

PASSING THE EMPLOYMENT NON-DISCRIMINATION ACT

A TOOLKIT

National Gay and Lesbian
**Task Force
Action Fund**

www.theTaskForceActionFund.org



Passing The Employment Non-Discrimination Act

The National Gay and Lesbian Task Force Action Fund, founded in 1974 as the National Gay and Lesbian Task Force, Inc., works to build the grassroots political power of the LGBT community to win complete equality. We do this through direct and grassroots lobbying to defeat anti-LGBT ballot initiatives and legislation and pass pro-LGBT legislation and other measures. We also analyze and report on the positions of candidates for public office on issues of importance to the LGBT community. The Task Force Action Fund is a 501(c)(4) non-profit corporation incorporated in New York. Contributions to the National Gay and Lesbian Task Force Action Fund are not tax deductible.

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Dear Local Leader,

Thank you for joining the effort to pass an inclusive Employment Non-Discrimination Act (ENDA). Here at the Washington, D.C., headquarters of the Task Force, we persistently work to ensure congressional passage of a fully-inclusive ENDA, which covers both sexual orientation and gender identity.

A key tenet of the civil rights movement is that people be judged at work solely on their merits — that hardworking people should not be kept from supporting their families and contributing to the economic life of our nation because of perceived characteristics that have no bearing whatsoever on one's ability to do a job. Yet it remains legal in 30 states to fire or refuse to hire someone simply because of his or her sexual orientation; in 38 states it is legal to do so solely based on an individual's gender identity or expression. Congress now has a chance to pass meaningful civil rights legislation that would end this injustice.

Early in the 110th Congress, for the first time, a version of ENDA was introduced in the House of Representatives that included both sexual orientation and gender identity. The bill had broad bipartisan support with 184 co-sponsors. Unfortunately, as the bill moved to the floor congressional leaders decided to remove gender identity from the bill.

Today, gender identity protections have been restored, and we continue working with Congress to pass the Employment Non-Discrimination Act. But our work in Washington can only take us so far. By meeting with your representative or senator or his/her staff in your home state, you show your elected officials that they are held accountable for their vote. This also provides an opportunity to educate officials on the discrimination faced by their LGBT and allied constituents. You can convey why you, as a constituent, care about how your representative votes. You are filling a need that no one but you — a local leader in your community — can fill.

The resources in this packet were prepared by Task Force staff working with the National Center for Transgender Equality (NCTE), Pride at Work, the National Center for Lesbian Rights (NCLR) and Parents Families and Friends of Lesbians and Gays (PFLAG) as well as a number of other colleague organizations. There is a large coalition of LGBT and allied organizations working to pass a fully-inclusive ENDA, and all can be resources to you as you prepare for your advocacy.

If at any time you have questions, or are presented with challenges, please do not hesitate to contact our Public Policy & Government Affairs department at 202.393.5177. You will be directed to a staff member who can help you.

Thank you again for your hard work and commitment to LGBT equality!

Sincerely,



Rea Carey
Executive Director
National Gay and Lesbian Task Force

II. BACKGROUND

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The Employment Non-Discrimination Act (ENDA) Talking Points

The Employment Non-Discrimination Act (ENDA) prohibits employment discrimination on the basis of sexual orientation and gender identity. ENDA creates express protections for lesbian, gay, bisexual and transgender people similar to those available under existing federal discrimination laws for other protected classes of workers.

Already nearly 40% of the US population (12 states and over 100 localities) protect lesbian, gay, bisexual and transgender workers from discrimination.

Twelve states and over 100 localities protect individuals from workplace discrimination based on their sexual orientation and gender identity. However, coverage is inconsistent across the country, including from state to state, and local ordinances are often under-enforced. A federal law is needed to expressly and uniformly prohibit workplace discrimination throughout the United States.

Nondiscrimination is a best practice in Corporate America.

Corporate America generally opposes discrimination and has enacted policies protecting its lesbian, gay, bisexual and transgender employees. More than 150 Fortune 500 companies have policies that include gender identity/expression. Companies have adopted these workplace non-discrimination policies because they are motivated by the bottom line: hiring and retaining the best, most experienced person for the job makes good business sense; employees who do not have to fear discrimination are loyal and productive; and searching for and training replacement employees is expensive.

Which employers are included?

ENDA applies to the same entities covered under Title VII of the Civil Rights Act of 1964. These include private employers with 15 or more employees, labor unions, employment agencies, and federal, state and local governments. The legislation exempts the Armed Forces, religious institutions, and employers with less than 15 employees.

Gender identity is essential to the bill.

It is critical that the bill cover both sexual orientation and gender identity. The express inclusion of gender identity is vital because transgender people face pervasive workplace discrimination, and existing federal law has proven inadequate to protect these workers. On this, the LGBT community is speaking in one voice: we must move forward with employment protections that will protect all lesbian, gay, bisexual, and transgender people.

RESPONSES TO QUESTIONS

Do not bring up the following points unless you are directly asked. Instead, focus on the positive talking points on the previous page.

ENDA does not mandate the use of quotas.

ENDA explicitly states that employers may not adopt quotas on the basis of sexual orientation or gender identity.

Health benefits for partners of employees are not required by ENDA.

ENDA does not mandate the provision of health benefits to unmarried partners. In fact, the bill explicitly states that it does not apply to the provision of benefits to an individual's unmarried partner. However, this does not preclude any employer who chooses to provide benefits to unmarried partners from doing so.

Employers will still be able to enforce dress standards on the job.

Under ENDA, an employer may generally require employees to follow reasonable dress codes and reasonable grooming standards. However, if the employee has transitioned gender or has notified the employer that the employee is undergoing gender transition, the employer must permit the employee to comply with the dress code and grooming standards of the gender with which the employee identifies.

