

What We Know

ARTICLES & INSIGHTS

ABOUT THE AUTHOR

[Bettie Kelley Sousa](#) has been practicing law with Smith Debnam since becoming licensed in 1981. She has a wealth of experience in state and federal courts, including bankruptcy courts, at both trial and appellate levels. She represents mostly business owners and businesses --- large and small --- in a variety of matters, including contract review, drafting and disputes.



Call it Political Correctness – It’s What North Carolina Businesses are Doing

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Our state’s relentless and expensive push back against Charlotte’s ordinance contends the Queen City threw its little girls to the imaginary wolves with its cowardly enactment of a “politically correct” anti-discrimination ordinance. Confirming Charlotte doesn’t discriminate against LGBT residents or visitors, the ordinance, and the kneejerk response “Bathroom Bill,” have spawned several federal suits, a federal directive, and more embarrassment than this fine state deserves. Those of us who never gave much thought to whether the woman “next-stall” was born a woman are now challenged to choose between divisive stances. As a North Carolina lawyer, I view the great thought divide not between religious citizens and heathens or perverts, but between our businesses and our state’s governing authorities.

North Carolina’s metro areas are located mostly within six or so of its 100 counties. There reside businesses any state would envy. Once called “Variety Vacationland” for our mountains and beaches and “The Good Roads State” for our historically impressive infrastructure, North Carolina boasts of international airports, renowned golf courses, award-winning research facilities, and excellent universities. We have attracted the best of the best. So, what do *they* do with respect to their hiring and workplaces, these successful businesses employing thousands of North Carolinians and run by talented, smart people?

Here’s what I found. Despite the tirade offered by our legislature and governor, businesses in North Carolina already have committed not to discriminate against LGBT workers. They are leading in this area and have been for some time. The business community is making no big deal of the issues argued by those opposing Charlotte’s “PC,” “in-your-face” ordinance. In essence, businesses have been following the interpretations of the federal government—most put in place before this president. And, without incident.

Bank of America’s *Diversity & Inclusion* commitment states: “At [Bank of America](#), we realize the power of our people and value our differences — in thought, style, sexual orientation, gender identity, culture, ethnicity and experience — recognizing that our diversity makes us a stronger company.”

The international pharmaceutical and consumer healthcare products giant [GlaxoSmithKline](#) has a significant presence in the Research Triangle Park, North Carolina's Silicon Valley. On its website, it promises "All qualified applicants will receive equal consideration for employment without regard to race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity/expression, age, disability, genetic information, military service, covered/protected veteran status or any other federal, state or local protected class."

And [SAS](#) in Cary, NC, the world's largest privately-held software company, which in recent years was awarded the top spot among Fortune's Best Companies to Work For in the US, mandates in its Code of Ethics, in a section titled *Respecting Each Other as Individuals*: "None of us should face discrimination on the basis of our race, color, sex, sexual orientation, marital status, religion, political affiliation, nationality, ethnic background" and other differences.

So, it seems the fear rhetoric raised by proponents of HB2 has not affected North Carolina's largest and best companies, and many others, that *choose* to state, as a bedrock principle, we do not discriminate. And I'll bet the girls who join their dads on "Take Your Daughter to Work Day" revel in the diverse, respectful, and welcoming workplaces of those businesses that like calling North Carolina home.

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