

Then-Treasurer Jack A. Markell was not content to sign the Governmental Leaders' Statement affirming sexual orientation equality, but asked, "What more can I do to be helpful?" He then wrote the below opinion piece which appeared in The News Journal:

Equality attracts the best people

By Jack Markell

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Enacting legislation to prohibit discrimination on the basis of sexual orientation would guarantee civil rights to all Delawareans. It's also important for our state's economy.

Across America, hundreds of companies -- including leading Delaware employers and 60 percent of Fortune 500 companies -- have already enacted policies forbidding discrimination on the basis of sexual orientation. Some corporations, such as Microsoft, Nike and Quaker Oats, have gone further and endorsed federal legislation forbidding any company from discriminating in this way.

As the leaders of Kodak commented, legislation to prohibit discrimination on the basis of sexual orientation "is in step with trends in the nation's most successful businesses, and is in tune with the fundamental sense of fairness valued by Americans."

The economic argument against such legislation has been a risk of new lawsuits. But the federal General Accounting Office released a report in 2001 finding that there is "no indication that these laws have generated a significant amount of litigation." Data from states that have prohibited such discrimination show that relatively few complaints on employment have been filed each year. Moreover, "the data do not reveal any obvious growth trend in the number of complaints."

Former Xerox CEO Paul Allaire said that the risks of litigation are overblown. "Enhancing our work environment to prohibit discrimination on the basis of sexual orientation has not added any financial cost to our organization. Instead we believe our philosophy and practice of valuing diversity brings participation by all employees."

Charles Gifford, CEO of FleetBoston Financial Corp., which describes itself as the nation's top lender to small businesses, said that proposed federal legislation to prohibit discrimination "upholds the values that make this country work, without imposing costly mandates that make our work harder."

Competing for talent

Corporate leaders, particularly those participating in the "knowledge economy," have recognized they will be unable to attract the employee talent they need if potential workers are not satisfied that companies are committed to equal rights.

These are the kind of new economy companies Delaware is trying hard to recruit and grow. Corporate leaders aren't the only people speaking out. Labor leaders have long voiced opposition to legalized discrimination, and political leaders are already acting on this issue.

Fourteen states and more than 150 cities and counties have laws prohibiting employment discrimination based on sexual orientation. That's no surprise considering that opinion polls indicate 85 percent of Americans support equal employment opportunities for all people regardless of sexual orientation, and more than 60 percent of Americans support legislation to ensure equal rights.

Legislation barring discrimination has been endorsed not just by liberals and moderates, but by some leading conservatives such as the late Sen, Barry Goldwater of Arizona. Goldwater, considered the father of the modern conservative movement, declared before his death that "It is time America realized that there was no gay exemption in the 'right to life, liberty, and the pursuit of happiness,' in the Declaration of Independence. Anybody who cares about real moral values understands that this isn't about granting special rights -- it is about protecting basic rights."

In competing for the jobs of the future with other states and foreign countries, people are our greatest assets. They are the key to ensuring that Delaware companies compete in the new global economy. We must create an environment where innovation drives growth. We must be able to attract capital. All of that requires the best people no matter what their sexual orientation is.

Jack Markell, of Greenville, later became Delaware Governor.