Employers will not be required to provide separate bathrooms for an employee who is transitioning from one gender to another.

As long as an individual who has transitioned or is transitioning to the other gender is able to use the restroom consistent with that person's gender identity, an employer will be in compliance with ENDA.

Employers will not be required to provide separate shower or dressing facilities for an employee who is transitioning from one gender to the other.

For shower and dressing facilities in which being seen fully unclothed is unavoidable, under ENDA an employer would comply by providing reasonable access to adequate facilities that are gender-neutral or that match the gender the employee is transitioning to (or has transitioned to).

Those who associate with lesbian, gay, bisexual and transgender people are also protected from discrimination.

Individuals are often subject to harassment and other job discrimination because of their association with their lesbian, gay, bisexual or transgender family members or friends. ENDA protects these individuals from discrimination.

DO NOT DISTRIBUTE

Statistics on Employment Discrimination Against Transgender People Employment

Discrimination Against Transgender People is Widespread

1. **Nationally**, a study conducted between 1996 and 1997 found that 37 percent of transgender individuals surveyed had experienced employment discrimination.ⁱ
2. In **Illinois**, a study conducted between 1995 and 2001 found that 37-42 percent of gender-variant individuals surveyed experienced some type of employment discrimination.ⁱⁱ
3. In **San Francisco**, a 2006 survey of 194 members of the San Francisco transgender community found:
 - 40 percent of respondents believed they were discriminated against when applying for work.
 - over 24 percent of people reported that they were sexually harassed at work.
 - 19 percent experienced trouble in advancing in their company or department.
 - 18 percent were fired from a job due to gender identity discrimination.ⁱⁱⁱ
4. In **Virginia**, a study conducted between 2005 and 2006 reported that 20 percent of transgender individuals were denied employment and 13 percent fired based on their gender identity.^{iv}
5. In **Washington state**, a study conducted between 2006 and 2007 found that 41.5 percent of transgender people surveyed had been denied employment, fired or otherwise discriminated against on the job because of their gender identity and/or expression.^v

Employment Discrimination Contributes to Economic Hardship for Transgender People

1. In **Minnesota**, a study conducted between 1997 and 2002 found that 22 percent of transgender people live below the poverty line.^{vi}
2. In **San Francisco**, a study conducted in 2006 of 194 transgender individuals found a 35 percent unemployment rate, with 59 percent earning less than \$15,300 annually.^{vii}
3. In **Philadelphia**, a study conducted in 1997 found that of 81 transgender people, 59 percent were unemployed and 56 percent made less than \$15,000 annually.^{viii}
4. In **Chicago**, a study conducted between 2000 and 2001 found that of 111 transgender individuals, 34 percent were unemployed and an additional 40 percent made less than \$20,000 annually, with a median income of just \$16,900 a year, less than half the national median income.^{ix}
5. In **Los Angeles**, a 1998–1999 study of transgender women found that 50 percent reported incomes of less than \$12,000 per year, and 23 percent depended on government assistance.^x
6. In **Washington, D.C.**, in 1999, only 58 percent of transgender respondents were employed, 29 percent reported no annual source of income, 31 percent reported that their annual income was under \$10,000, and 15 percent reported that they lost a job due to employment discrimination.^{xi}

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7. In **Virginia**, a 2005–2006 study of 250 transgender people found between 9-24 percent were unemployed and 39 percent made \$17,000 or less annually.^{xii}

8. In **Washington state**, a 2006–2007 study of 258 transgender people and found that 39 percent of those surveyed made less than \$20,000 annually.^{xiii}

Citations

i. Lombardi, E.L., Wilkins, R.A., Priesing, D, Malouf, D. (2001). Gender Violence: Trans-gender Experiences with Violence and Discrimination. *Journal of Homosexuality*.

ii. Plotner, B., Stevens-Miller, M., Wood-Sievers, T. (Spring 2002). *Discrimination 2002: 6th Report on Discrimination and Hate Crimes Against Gender Variant People*. Chicago: It's Time Illinois!.

iii. (2006). *Good Jobs NOW! A Snap Shot of the Economic Health of San Francisco's Transgender Communities*. A survey from: San Francisco Bay and Guardian and Transgender Law Center.

iv. Xavier, J.M., Hannold, J.A., Bradford, J., Simmons, R. (2007). *The Health, Health-related Needs, and Lifecourse Experiences of Transgender Virginians*. Richmond: Division of Disease Prevention through the Centers for Disease Control and Prevention, Virginia Department of Health.

v. (2008). *Perspectives Northwest Survey Report: Transgender and Gender Variant Community Needs Assessment Survey*. Ingersoll Gender Center.

vi. Bockting, W., Huang, c., Ding, H., Robinson, B., Rosser, S. (2005). Are Transgender Persons at Higher Risk for HIV Than Other Sexual Minorities? A Comparison of HIV Prevalence and Risks. *International Journal of Transgenderism*

vii. (2006) *Good Jobs NOW!*, supra.

viii. Kenagy, G.P. (2005). *The Health and Social Service Needs of Transgender People in Philadelphia*. *International Journal of Transgenderism*.

ix. Kenagy, G. P., Bostwick, W.B. (2005) . *Health and Social Service Needs of Trans-gender People in Chicago*. *International Journal of Transgenderism*.

x. Reback, C.J. supra.

xi. Xavier, J.M. (2000). *The Washington, DC. Transgender Needs Assessment Survey Final Report for Phase Two*. Washington, DC: Administration for HIV/AIDS of the District of Columbia. <http://www.gender.org/resources/dge/gea01011.pdf> (accessed April 2007).

xii. Xavier, J.M., Hannold, J.A., supra.

xiii. (2008) *Perspectives*, supra.

