



Employment Non-Discrimination Act Reintroduced

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The Employment Non-Discrimination Act, or ENDA, was once again introduced in the U.S. House of Representatives April 24. Reps. Barney Frank, D-Mass., Deborah Pryce, R-Ohio, Tammy Baldwin, D-Wisc., and Christopher Shays, R-Conn., brought the bipartisan measure forward, this time with the inclusion of language that also would protect transgender employees from workplace discrimination. Frank and Baldwin are openly gay.

"Twenty-five years ago, my own state of Wisconsin was the first in the nation to add sexual orientation to anti-discrimination statutes," Baldwin stated. "Since then, 16 states have done the same."

Pryce said, "Workplace discrimination of any kind is wrong, period--yet in 33 states, it is legal to fire an employee based solely on...his or her sexual orientation."

Frank pointed out that, "This is a protection against discrimination that has been tried in a number of states...and it has worked extremely well. It has caused none of the problems that opponent inaccurately claimed it would, and it has provided job protection for gay, lesbian, bisexual, and transgender people who ask simply to be allowed to do their jobs and be judged on their job performance."

Shays remarked, "ENDA is a common-sense remedy for an unfair situation. This legislation creates no 'special rights.' It simply reflects a bedrock American principle that working men and women should be judged solely on the basis of their job performances, not prejudice."

Existing federal law protects American workers from discriminatory practices based on race, gender, religion, national origin or disability. A Gallup poll in May 2006 found solid public support for including sexual orientation to the list--89 per cent of Americans agreed that gay and lesbian workers should have such workplace protections.

Although ENDA would provide exemptions to the armed forces and religious organizations, and would not require employers to provide benefits to domestic partners, it would strengthen workplace protections by prohibiting employers from basing hiring, firing, and promoting practices, or structuring pay rates, on employees' sexual orientation or gender identity. ENDA also prohibits preferential treatment and quotas based upon such criteria.

In a press release issued April 24, Log Cabin Republicans President Patrick Sammon praised Pryce and Shays for their part in introducing the legislation, saying, "All Republicans should agree that employees must be judged by their competence and nothing else." Sammons went on to say, "Job discrimination, for any reason, is un-American, unfair, and unwise." Log Cabin is the nation's largest Republican organization working for gay and lesbian equality.

Even in the absence of federal regulation regarding employee protections of this nature, a reported 86 percent of Fortune 500 corporations already have protections for gay and lesbian

employees in place, and nearly 25 percent also have policies in place to protect transgenderworkers. Commented Sammons, "Our political leaders would do well to learn from corporate America on issues surrounding workplace fairness because they understand it's good for business and it's good for the American economy."

Thirty-three states offer no protections to GLBT workers. Put of the 17 states where employees are protected from discrimination based upon sexual orientation, eight also extend protections to transgendered employees.

Historically, ENDA has had supporters from both sides of the aisle both in the House and Senate. In 1996, the Senate failed to pass the bill by one vote. In 2002, ENDA missed a Senate vote only because the bill was not scheduled for a vote before the end of that Congressional session.

Joe Solmonese, president of The Human Rights Campaign, issued a statement in advance of ENDA's re-introduction saying, "Employment discrimination strikes at the fundamental American value--the right of each qualified, hard-working individual to do his or her job and contribute to society without facing discrimination or being fired simply for who they are."

Inclusion of language in the federal legislation is a victory for the National Gay and Lesbian Task Force, which vowed eight years ago to oppose any such legislation that excluded transgender employees. Executive Director Matt Foreman said in an April 24 statement that "the measure introduced today is the direct result of [our] perseverance and our profound belief that equality is not to be divvied out to a select few; it is a fundamental human right for all."

NGLTF has long been active in lobbying for ENDA. In 1974, it was the first national organization to work for such protections, supporting efforts by then-Representatives Bella Abzug and Ed Koch, both New York Democrats, who introduced a bill to protect gay and lesbian employees. Foreman referenced this history, saying, "For decades, a majority of the American people have supported protecting gay people from discrimination. Congress needs to act now."