



## **DIVERSITY TASK FORCE FINAL REPORT**

**November 3, 2009**

### **BACKGROUND**

Fort Worth City Manager Dale Fisseler created the Diversity Task Force in July 2009 to advise him on issues affecting the lesbian, gay, bisexual and transgender (LGBT) community. The City Manager appointed the 26-member task force, which is comprised of 12 city employees and 14 community representatives, to address concerns from the community following a police incident on June 28, 2009, at the Rainbow Lounge, 651 S. Jennings Ave.

The incident — a joint bar inspection by the Fort Worth Police Department and the Texas Alcohol and Beverage Commission — resulted in the serious injury of a bar patron. Police Chief Jeffrey Halstead ordered an internal investigation into the incident, which involved several arrests and allegations of excessive use of force, and expects a final report in early November.

### **MISSION AND ISSUES**

The task forces' mission was to advise the City Manager on issues affecting Fort Worth's LGBT community and to coordinate the City's activities in response to those issues.

Initially, the City Manager identified three areas of study:

- Appropriate training for city employees
- Increase awareness of the City's non-discrimination ordinances
- Better communication between the City and LGBT citizens

During its first meeting on July 23, 2009, the task force identified additional issues for study, which are:

- Employment efforts by the City to recruit and retain LGBT job applicants
- Benefits for domestic partners of LGBT employees
- Incentives for businesses that provide domestic partner benefits to their employees
- Marketing efforts to attract LGBT conventions, public events and visitors

## FINDINGS

The Task Force created three subcommittees — **Human Resources, Community Relations, and Economic Development** — to study each of the identified topics and provide recommendations. Task Force members and additional interested participants comprised each subcommittee. Task Force and subcommittee meetings were open to the public and met on the following dates:

### **Full Task Force**

July 23, August 27, September 24 and October 22

### **Human Resources Subcommittee**

August 7 and 19, September 18

### **Community Relations Subcommittee**

August 14, September 17

### **Economic Development Subcommittee**

August 17, September 21

### ***Human Resources Subcommittee***

The Human Resources Subcommittee focused on three areas of study — benefits, recruitment and training. During meetings on August 7 and September 18, 2009, a consensus of the members agreed on the need to pursue not only health insurance benefits, but family medical leave, coverage of a domestic partner for life insurance, access to flexible spending accounts and pension access for retirement benefits as well. Members discussed how quickly could the city extend medical benefits to domestic partners, the feasibility of extending it and, the impact to the City's medical and retirement funds. Additionally, the members discussed expanding the City's health plan to include gender reassignment.

In the area of recruitment, the members agreed that creation of a LGBT employee resource group could assist City staff on LGBT related issues. Additionally, the City should expand its recruitment efforts to target the LGBT community specifically. Members recommended updating recruitment materials— including job postings — to encourage inclusion and reinforce non-discrimination of LGBT applicants. City staff proposed a completion date of March 2010 for updating the materials in order to provide enough time for legal review, the police department to update its marketing and application materials, and to coincide with the implementation of new human resources software already scheduled for launch in March 2010.

*Achieving Cultural Competency*, intended to provide a foundation for cultural sensitivity and respect for others in the workplace, is the title of the City's diversity training. It does not sufficiently address LGBT issues. The members agreed that materials related to

LGBT issues should be accurate and with language, pertaining to city ordinances, clear and fully explained. If the City is to be truly diverse and promote non-discrimination, members suggested, it should provide specific training regarding LGBT issues. Unlike issues such as race, ethnicity and religion, Civil Law does not cover LGBT issues under and this disparity provides relevance for providing a focused offering. The members further, agreed that a need for specialized training exists for the police and fire employees, specifically in the areas of gender presentation and pat-downs.

The members agreed that diversity training should be mandatory for all city employees and the training prioritized based on an employees' level of customer contact. The members suggested that elected and appointed officials lead by example and show their support for LGBT diversity training by participating.

### ***Community Relations Subcommittee***

During meetings on August 14 and September 17, 2009, the Community Relations Subcommittee explored options for increasing awareness of the City's anti-discrimination ordinances and inclusiveness policies within the community and ways to facilitate better communication between the City and the LGBT community.

The members learned that violations of the city's anti-discrimination ordinances are a misdemeanor offense, prosecuted through the municipal court system. However, since state and federal law do not protect victims of discrimination, they cannot recover compensatory damages.