Polling on Transgender Employment Issues

Below is a summary of polling conducted nationally and in several states on whether people support nondiscrimination laws that are trans-inclusive:

Nationwide: Sixty-one percent believe that the country needs laws to protect transgender people from discrimination (2002; poll conducted by Lake Snell Perry & Associates).

Ohio: Sixty percent of Ohio registered voters believe that laws should be passed banning discrimination in employment, housing and public accommodations on both sexual orientation and gender identity or expression (2006 Glengariff Poll commissioned by Equality Ohio Education Fund).

New Jersey: In 2005, a Zogby poll indicated that 70 percent of likely voters in New Jersey favored a state bill that would expand the state's law against discrimination to include gender identity and expression, while only 19 percent opposed it (released by Garden State Equality).

New York: Seventy-eight percent of New Yorkers support a statewide bill that would provide protection against discrimination based on gender identity or expression, while only 13 percent do not (2008; poll conducted by the Global Strategy Group, released by Empire State Pride Agenda).

North Carolina: When 2,000 North Carolinians were asked whether discrimination based on gender identity in public employment should be legal, 68 percent responded no, 16.4 percent responded yes, and 15.6 percent responded not sure. When the same question was asked about private employment, 61 percent responded no, 24 percent responded yes, and 15 percent responded not sure. (2001; poll conducted by the Lucas organization, released by Equality NC Project).

Oregon: When likely voters were asked whether they support state nondiscrimination laws that include sexual orientation and gender identity, 62 percent responded that they favor the law, while 28 percent do not favor it, and 10 percent responded that they were not sure. (2007; poll released by Basic Rights Oregon).

Pennsylvania: Seventy-one percent of Pennsylvania voters support state legislation prohibiting discrimination based on sexual orientation and gender identity in employment, housing and public accommodations. Eighty-six percent responded that there should be workplace equality for LGBT people (2007; poll conducted by Susquehanna Polling and Research, released by Equality Advocates Pennsylvania).

Washington: Seventy-one percent of voters across demographic groups support ensuring equal rights for LGBT people, while only 22 percent are opposed (2005; poll conducted by Decision Research, released by Equal Rights Washington).

III. LOBBYING TOOLS

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How to Schedule a Meeting

It is easier than you may think to visit your representative or senator (or, more likely, their staff) in their home offices. They meet with constituents every day and even have certain days every year set aside to meet with constituents when they are away from Washington in their home districts.

Requesting your meeting

Meetings usually need to be requested in writing. A sample meeting request letter for your use is included later in this toolkit. You need to be persistent in following up with the representative's office by phone until an actual meeting is confirmed. They are usually not trying to avoid you — they are simply overwhelmed with requests for meetings.

To find phone and fax numbers for your local representative's office, visit www.house.gov; for senators go to www.senate.gov. Every representative and senator has a homepage on those sites. On each representative's homepage is information about each of his/her local offices. Contact the office most convenient for you to visit. If you have trouble finding contact information, call the Task Force Public Policy & Government Affairs department at 202.393.5177.

Preparing for the meeting

Before the meeting, you need to assemble the small team of people who will participate. Review the talking points and frequently asked questions provided in this tool kit, and practice the main points you will cover. Make copies of the document included at the end of this section that you can leave behind with staff. Research your representative's/ senator's position on ENDA and on LGBT equality. Call the Task Force if you are not sure how your representative voted on these issues in the past. This is important to know so you can tailor your meeting to your representative's stated position.

Building a team

As a general rule, no one visiting with an elected official should visit alone. Having two or more people provides multiple perspectives that may better educate the representative about ENDA, especially if the team includes members of clergy, business leaders, or LGBT individuals affected by discrimination. Also, different team members may hear the officeholder differently and thus provide a richer and more accurate picture of how a meeting went and what follow-up may need to be undertaken to continue to persuade the legislator.

Forward this packet to each member of your team. You should have a brief phone call or meeting with team members prior to the visit to make sure everyone is up to speed on the goals for the visit and to decide who will cover which points. Task Force Public Policy staff will gladly provide one-on-one telephone practice for anyone who requests it to gain experience and ease anxiety.

In this packet you will find ideas about who to invite to attend the visit with you. Bringing individuals suggested on the sheet will help make your meeting even more productive.

Building Your Team

Here are some ideas about possible people to recruit to join you at your meeting:

1. **LGBT individuals who have or may be discriminated against**, fired or refused to be hired by an employer due to sexual orientation or gender identity. It can be useful to put faces and names to the stories we share about people who desperately need the workplace protection that ENDA would provide. It is particularly important to have LGBT people tell their stories of discrimination.
2. **Leaders of your local/state LGBT advocacy organization**. Their presence will imply that the local LGBT voting block cares about passing ENDA.
3. **Leaders of the local LGBT partisan organization or local party leadership** (if they support ENDA). Bringing a Republican leader (LGBT or not) to a meeting with a Republican congressperson is more effective than bringing a supportive Democrat. Try www.stonewalldemocrats.org or www.logcabin.org to find partisan leaders, if you are not already familiar with them.
4. **Faith leaders** from local congregations. They can help ease the congressperson's concerns that some people of faith do support ENDA and can help elaborate on the religious exemption in ENDA.
5. **Other community leaders**. This includes labor representatives, educators, and business owners. Their presence should help the congressperson understand that ENDA has wider support than the congressperson realizes.
6. **People you know who have worked in local politics with the congressperson**. By bringing in people who the congressperson personally knows and values, you can help them realize that their own community supports ENDA.
7. **Leaders of other civil rights organizations**. Leaders of NOW, the ACLU and other organizations that support ENDA may be influential with a member who cares about the concerns of these groups.
8. **Families, partners and children** help to illustrate the impact of discrimination. visit www.collage.org or www.pflag.org for local chapters.

