

# Wheeling, West Virginia, Ordinance Protects LGBTQ Residents

By **Marla N. Presley** and **Michelle E. Phillips**

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Wheeling has become West Virginia's eleventh city to pass a sexual orientation and gender identity anti-discrimination ordinance protecting the housing and employment rights of LGBTQ residents. The ordinance also protects residents who are veterans.

The ordinance, passed unanimously by the City Council on December 20, 2017, makes it unlawful for any business or property owner to refuse employment or housing to, as well as to fire or evict, a resident on the basis of sexual orientation, gender identity, or veteran status.

Religious institutions are exempt from the ordinance. Private clubs are exempt with respect to membership, but would be subject to the law as employers.

The ordinance defines an employer as "any person employing 12 or more persons within the city and includes an agent of such person, and its agencies." The ordinance also gives the Wheeling Human Rights Commission the ability to issue cease-and-

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desist orders in response to complaints under the new policy.

Employers in Wheeling should review their harassment prevention policies and ensure that they are compliant with West Virginia and federal laws.

In addition, it is important to conduct regular training on harassment prevention that addresses sexual orientation and gender identity discrimination, as well as discrimination of all other protected groups.

Please contact the Jackson Lewis for further guidance on LGBTQ issues.



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