

The Swarthmore Anti-Discrimination Ordinance prohibits discrimination on the basis of sexual orientation and gender identity and expression in employment, housing and public accommodations.

If you think your rights under the law have been violated, you should contact the Human Relations Commission through the Borough Administration Office.

IT IS ILLEGAL FOR ANYONE TO RETALIATE AGAINST YOU FOR COMPLAINING ABOUT DISCRIMINATION.

The Swarthmore Human Relations Commission investigates complaints of discrimination against members of the Lesbian Gay Bisexual and Transgender (“LGBT”) community in employment, housing, and public accommodations.

Swarthmore Human Relations Commission

Contact Through:
Borough Administration Office
121 Park Avenue
Swarthmore, PA 19081

Phone: (610) 543-4599
Fax: (610) 543-1833

There is no charge for the Commission’s services.

THE LEGAL RIGHTS OF
SEXUAL AND GENDER
MINORITIES IN THE
BOROUGH OF SWARTHMORE

*A “Know Your Rights” Guide
for Members of the Lesbian
Gay Bisexual and
Transgender (“LGBT”)
Community*



Swarthmore
Human Relations
Commission

KNOW YOUR RIGHTS

KNOW YOUR RIGHTS

EMPLOYMENT

Employers with more than one employee cannot discriminate on the basis of sexual orientation or gender identity in the terms, conditions, or privileges of employment. This includes hiring, promotion, referrals for work, firing, and other employment actions. In addition, employers have a duty to address on-the-job harassment of an employee because of sexual orientation or gender identity. Note that most religious fraternal, educational, and charitable organizations are exempt from complying with the employment discrimination requirements of the Swarthmore law.

HOUSING

The Swarthmore Ordinance prohibits discrimination on the basis of sexual orientation or gender identity and expression in real estate transactions such as renting or purchasing commercial or residential property. The law also prohibits a number of related practices, including lending on discriminatory terms to home purchasers and publishing discriminatory advertisements. Renters and home purchasers also cannot be threatened or harassed by neighbors because of their sexual orientation or gender identity. Some single family homes and landlord-occupied rooming houses are exempt from complying with the Swarthmore Ordinance.

PUBLIC ACCOMMODATIONS

It is illegal for places of public accommodation to deny anyone the full enjoyment of the establishment's goods, services or facilities on the basis of sexual orientation or gender identity and expression. Places of public accommodation include, among other things, stores and restaurants. Government agencies are also included.

EXAMPLES OF DISCRIMINATION

■ I worked for the same company for four years, and always received great performance reviews. But a few days after I told my boss I'm gay, I began receiving disciplinary warnings for doing things that other employees do all the time, and that no one else ever gets disciplined for. After a month, I was fired.

■ My partner and I went to see an apartment which had been advertised as being for rent in the local paper. The landlord seemed uncomfortable when we showed up, and tried to rush us out of the apartment. When we asked to rent the apartment, he told us that he doesn't rent to "you people."

■ I recently began living full-time as a woman. When I started to use the women's restroom at work, one of my coworkers complained to my employer. My employer told me that I could not use the women's restroom, and instead had to use a unisex restroom on another floor of the building.

IF YOU EXPERIENCE DISCRIMINATION

1. **Write it down.** If you think you're being discriminated against, keep a written record of what happened, what was said, when and where the event took place, and who witnessed it.
2. **Tell the person about the law.** If you feel safe doing so, let the person who is treating you unfairly know that the law protects you from discrimination based on sexual orientation or gender identity. If you are being harassed, you may not be able to take legal action later if you did not report the harassment.
3. **Contact the HRC.** Commission members can help you decide how to proceed. If you file a complaint, the HRC will conduct an investigation about your allegations. If you want to file a complaint, you must do so within **180 days** of the alleged discriminatory event.
4. **Remedies.** If the HRC finds that illegal discrimination occurred, it has the power to order the violator to remedy his or her actions. Remedies can include, among other things, reinstatement, hiring, admission to a place of public accommodation, or payment of damages.
5. **You have the right to sue.** In addition to filing with the HRC, you can file a complaint in state court. However, you must file with the HRC **before** you file in state court. After you have initiated the HRC process, you can ask the Commission for more information about how to file a lawsuit.