Sample Meeting Request Letter

You can use this as a model for your letter requesting a meeting with your representative. Many offices prefer to receive letters requesting meetings by fax or e-mail. Go to **www.house.gov** or **www.senate.gov** and click on your members of congress' homepage to find the contact information for your district office. Or, call the office and ask how to send a letter to the appropriate scheduler.

Date

Attn: (Name of Scheduler)

The Honorable (Name)

United States Representative/Senator

(Local Address)

Ms./Mr. (Name of Scheduler):

I am writing to request a meeting with Representative/Senator _____ when s/he is home. We wish to meet with Representative/Senator _____ to discuss an important civil rights bill that the House may soon consider, the Employment Non-Discrimination Act (ENDA).

ENDA would extend fair employment practices under federal law to the gay, lesbian, bisexual, and transgender community by prohibiting discrimination based on sexual orientation and gender identity in most workplaces.

Those in attendance at the meeting, depending on when it is scheduled for, will be:

(First person)

(Title and organization if relevant)

(Street Address)

(City, State, ZIP)

(Third person)

(Title and organization if relevant)

(Street Address)

(City, State, ZIP)

(Second person)

(Title and organization if relevant)

(Street Address)

(City, State, ZIP)

(Fourth person)

(Title and organization if relevant)

(Street Address)

(City, State, ZIP)

Please contact me to let me know when the representative or his/her staff member might be available. I will follow up with you in a few days if I have not heard back.

Thank you,

(Your name)

(Your address)

(Your phone number)

How to Lobby

Meeting With Your Member of Congress

Meeting with members of congress, or their staff, is an important way to educate them about the issues that are important to LGBT people. Preparation can help to ensure a successful and smooth visit with members of congress. Here are some things to consider.

1. When you arrive, each team member should introduce themselves. Say your name and that you are a constituent, a veteran, a parent or anything else that might be important to the legislator. Note if you have a connection with your representative.
2. You may wish to bring a business card with your contact information.
3. It is very important to arrive on time. If you are late, you are likely to miss your appointment entirely. Plan plenty of time to travel to the office just in case an emergency arises.
4. Always be brief and stay on point — your meeting time will be very limited, usually 15 to 20 minutes. This is when your team's preparation pays off. Having your general talking points written and assigned will help you present your information clearly and directly.
5. Be sure to thank everyone who has been in the meeting for their time.

Meeting with Staff Instead of a Member

1. If your member of Congress is not available to meet with you, you may be asked to meet with a staff person. This is not a negative thing. Legislators rely a great deal on their staffs and receive detailed reports on every visit with constituents. So, while meeting with the actual member of congress is ideal, meeting with staff people is also extremely helpful. If you found the staff to be helpful, write to your congressperson to let him or her know that you appreciated the staff's courtesy. Also, keep in mind that occasionally something unforeseen comes up and, even if you were expecting to meet with the actual legislator, you may see a staffer instead.
2. Often meeting with a staff member first, or even several times, can help you get in to see the actual member of congress in the future. Remember that staff members can be very important in shaping legislation and policy, so do meet with them.
3. Each visitor should send a thank-you note immediately — this is a quick and easy way to further your relationship with your congressperson. If you also met with someone on the congressperson's staff, write them a separate thank you note as well. Be sure to follow up as soon as possible with any promised additional information.

Introductions

1. Sample Introduction:

Good afternoon, Senator O'Brien. My name is Patsy Anderson, and I am a lifelong resident of our state, as you are. I am a lesbian and the founder of Stonewall Damsels, our local advocacy and support group for lesbians. I very much appreciate this opportunity to talk with you about some important issues for our community.

2. Sample Introduction:

Hello, Congresswoman Martinez. My name is Joe Gardner, I'm a new resident of our state, and a member of my local Union. I lost my last job when my employer found out that I am a female-to-male transgender man. I want to thank you for your consistent support of LGBT people and the legislation that is important to us.

Content

1. When speaking with your legislator or their staff, the most important thing is to talk about your personal experiences of discrimination or those of people you know. Refer to local examples of discrimination—personal accounts are the most likely to affect your congressperson.
2. Painting the realities that the LGBT community faces is essential for gaining the support of our representatives. However, it is critical to keep your remarks brief and to the point.
3. Stay focused so you will be understood and make your point well. A short, articulate statement will be far more effective than an elaborate story. Members of Congress have limited time and many issues to focus on—help them by being as clear as you can be.
4. Speak positively and do not disparage other people or their positions, even if you don't agree with them. Make your own position clear and let it speak for itself.
5. Listen carefully to what your congressperson has to say and clearly and succinctly answer any questions she or he asks.
6. If you do not know something, do not make it up. Explain that you do not know the answer and offer to follow up with the information. If you do offer this, make sure you really do follow up.
7. In addition to educating the legislator on LGBT issues, it is important that you leave knowing whether the legislator would support an inclusive ENDA. When you are about 75 percent through the allotted time and have given your basic presentation, it is time to get a better idea of your congressperson's thoughts if she or he has not made them clear to you already.
8. Consider asking the following questions, in your own words, to determine where your legislator stands:
 - Is there anything else that you need to know to help you to better understand the issues faced by LGBT people?
 - Would you co-sponsor legislation that includes protections based on gender identity and expression?
 - If you will not co-sponsor trans-inclusive legislation, would you be willing to vote for or support such legislation?
 - It can be helpful to leave information behind for the member of Congress and his or her staff to consider later. However, resist the urge to leave a large packet of information — legislators and staff simply will not have time to read it. A one-page leave-behind that covers the important facts is perfectly adequate.

How To Tell Your Story

The following includes some suggestions to help you articulate a story about discrimination faced by you or someone you know.

1) Introduction of the Story/Your Relationship to the Story

Info to potentially include:

- where you/friend grew up and/or live now
- where attended school
- occupations
- ambitions
- hobbies
- parental status
- religious affiliation
- any other important identity...

