

One Minute Memo[®]



President Announces Continuation of E.O. 13672 Protections for Government Contractors

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Seyfarth Synopsis: On January 31, 2017, the White House announced that it will continue to enforce the workplace protections for sexual orientation and gender identity put in place under Executive Order 13672.

On Tuesday, the new administration released a statement indicating that President Donald Trump intends to continue enforcing the prohibition against government contractors and subcontractors discriminating based on sexual orientation and gender identity. Prior to this announcement, many groups which advocate for LGBTQ rights had expressed concerns that the executive order would be a casualty of the new Administration's plan to undo many of the executive orders signed by former President Obama. The White House's statement instead noted that President Trump "is proud to have been the first ever GOP nominee to mention the LGBTQ community in his nomination acceptance speech, pledging to protect the community from violence and oppression" and that he "is determined to protect the rights of all Americans, including the LGBTQ community.

What Protections are Granted under E.O. 13672?

The executive order amended E.O. 11246 to require that all contracts and subcontracts in excess of \$10,000 must list "sexual orientation and gender identity" whenever they explicitly list protected classes, i.e. race, gender, religion, sex, etc. This requirement applies to EEO clauses, EEO taglines, the EEO is the Law Poster, and to the reporting requirements for visa denials.

What Does this Mean for Contractors?

The statement does not change any pre-existing obligations for federal contractors. All of the changes which contractors were required to make upon E.O. 13672 becoming effective should be kept in place.

If you would like additional information, please contact your Seyfarth attorney, [Annette Tyman](mailto:atyman@seyfarth.com) at atyman@seyfarth.com, or [Michael Childers](mailto:mchilders@seyfarth.com) at mchilders@seyfarth.com.

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