



GENDER IDENTITY AND SEXUAL ORIENTATION DISCRIMINATION

Chicago's **Human Rights Ordinance** and **Fair Housing Ordinance** prohibit discrimination against individuals based on their sexual orientation and/or their gender identity. Discrimination is prohibited in employment, public accommodations, housing, credit and bonding.

Definitions according to the Chicago Human Rights and Fair Housing Ordinances:

- Gender identity – the actual or perceived appearance, expression, identity, or behavior of a person as being male or female, whether or not that appearance, expression, identity or behavior is different from what is traditionally associated with the person's designated sex at birth
- Sexual Orientation – the actual or perceived state of heterosexuality, homosexuality or bisexuality

Examples of discrimination against individuals based on their sexual orientation or gender identity include:

- Refusing to allow employees to use bathrooms aligned with their affirmed gender identities
- Implementing policies that deny entrance to a public accommodation based on qualities of an individual that are believed to be reflective of their sexual orientation or gender identity, including some bans on styles of dress or makeup
- Denying housing to individuals because of their sexual orientation or gender identity, or implementing policies that discriminate based on sexual orientation or gender identity such as only renting to traditional nuclear families

Penalties for violations of the Human Rights Ordinance or the Fair Housing Ordinance include:

- Fines of \$100 to \$1,000 per incident, paid to the City
- Damages and attorney fees, paid to the complaining party
- An injunction ordering specific actions to eliminate discriminatory practices

Discrimination based on sexual orientation or gender identity may also violate state or federal laws. A finding of any sort of discrimination may affect the current licensure of a business by the City of Chicago as well as a City contractor or vendor status.

A person who claims to have been subjected to discrimination based on their sexual orientation or gender identity may file a discrimination complaint at the Commission on Human Relations. The Commission investigates and rules on each discrimination complaint through a neutral process which gives complainants and respondents the opportunity to present evidence and legal arguments to support their positions.

See the back of this flyer for selected ordinance and regulation provisions. For more information, see: www.cityofchicago.org/humanrelations

SELECTED LEGAL PROVISIONS
DISCRIMINATION BASED ON GENDER IDENTITY AND SEXUAL ORIENTATION

Section 2-160-020, Chicago Municipal Code

(f) “Gender identity” means the actual or perceived appearance, expression, identity or behavior, of a person as being male or female, whether or not that appearance, expression, identity or behavior is different from that traditionally associated with the person’s designated sex at birth.

(l) “Sexual orientation” means the actual or perceived state of heterosexuality, homosexuality or bisexuality.

Section 2-160-030, Chicago Municipal Code

No person shall directly or indirectly discriminate against any individual in hiring, classification, grading, discharge, discipline, compensation or other term or condition of employment because of the individual’s race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, credit history or source of income. No employment agency shall directly or indirectly discriminate against any individual in classification, processing, referral or recommendation for employment because of the individual’s race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, credit history or source of income.

Section 5-8-020, Chicago Municipal Code

It is further declared to be the policy of the City of Chicago that no owner, lessee, sublessee, assignee, managing agent, or other person, firm or corporation having the right to sell, rent or lease any housing accommodation, within the City of Chicago, or any agent of any of these, should refuse to sell, rent, lease, or otherwise deny to or withhold from any person or group of persons such housing accommodations because of his race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status or source of income of such person or persons or discriminate against any person because of his race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status or source of income in the terms, conditions, or privileges or the sale, rental or lease of any housing accommodation or in the furnishing of facilities or services in connection therewith.