Examples:

I am going to tell you a story about discrimination my friend Reggie experienced. I am a student at Morehouse College, born and raised in Atlanta. My friend Reggie was the very helpful reference librarian from my town that I met when working on papers in high school

I am going to tell you about my experience of job discrimination and what it did to my kids. I was a receptionist at an accounting office and my kids are ages two and five.

2) The Facts of the Story

Info to potentially include:

- where and when
- who committed the discrimination
- what evidence was there that this was discrimination
- what type of company, institution, etc...

Example:

My friend Reggie worked at the Atlanta library for 10 years, was a good employee and liked by everyone, but was fired when he changed from female to male. Before that, he always had good reviews. He was afraid to come out as transgender and transition from female to male and waited two years before doing so. Eventually, he couldn't wait anymore and hoped that he would be judged on his work record. At first things were fine and they said they would be supportive. But a week after he transitioned officially, the human resources department told him he had to resign because the other coworkers were uncomfortable.

3) The Impact of Discrimination

Info to potentially include:

- personal impact, including impacts on mental and physical health of yourself

- personal impact on the person who experienced discrimination (if not you), including mental and physical health
- economic impact
- impact on family members, loved ones
- impact on the business/institution
- impact on society at large

Example:

Reggie couldn't sleep for months before he came out because he was afraid. This put a lot of stress on him and probably worsened his arthritis. And, his significant other and their adopted children worried too. When he was fired, the whole family was impacted. They couldn't afford summer camp for their daughter, or soccer shoes, or new clothes for the school year... Eventually, they filed for bankruptcy and went on public assistance. As his friend, I was really worried too. I brought them food when I could and tried to help his daughter learn soccer skills because she couldn't go to camp, even though I am not a very good player.

4) Why the Legislation Would Have Made Things Better

Info to potentially include:

- the discriminator may have stopped when they learned of the law
- a legal settlement could have been given
- the company may have had transgender issues training and this never would have happened at all
- the negative impacts would not have happened at all, or would have been lessened

Example:

Reggie wouldn't have had to worry as much, and would know that if he was discriminated against, at least he might be able to have some type of legal recourse. If it was against the law, he could have told his employer and maybe they would have told the other coworkers to get used to him. And maybe he could have gotten a lawyer, and gotten his job back or maybe a settlement.

Reggie's kid Alisha would have been able to go to summer camp and get new clothes for the new school year. Her dad would have been able to afford soccer cleats that were her size, since she was growing fast.

Reggie wouldn't have had to go onto public assistance or declare bankruptcy.

The library wouldn't have had to find a new employee and train them how the library works, and other coworkers wouldn't have had to fill in as the reference librarian.

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Sample Press Release

Media Contact:

Name

Title

(Office) ###.###.####

(cell) ###.###.####

E-mail: XXXXXXXX

**XXX (Organization/Local Coalition/ Community Leaders) Applauds
Introduction of Inclusive ENDA**

CITY, DATE – (Local leaders/ organization name) today announced their support for the Employment Non-Discrimination Act (ENDA), a bill that would prevent employment discrimination based on sexual orientation and gender identity. The bill was introduced today by Representative Barney Frank (D-MA).

“Currently it is legal to fire someone based on sexual orientation in 30 states, and based on gender identity in 38 states. This is unconscionable. We are calling on congress to enact this important legislation to prevent such discrimination. The time has come for real civil rights protections for all LGBT people and the Employment Non-Discrimination Act would provide those protections in employment,” said X.

XXX will work to ensure passage through coordinated lobbying efforts, grassroots mobilization efforts, online activism, and outreach to media.

-30-

How to Write a Letter to the Editor

Letters to the editor allow you to offer a short rebuttal to an article or commentary or add a crucial missing perspective. You can find specific guidelines for your local publication by visiting its website or contacting their editorial department. Letters to the editor are important on this issue both in mainstream press as well as LGBT press.

1. **Be relevant.** Tie your piece to something that recently ran in the publication or happened in the community.
2. **Keep it short.** Respond quickly to the article you have read (note the headline and date it ran). Make your points short and specific. It is better that you edit your words than allow the publication to cut what you consider to be your key point.
3. **Be factual and accurate.** State important facts that back up your point, but only use documented statistics and information.
4. **Pick a messenger.** Decide who in your community would be the best voice for advocating your point. Identify the author's expertise and/or affiliation. Include full contact information and day and evening phone numbers.
5. **Be civil.** If responding to the publication or to the opposition, make sure to address their view in a respectful manner. Characterizing others in a negative derogatory manner will reflect poorly on our viewpoint.

If you are unsuccessful in placing the letter... Or, in addition to your letter...

1. **Use alternate forums to respond.** Many media outlets have online reader forums and interactive online discussions with reporters. Some newsmagazine shows encourage viewers to respond while a show is on air, and then read selected e-mails in real time. These e-mails should be short, clear and punchy — only a few sentences will be used.
2. **Blog.** Blogs provide an excellent opportunity for public education and outreach. Monitor blogs addressing these types of issues and be sure to comment on relevant threads. Also consider finding opportunities to guest blog on the topic and the work you're doing in your community. Do not just focus on LGBT blogs; look for other progressive blogs that may also be appropriate.

Sample Letter to the Editor

To the Editor:

The Employment Non-Discrimination Act: Everyone Has A Right to Work

Currently, there is no federal law protecting people from job discrimination on the basis of sexual orientation or gender identity/expression. In 30 states, it is legal to fire someone based on their sexual orientation. In 38 states, it is legal to do so based on gender identity.

Federal law currently provides basic legal protection against employment discrimination on the basis of race, gender, religion, national origin or disability. Fairness in the workplace has been recognized as a fundamental right protected under federal law and it is now time to extend that protection to lesbian, gay, bisexual and transgender (LGBT) workers.

