



Issue Brief: The Employment Non-Discrimination Act

It is currently legal in 29 states (under state law) to fire an employee based on sexual orientation; and legal in 38 states to fire an employee based on gender identity. The Employment Non-Discrimination Act (ENDA), H.R. 3017, would amend **federal law** to prohibit workplace discrimination based on sexual orientation or gender identity. An alternative version of ENDA has been proposed which does not include gender identity; the UUA has joined with more 300 groups from the bisexual, gay, lesbian, and transgender community in opposing this weaker bill. We believe that all people should be equally protected under the law.

ENDA:

- Prohibits discrimination based on sexual orientation and gender identity in most workplaces.
- Does not apply to small businesses, most religious organizations, or the military.
- Prohibits preferential treatment, the use of quotas, and the collection of statistics.
- Permits employers to maintain workplace policies such as dress codes.
- Does not require that benefits be provided to the same-sex partners of employees.
- Is supported by a large coalition of civil rights, labor, and religious organizations, including the Leadership Conference on Civil Rights.

Public Opinion

Across the board, the majority of Americans believe employment decisions should be based on a person's qualifications and work ethic. Almost 90% of Americans believe that gays and lesbians should have equal rights in job opportunities. A majority of Americans believe the federal government should act to end workplace discrimination **against gay, lesbian, bisexual and transgender workers.**

Corporate America

A majority of America's largest employers have already implemented non-discrimination policies similar to ENDA. As of March 2007, nearly 90% (433) of Fortune 500 corporations included "sexual orientation" in their non-discrimination policies, compared to just 6 in 1990. As of March 2007, a quarter (124) of the Fortune 500 corporations included "gender identity" in their non-discrimination policies, compared to just 3 in 2000. Unfortunately, Federal legislation is still needed because there are still many jobs where Americans can be fired for being gay, lesbian, bisexual and/or transgender, or simply for being perceived as such.

Unitarian Universalism and Employment Non-Discrimination

Our advocacy for this vital civil rights legislation stems from our religious conviction that every person has inherent worth and dignity, and that every person—regardless of sexual orientation or gender identity—should be treated equally under law. We abhor the many forms of needless discrimination and oppression that plague our society, and we know from our religious experience of worshipping and being together—bisexual, transgender, straight, lesbian, and gay—that what unites us as families and as people is much greater than what divides us.

Take action!

The Unitarian Universalist Association's Washington Office sent letters to all members of Congress stating our strong support for H.R. 3017 and our opposition to any legislation that does not include full gender identity protections. Join us!

- Fax a letter or call your members of Congress; ask them to support the Employment Non-Discrimination Act, H.R. 3017, which includes gender identity protections.
- Rally your congregation to participate: host a letter-writing table; organize lobbying activities as a congregation; visit your Representatives in their home district offices.
- Generate media! Write letters to editor using personal stories, the facts above and the suggested talking points.
- Educate your relatives, friends, and co-workers about ENDA.

Suggested Talking Points

- Discrimination based on sexual orientation or gender identity is unacceptable in a nation that prizes equality. If passed, the Employment Non-Discrimination Act would strengthen our nation's commitment to freedom and justice for all.
- It is immoral to deprive anyone of the means to feed, clothe, and care for their families if they are willing and able to work. This applies to BGLT families as much as any others.
- As people of faith, we see firsthand the devastating effects the loss of a job can have on individuals, families and communities. Discrimination against BGLT people in the workplace is not benign; it hurts real families in our communities.
- ENDA would not create quotas or force churches to hire people who do not share their religious values. It will not criminalize free speech or impede religious expression in any way. In fact, many ministers, congregations and national religious organizations support ENDA.

Further Resources

- **UUA work on this issue:** visit www.uua.org/socialjustice , (click on “issues”, then “BGLT Issues” and “ENDA”) or contact Orelia Busch, Legislative Assistant for Women's Issues at la_bglt@uua.org or 202-393-2255 ext12 for more information
- **One Community, One ENDA:** This page from the National Gay and Lesbian Taskforce is an online action center on ENDA, and includes information, personal stories, and an e-advocacy ask. <http://www.thetaskforce.org/>

For more information on the Employment Non-Discrimination Act please contact Orelia Busch in the UUA Washington Office: la_bglt@uua.org or (202) 393-2255 x 12