

[Alerts and Updates]

Delaware Enacts Law to Extend Employment Discrimination Protections Based on Sexual Orientation

July 8, 2009

On July 2, 2009, Delaware Gov. Jack Markell signed into law a bill that adds sexual orientation as a class protected from discrimination in employment, housing, public-works contracting, public accommodations and insurance under Delaware law. The bill was passed by large majorities in both the state senate and house of representatives.

The law took effect immediately upon the governor's signature and applies to all employers with four or more employees within the state of Delaware. The law exempts religious organizations from the prohibition on employment discrimination, except in instances where an employee's job duties relate solely to an organization's unrelated business-taxable income.

With the enactment of this law, 21 states and the District of Columbia provide employment protections on the basis of sexual orientation. Thirteen of those states, as well as the District of Columbia, also provide protections on the basis of gender identity.

Companies that do business or employ people in Delaware may want to consult with legal counsel to review and update their employment applications, employee handbooks, employment policies and training materials to ensure proper compliance with the law.

For Further Information

If you have any questions regarding this Delaware law or employment policies regarding sexual orientation, please contact any of the [attorneys](#) in our [Employment, Labor, Benefits and Immigration Practice Group](#) or the attorney in the firm with whom you are regularly in contact.