Qualified, dedicated workers are denied job opportunities, fired or otherwise discriminated against for reasons that have nothing to do with their performance and abilities. Employment discrimination based on sexual orientation or gender identity effectively denies qualified individuals equality and opportunity in the workplace.

Support a fully inclusive Employment Non-Discrimination Act.

Sincerely,

Name

[NOTE: You may want to include a brief story of discrimination that took place in your area. Make sure your depiction of the incident is credible and keep it short to avoid having other parts of the letter edited out.]

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Sample Letter to Member

This document can be used to draft a letter from your organization, you as an individual or as a sign on letter from multiple state/local organizations. Consider including information about your state/local protections.

July 7, 2009

Senate: The Honorable (full name)
(Room #) (Name) Senate Office Building
United States Senate
Washington, DC 20510

Representative: The Honorable (full name)
(Room #) (Name) House Office Building
United States House of Representatives
Washington, DC 20515

Dear Senator/Representative,

Fairness in the workplace has been recognized as a fundamental right protected under federal law and it is now time to extend that protection to lesbian, gay, bisexual and transgender (LGBT) workers. Qualified, dedicated workers are denied job opportunities, fired or otherwise discriminated against for reasons that have nothing to do with their performance and abilities.

The LGBT community is particularly hard hit by workplace discrimination. LGBT people face pervasive discrimination in every area of life. They are often rejected by families, harassed and kicked out of school, and discriminated against in daily life in supermarkets, malls, on public transportation, etc. Although all of these problems are terrible, the most acute need for LGBT people is anti-discrimination protections in the workplace. When a transgender person loses a job, they can become homeless, unable to provide for their families and, because of additional discrimination in hiring, be unable to obtain another job so as to improve their dire situation.

Currently, there is no federal law protecting people from job discrimination on the basis of sexual orientation or gender identity/expression. In 30 states, it is legal to fire someone based on their sexual orientation. In 38 states, it is legal to do so based on gender identity. Federal law currently provides basic legal protection against employment discrimination on the basis of race, gender, religion, national origin or disability.

It is time for all Americans to have the chance to earn a living and provide for their families. We urge you to support a fully inclusive Employment Non-Discrimination Act so that all lesbian, gay, bisexual and transgender people are provided equal opportunity in the workplace.

Sincerely,

Coalition Building

Building coalitions in your congressional district is key to influencing your legislators to support ENDA. Presenting a group of diverse individuals and organizations who support ENDA lets your legislators know there is widespread support for the bill.

1. Identify leadership

- a. Look at existing leadership in the community paying close attention to race, class, disability, gender, faith communities and geography.
- b. Select civil rights organizations that seem best situated to join the ENDA campaign.
- c. Invite individuals who show interest and are key stakeholders to join your leadership team.

2. Meet individually with local civil rights organizations (LGBT and non-LGBT)

- a. Offer your support for their work.
- b. Explain your approach to ENDA.
- c. Explain why you need their support.
 - i. Outline how a partnership with you can bolster their work and yours.
- d. LISTEN, LISTEN, LISTEN to their ideas about ENDA and your work.
- e. Create a safe space during the meeting for questions.
- f. Ask what they might be interested in doing with you and establish next steps.
- g. If possible, offer to share volunteer and contact lists at the conclusion of the campaign.

3. Town hall meeting

- a. Invite elected and appointed officials, local activist leaders, local organization leaders and the general community.
- b. Publicize in local LGBT publications, ethnic and progressive newspapers, newsletters, blogs, post flyers, include contact info in letters to the editor, etc.
- c. Ensure that you choose an accessible space to meet for all aspects of the LGBT community
- d. Develop a roundtable agenda:
 - i. Safe space and introduction
 - ii. Cover talking points
 - iii. Explain nature of campaign and brief history
 - iv. Explain the need for a coalition and how ENDA connects to other progressive issues.
- v. Ask for suggestions about campaign goals, community needs and partnership options
- e. Invite participants to join the campaign
- f. Follow up with individuals and organizations acknowledging their contributions and outlining next steps for the campaign and ways to stay involved.

4. Ongoing community/partnership meetings

- a. Hold regular meetings with organizational partners in accessible spaces in order to share:
 - i. Campaign progress reports

- ii Strategic action planning/brainstorming
- b. Maintain investment from organizations and leadership partners
- c. Community activist advisory meetings
- d. Volunteer recruitment from all aspects of the LGBT community
- e. Question/answer and brainstorming

Collecting Contacts

Effective advocacy requires a network of activists willing to take action at critical times. Below are some tips for collecting contact information with activists in your area who are willing to respond to your e-mails or place calls to contact their legislator during critical times.

1. Getting Started

- Set up or designate an e-mail address where interested individuals can easily join the list. Yahoo! groups and Google groups are excellent tools for this.
- Create a sign-up sheet that can be used for in-person recruiting.

2. In-Person Collection

- Talk to your local pride committee about procuring space at the event for collecting signatures. If you are unable to get a table, ask permission to have volunteers with clipboards at the event. For information on local pride events, visit www.interpride.org.
- Identify other local events, progressive festivities, conferences, etc.
- Get out into the community. Canvass bars, clubs, gyms and community centers.

3. Passive Public Outreach

- Produce palm cards with contact information and a brief description of your work.
- Produce posters and flyers with bright colors and eye-catching designs that briefly explain the issue with tear-away contact information.
- Distribute flyers, posters and palm cards to popular venues in as many different communities as possible (you can vary the look of your posters and flyers to appeal to different audiences).

4. Meet with Other Local Activist Groups

- Ask them to include information in their newsletter.
- Ask them to e-mail out a link or contact information to their list.
- Ask them to post a banner or link on their Web sites.
- Make the connection why and how ENDA relates to other progressive issues.

