

This Governor Has Clarified a Recent Law He Just Signed

With his state facing an immense backlash over misconceptions about a recent law he enacted, North Carolina Gov. Pat McCrory issued an executive order meant to clarify the new law.

McCrory said Executive Order 93 and the law—referred to as House Bill 2—it clarifies are meant to protect the privacy and equality of all North Carolinians. He said his order clarifies existing state law and provides new protections for North Carolina residents by:

- maintaining common sense gender-specific restroom and locker room facilities in government buildings and schools;
- affirming the private sector's right to establish its own restroom and locker room policies;
- affirming the private sector and local governments' right to establish non-discrimination employment policies for its own employees;
- expanding the state's employment policy for state employees to cover sexual orientation and gender identity; and
- seeking legislation to reinstate the right to sue in state court for discrimination.

Executive Order 93, therefore, establishes “sexual orientation” and “gender identity” are now protected classes for employment purposes under state employment policies. North Carolina is now one of 24 states to make that kind of provision for state employees.

The order does not affect employees of private businesses.

“After listening to people's feedback for the past several weeks on this issue, I have come to the conclusion that there

is a great deal of misinformation, misinterpretation, confusion, a lot of passion and frankly, selective outrage and hypocrisy, especially against the great state of North Carolina,” McCrory said. “Based upon this feedback, I am taking action to affirm and improve the state’s commitment to privacy and equality.”

LGBT activists and many mainstream media outlets hailed the order as “backtracking” on HB2. As a result, McCrory released the following statement to go with the order:

North Carolina proudly welcomes all people to live, work and visit our great state.

We didn’t become the ninth most populous state in the nation by accident. We have long held traditions of both ensuring equality for all of our citizens and our visitors, while also respecting the privacy of everyone.

We are also a state that strives to allow our people and businesses to be as independent as possible without overreaching government regulations.

These North Carolina values of privacy and equality came into conflict recently when the Charlotte City Council passed a new mandate that forced on businesses a citywide ordinance of bathroom and locker room regulations, something frankly we had never seen or had before in that great city or in North Carolina.

Simply put, this government over-reach was a solution in search of a problem.

In fact, the Charlotte City Council rejected this proposal less than a year ago.

In a letter prior to the most recent vote, I notified the Charlotte City Council that this unnecessary and intrusive mandate conflicts with basic expectations of privacy in the

most private of settings.

Therefore, as I expected, the state took action on what was seen as government over-reach.

You know, after listening to people's feedback for the past several weeks on this issue, I have come to the conclusion that there is a great deal of misinformation, misinterpretation, confusion, a lot of passion and, frankly, selective outrage and hypocrisy, especially against the great state of North Carolina.

But based upon this feedback, I am taking action to affirm and improve the state's commitment to privacy and equality.

To that end, today I have signed an executive order with the goal of achieving that fine balance.

This executive order accomplishes the following:

First, it maintains common sense gender-specific restroom and locker room facilities in government buildings and in our schools and, when possible, encourages reasonable accommodations for families and those who have unique or special circumstances.

Second, the private sector can make its own policy with regard to restrooms, locker rooms and/or shower facilities. This is not a government decision. This is your decision in the private sector.

Third, I have affirmed the private sector and local government's right to establish its own non-discrimination employment policies.

And fourth, as governor, I have expanded our state equal employment opportunity policy to clarify that sexual orientation and gender identity are included.

And fifth, I will immediately seek legislation in the

upcoming short session to reinstate the right to sue for discrimination in North Carolina state courts.

Simply put, I have listened to the people of North Carolina, and the people of North Carolina are entitled to both privacy and equality. We can and we must achieve both of these goals.

Now I know these actions will not totally satisfy everyone, but the vast majority of our citizens want commonsense solutions to complex issues.

This is the North Carolina way.