



## **LGBTQ Business Enterprise Certification**

### **Public Hearing on Proposed Rule Change – Q&A**

**How does one determine that an applicant is a "recognized member" of the LGBTQ+ community?**

Determining an individual's LGBTQ status for business certification will involve a combination of self-identification and documentary evidence. OMWBE plans to follow the same criteria used for our state and federal certifications for ownership, size, and control. In addition to self-identification, any individual applying must present documentation supporting their connection to the LGBTQ community, such as through community letters of support, signed affidavit declaring their status as a member of the LGBTQ community, public recognition, or media articles. Our goal is to make the eligibility process as seamless as possible, while remaining cognizant of the complexities and sensitivity of identification issues.

**Will OMWBE provide data on the underutilization of LGBTQ businesses?**

OMWBE believes that any state or federal certification we offer is due to the underutilization of minority and women owned businesses. Our agency's mission and goals have always been to correct this. While specific data on underutilization is not available pre-launch of this certification, we are mandated to track utilization for certified businesses and will do so with this program as data becomes available post-launch.

**I'm curious about the word "rebuttably" for the proposed WAC. Why this word choice?**

OMWBE followed the language used in our portfolio of state certifications for standardization. The word "rebuttably" is critical to maintain the integrity of OMWBE's certification programs because it provides OMWBE the ability to challenge an individual's claim of social disadvantage with a well-founded reason to challenge that individual's claim.

## **Why are LGBTQ+ businesses not included in diversity tracking goals?**

OMWBE is committed to the successful implementation and longevity of the LGBTQ Certification program.

Disparity studies support the certification programs and the results of those studies are used to set federal and state supplier diversity goals. Because disparity studies have not yet included data on the LGBTQ group, part of OMWBE's work in creating and driving this state certification program is to collect information that may be used in future state supplier diversity efforts.

**NGLCC certification [certification with the National LGBTQ Chamber of Commerce] does not have an income requirement for business owners. If OMWBE allows reciprocity with NGLCC-certified LGBTBEs, will those businesses that currently have LGBTBE certification but would not qualify under Washington's personal income threshold be able to qualify under OMWBE?**

Per WAC 326-20-010, OMWBE's certification programs are intended to encourage participation of businesses owned by individuals who have encountered practices prohibiting their access to contracting opportunities, markets, financing, and other resources, based on their races, ethnic origin, sex, or disability. OMWBE must follow currently established guidelines and criteria for determining eligibility. This means we will seek to determine social and economic disadvantage of the owners, ownership and control of the business, and business size to determine eligibility. Any business currently certified with NGLCC that fully meets our established criteria will be certified with our organization after a thorough review.

**Many businesses are already registered as LGBTBEs [LGBTQ Business Enterprises] through NGLCC, the national LGBTQ+ Chamber. Will OMWBE allow reciprocity, so that businesses that are already certified as LGBTBEs will not have to go through another certification process?**

OMWBE is committed to providing a seamless and efficient process for our entire portfolio of certifications. We expect to have conversations with the National LGBTQ Chamber of Commerce (NGLCC) soon to discuss how our organizations can partner together to create a process that is fair and equitable to all of our customers.

**To that point, it would be great if current LGBTBEs could be "grandfathered in" to the new certification**

Thank you for your comment. OMWBE will continue to determine each applicant's eligibility based on our currently established criteria and guidelines. Our goal is to maintain integrity in our processes to ensure fair and equitable outcomes for all.

**I am wondering how soon someone can apply for this new certification.**

OMWBE expects to launch this certification in July of 2025. We will send out notices as the launch date approaches. Please look for information in your email soon.

**No question for my raised hand. In lieu of functioning audio, I will comment here: just wanted to echo the thanks to the LGBTQ Commission, OMWBE staff and leadership, and everyone else who has worked to bring this new certification to fruition.**

Thank you for your kind words. We are very excited about this certification and believe that it is much needed across the business landscape.

**How will the certification criteria, “and [must be] recognized as a member of the LGBTQ community” be established?**

Determining an individual’s LGBTQ status for business certification will involve a combination of self-identification and documentary evidence. OMWBE plans to follow the same criteria used for our state and federal certifications for ownership, size, and control. In addition to self-identification, any individual applying must present documentation supporting their connection to the LGBTQ community, such as through community letters of support, signed affidavit declaring their status as a member of the LGBTQ community, public recognition, or media articles. Our goal is to make the eligibility process as seamless as possible, while remaining cognizant of the complexities and sensitivity of identification issues.

**What will be the benefit(s) to LGBTQ businesses of becoming certified?**

OMWBE is the sole Unified Certification Program (UCP) for the state of Washington. Our entire portfolio of certifications offers advantages for businesses who are certified through our organization. We believe this certification will lead to direct business opportunities through supplier diversity programs, increased sales and revenue, enhanced brand recognition in the community, business development resources, and networking and mentorship opportunities. Creating a competitive advantage, the LGBTQ Certification can serve as a key differentiator for businesses with this designation.

**1) Thank you so much for doing this!!! Thank you for showing a range of gender presentations in your slides. 2) I may have missed these details. I'm a member of GSBA, so I was able to apply for NGLCC certification for free. Because I don't have any legal way to prove I am LGBTQ, I had to obtain 3 letters, from people who know me, verifying that I am indeed LGBTQ. How will the state address establishing LGBTQ membership (I am not remembering what language you are using for this) for applicants, at no cost for applicants and easy, quick and low cost enough process for WA?**

OMWBE has a thorough vetting process for our entire portfolio of certifications. Our goal is efficiency and accuracy when determining eligibility. We do not forsake one for the other. All of our certifications are free to applicants. Determining an individual's LGBTQ status for business certification will involve a combination of self-identification and documentary evidence. OMWBE plans to follow the same criteria used for our state and federal certifications for ownership, size, and control. In addition to self-identification, any individual applying must present documentation supporting their connection to the LGBTQ community, such as through community letters of support, signed affidavit declaring their status as a member of the LGBTQ community, public recognition, or media articles. Our goal is to make the eligibility process as seamless as possible, while remaining cognizant of the complexities and sensitivity of identification issues.

**My name is Monica Colgan and I am with Launch Industries. We are small business consultants and often have helped small businesses obtain MBE, DBE or WBE certification. I want to echo what Illona shared, if a business has NGLCC certification already, to consider submission of that certification as a streamlined way to obtain LGBTQBE certification through WA State. The process you have already for WBE, MBE, etc. is quite extensive and can take a very long time, so this would be a streamlined way of getting those certifications to people.**

Thank you for your input and attending our public hearing. OMWBE has a thorough vetting process for our entire portfolio of certifications. Our goal is efficiency and accuracy when determining eligibility. We do not forsake one for the other. All of our certifications are free to applicants, and we offer technical assistance as well.

**I saw the word retirement listed on the slide discussing net worth "less than \$2.047 million not including primary residence, retirement" Does this refer to IRAs, retirement accounts? Please advise. Thank you.**

Per WAC 326-20-049, an individual's personal net worth calculation does not include retirement assets. full. For personal net worth calculation purposes, OMWBE utilizes the Internal Revenue Service (IRS) rules and definitions. Per the IRS, retirement plans include IRAs, 401(k) plans, 403(b) plans, and pension plans.