5. Media Coverage

- Ensure that any media coverage includes contact information for interested individuals.
- Ensure that you identify spokespeople from across communities to be messengers.

6. Leveraging Personal Networks

- Enlist your friends, family and colleagues.
- Draft a sample e-mail that others can send for recruiting through their personal networks.

7. Social Network Sites

- Create networks and groups on social networking sites such as Facebook and My Space.

Sample Action Alert

Let your representative know you care about ENDA!

The Employment Non-Discrimination Act (ENDA) would extend the existing federal law prohibiting employment discrimination to protect against discrimination on the basis of *sexual orientation and gender identity*.

Now it's time to make sure our representatives know about our support of an inclusive Employment Non-Discrimination Act that protects **all** lesbian, gay, bisexual and transgender people.

Make their phone ring!

Call the Capitol Switchboard at (202) 224-3121 and have them connect you to your Representative (based on your zip code). Tell them:

*I am a constituent and I would like you to please tell Representative _____ that I strongly support the Employment Non-Discrimination Act. ENDA would ban discrimination against **all** lesbian, gay, bisexual and transgender people.*

Sample Postcard

Protect LGBT Workers

PASS ENDA!



Dear Lawmaker:

Fairness in the workplace is an American value. Federal workplace non-discrimination law should protect lesbian, gay, bisexual and transgender (LGBT) people because everyone, regardless of what state they live in, should be able to work free from discrimination.

Please support passage of a federal Employment Non-Discrimination Act (ENDA) that covers both sexual orientation and gender identity in order to provide equal opportunity in the workplace.

Sincerely,

(Signature)

Name: _____

Street Address: _____

City State Zip: _____

E-mail: _____ Phone: _____

Include your e-mail address so we can keep you up to date. Thanks for standing with us!

How to Hold a Community Event

Holding House Parties

House parties can be a great way to raise funds or raise awareness in the community about the need for ENDA.

- a. Choose a date.
- b. Choose an accessible space, consider disability access and access to public transportation.
- c. Collect the names, phone numbers, e-mail addresses and mailing addresses of everybody you want to invite. Ensure that the list is representative of all parts of the LGBT and progressive communities.
- d. Write your invitation — see sample and be aware of required language about whether or not donations are tax-deductible.
- e. Mail/e-mail invitations.
- f. Call invitees two weeks before the event to remind them about the party, thank them, ask for a donation, thank them again.
- g. Based on number of anticipated guests (typically about half the number of people invited) plan light snacks and beverages.
- h. Plan to have two or three helpers, sign-in sheets, envelopes to collect checks, nametags, markers, any extra chairs or tables you need, any printed materials about the campaign.
- i. Prepare a short speech based on the talking points and your relationships with guests.
- j. Thank all who attend in person, follow up with thank you notes.
- k. Have fun!

Organizing Educational Vigils or Other Events

Holding vigils or similar public events can raise community awareness about ENDA, bring together supporters, and send a powerful message to observers.

- a. Vigils
- b. Identify a particular issue around ENDA you wish to bring out, connect it to other progressive issues to inspire broad buy in.
- c. Select a public space — parks, plazas and city hall areas are best — and check with municipal government about necessary permits and make sure it is accessible.
- d. Research a date and select one with the least possible conflicts for media attention and turnout.
- e. Select speakers from across the community (faith leaders, women's groups, disability and people of color); invite them and work to maintain the focus of the event.
- f. Create flyers and post in public spaces, particularly campus areas and coffee shops two to three weeks in advance.
- g. Emphasize nature of vigil — candles? Pickets/posters? Prayer?
- h. Notify local media of event one week prior.
- i. Invite friends and family personally and ask them to personally invite others.

Holding Press Conferences

Press conferences help to convey accurate information about ENDA, and raise the issue to members of the general public.

- a. Identify particular issue to be addressed — be sure to establish the urgency of the matter and the relevance to the community.

Passing The Employment Non-Discrimination Act

- b. Identify speakers who are familiar with the subject but represent the diversity within the LGBT and allied community.
- c. Draft remarks in keeping with the talking points and overall mission of the campaign.
- d. Identify venue — organizational office/conference room, public space? Consider accessibility.
- e. Identify desired media targets — print, radio, television, including LGBT and ethnic media.
- f. Notify media outlets and specific reporters of the conference up to one week in advance.
- g. Rehearse when possible.

Developing an Interfaith Event (applicable to many events)

Interfaith events are a great way to reach out to various faith communities about ENDA.

- a. Refer to list of state religious coalitions to identify potential speakers.
- b. Select a theme - tradition of nondiscrimination, etc.
- c. Invite speakers:
 - i. Be sure to include diverse representatives such as leaders from Muslim, Jewish, Protestant and catholic faith traditions.
 - ii. Offer support in facilitating discussion and development of talking points.
- d. Meet with speakers several times to prepare a cohesive presentation.
- e. Select, with input from speakers, the type of public event - vigil, panel discussion/press conference.
- f. Select a venue.
- g. Create appropriate flyers and press announcements, including announcements in other languages.
- h. Prepare venue as appropriate.

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Using Scripture As a Lobbying Tool

Faith can be a powerful tool when lobbying for LGBT equality. The concepts of equality, fairness and the struggle for justice echo in all the faith traditions. When community faith leaders meet with elected officials to convince national leaders to support their priorities, it makes sense for them to employ scripture — the very tool which they use to speak to their own congregants—to make their case.

Like any lobbying tool, scripture should be used only when it is appropriate and likely to affect the changes you seek. Grassroots lobbyists should do as much background research on the member and staffer they plan to visit: review the congressperson's speeches and press releases; his or her statements in the congressional Record; and his or her campaign site. Does the member of congress' faith tradition support our position? If so, you should be sure to mention that. Please let us know if you need help finding out this information; our office can help you with this task if you would like.

