photo
John Whipple Mixed Media
LomasLaw, P.A.
Morgan White-Davis Martinez
Rollins College