The members agreed there seemingly is a lack of awareness among Fort Worth residents regarding their rights and responsibilities under the City's anti-discrimination laws. A suggestion to raise awareness is for the City to use existing vehicles and venues to communicate the message of anti-discrimination, respect and inclusiveness to the public and members of the LGBT community.

### ***Economic Development Subcommittee***

The Economic Development Subcommittee met twice, August 17 and September 21. The members and agreed the City should leverage economic incentives and tax abatements as a way to enhance the city's profile as a progressive and LGBT-friendly destination. The members expressed strong support for requiring companies seeking economic incentives to provide domestic partner benefits and adherence to the city's non-discrimination ordinances. Strategies explored for implementing the incentives included adding them to the minimum requirements, amending the city's tax abatement policy, and inclusion in contractual agreements. The committee debated whether adding such requirements would improve or hurt the city's economic health. City staff conducted a survey to determine if companies currently receiving economic incentives provide domestic partner benefits and found that half of the companies responding do provide domestic partner benefits. The members agreed that the city should extend domestic partner benefits to its employees.

The members agreed the City should explore options for promoting itself by implementing new marketing strategies targeted specifically to the LGBT community. Members shared examples of similar efforts from around the country of how other cities are benefitting from the LGBT community disposable income. Discussion ensued regarding recent efforts by the Fort Worth Convention and Visitors Bureau to market specifically to the LGBT community. Suggestions to expand the efforts included outreach and partnerships with members of the hospitality and travel industry, as well as civic and arts organizations. The members also determined the need for additional marketing in LGBT publications. Support via mainstream promotion, and participation in LGBT events such as gay pride parades and picnics, should be pursued as well.

The members advocate participation in the Healthcare Equality Index by Fort Worth hospitals and other healthcare institutions. Healthcare Equality Index is a survey conducted by the Human Rights Campaign to determine how those institutions interact with LGBT patrons.

## **RECOMMENDATIONS**

### ***Human Resources Subcommittee***

The Human Resources Subcommittee brought eight recommendations to the full Task Force for consideration and endorsement:

- Provide four hours of appropriate training for all city employees within the next five years and for new employees during their initial probationary period. Police, fire employees should receive separate training from the general employees. Training for Police, fire and front-line general employees should occur within two years.
- Provide appropriate training for elected and appointed officials.
- Post non-discrimination language on all job notices and application forms.
- Ask the Police Chief to provide potential recruits with a letter of support that advocates a diverse police force that includes LGBT officers.
- Provide all employees with equal access to all employee benefits.
- Authorize family leave for LGBT employees with domestic partners.
- Amend health insurance policy to include coverage for gender reassignment surgery and other treatments for gender identification disorder.
- Support the establishment of a LGBT support group for City employees, similar to the Hispanic Leadership Organization (HLO).

### ***Community Relations Subcommittee***

The full Task Force endorsed six recommendations from the Community Relations Subcommittee. Those recommendations include:

- Amend the City's non-discrimination ordinances to prohibit discrimination based on gender identity or gender expression.
- Seek state legislation to prohibit discrimination based on sexual orientation, gender identity, or gender expression, consistent with City ordinances.
- Support passage of a Federal Employment Non-Discrimination Act.
- Develop and implement an educational campaign, similar to activities associated with Fair Housing Month and Disability Employment Awareness Month, to increase awareness of the City's anti-discrimination ordinances.
- Use public events to promote Fort Worth as an inclusive community.
- Use appropriate media to communicate more effectively with LGBT citizens.

### ***Economic Development Subcommittee***

The Economic Development Subcommittee proposed five recommendations to the full Task Force for consideration, which endorsed:

- Reward businesses that provide equal benefits to all employees.
- Develop and implement a marketing campaign to attract LGBT conventions, public events and visitors.
- Urge local hospitals to participate in the Human Rights Campaign Foundation and the Gay and Lesbian Medical Association's HealthCare Equality Index survey currently being conducted
- Require contracts with City vendors to state explicitly that failure to comply with the City's anti-discrimination ordinances constitutes contract violation.
- Revise the draft 2010 Comprehensive Plan to include the North Texas GLBT Chamber of Commerce along with other chambers of commerce, as a "cooperating agency." Additionally, include appropriate references to LGBT community in future editions.

### ***Implementation***

In addition to the 19 topic-specific recommendations, the full Task Force unanimously endorsed a recommendation to reconvene the Diversity Task Force for quarterly meetings during 2010 to monitor implementation of other recommendations made, and to advise the City Manager accordingly.