Below are some examples of various faiths' stance on equality. Faith leaders will be the best equipped to know their own faith's stance on equality and discrimination issues.

Sikhism

“Nanak naam chardi kala, terey bhaney sarbat da bhalla.”(Siri Guru Granth Sahib) Nanak says that with God's name comes happiness and well-being, and with your blessings, may there be peace and prosperity for all. It is that concept of the right to happiness and well-being for all of mankind that fuels our efforts to stop discrimination.

Judaism

All human beings are created b'tselem Elohim (in the Divine image), as it says in Genesis 1:27, “And God created humans in God's own image, in the image of God.” Regardless of context, discrimination against any person arising from apathy, insensitivity, ignorance, fear, or hatred is inconsistent with this fundamental belief. The stamp of the divine is present in each and every one of us.”

Each of us, created in God's image, has a unique talent, with which we can contribute to the high moral purpose of tikkun olam, the repair of our world. Excluding anyone from our community lessens our chance of achieving this goal of a more perfect world.

Islam

All of humanity was created from nafs wahida a “single soul,” according to the Qur'an. Because all humans are from the same soul, we are all equal, and should treat each other as such.

Christianity

Jesus says that we are to love and not judge others. Indeed, He says that all of the laws and commandments are fulfilled by love. “Then one of them, which was a lawyer, asked him a question, tempting him, and saying, Master, which is the great commandment in the law? Jesus said unto him, Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind. This is the first and great commandment. And the second is like unto it, Thou shalt love thy neighbour as thyself. on these two commandments hang all the law and the prophets.” (Matthew 22:35-40)

Responding to Opposing Religious Views

A large portion of the organized opposition to ENDA comes from conservative religious groups. It is important to respond to their claims. In many cases their information is inaccurate. It is vital that members of congress know that they do not speak for all people of faith. Below is a recent action alert distributed by one of these groups. We have included a point by point response to their document.

ENDA is aimed at providing heightened protections for a particular sexual behavior –homosexuality.

The truth: ENDA does not create heightened protections, it creates equal protection.

It would grant special consideration on the basis of “sexual orientation” that would not be extended to other employees in the workplace.

The truth: All employees will be protected from discrimination based on real or perceived gender identity and sexual orientation. For example, a straight man who feels he is being discriminated against because of his sexual orientation or gender identity will be protected under ENDA.

ENDA violates employers’ and employees’ constitutional freedoms of religion, speech and association. The proposed legislation would prohibit employers from taking their deeply held beliefs into account when making personnel decisions. This would pose an unprecedented intrusion by the federal government into people’s lives.

The truth: ENDA is modeled after the existing federal employment protections for race, gender and religion. The courts have repeatedly upheld these statutes.

By declaring that all sexual preferences are equally valid, ENDA would change national policy supporting marriage and family.

The truth: ENDA would have absolutely no impact on federal, state or local law regarding marriage.

Other misinformation disseminated by opponents...

ENDA will force churches to hire homosexuals and transvestites.

The truth: ENDA has a religious exemption, excluding houses of worship and ministerial jobs.

ENDA will force small business owners to hire homosexuals.

The truth: ENDA has a small business exemption; businesses with 15 or fewer employees will not be affected.

ENDA will impose quotas, requiring businesses to hire a set number of homosexuals.

The truth: ENDA does not include quotas.

Sample Bulletin Insert Text

**People of Faith Support the Employment Non-Discrimination Act.
We are at an historic moment!**

We have the opportunity to pass The Employment Non-Discrimination Act (ENDA). The bill covers persons who are lesbian, gay, bisexual, transgender. Especially as people of faith, we know that equality, justice and fairness apply to ALL of the Creator's children.

As a person of faith, please consider taking the following steps this week:

1. Call your representative:

- a. U.S. Capitol switchboard at 202.224.3121.*
- b. Identify yourself as a person of faith and a constituent.*
- c. Tell them that, as a person of faith, you are asking that they support a fully inclusive ENDA and that they vote against any amendment to weaken ENDA.*

2. Schedule a meeting with your member of Congress or his or her staff in a district office. Ask other members of your congregations, sanghas, and houses of worship to join you. If possible, have a mix of LGBT and non-LGBT folks at the meeting.

3. Write a positive letter to the editor expressing support for the bill, including specifically the transgender protections.

About the Employment Non-Discrimination Act

1. This legislation would address discrimination in the workplace by making it illegal to fire, refuse to hire, or refuse to promote an employee simply based on his or her sexual orientation, gender identity or disability.

2. ENDA closely follows the model of existing federal civil rights laws, including Title VII of the Civil Rights Act of 1964 and the Americans with Disabilities Act, ensuring that LGBT people are treated in the same way as other groups protected under law — no better, no worse.

3. Most of America's smartest business minds understand that a person's sexual orientation or gender identity has nothing to do with their job performance. That is why more than 150 Fortune 500 companies include gender identity in their nondiscrimination policies.

Representative/Senator _____, we urge you to support the Employment Non-Discrimination Act. Fairness in the workplace is an American value and for this reason federal workplace non-discrimination law should protect lesbian, gay, bisexual and transgender (LGBT) people. Qualified, dedicated workers should not be denied job opportunities, fired or otherwise discriminated against for reasons that are unrelated to their job-related qualifications or performance. Job discrimination denies qualified individuals the ability to earn a living and provide for themselves and their families. Please support an Employment Non-Discrimination Act that covers both sexual orientation and gender identity so that all lesbian, gay, bisexual and transgender people are provided equal opportunity in the workplace under federal law.

Signature	Print Name	Phone Number	Email	Street, City, State	Zip
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For more sheets or to return full sheets, contact _____: email at _____@_____ or call at _____-_____-_____.