

EMPLOYMENT NON-DISCRIMINATION ACT:

*JUDGING EMPLOYEES BY THEIR WORK PERFORMANCE,
NOT BY WHO THEY ARE OR WHO THEY LOVE*



ACKNOWLEDGEMENTS

The following Employment Non-Discrimination Act (ENDA) toolkit was by no means a solitary effort. The authors are indebted in particular to the work of the American Civil Liberties Union, Americans for Workplace Opportunity, the Center for American Progress, the Human Rights Campaign, the Interfaith Alliance, the Leadership Conference on Civil and Human Rights, the National Center for Transgender Equality, the Religious Action Center of Reform Judaism/Union for Reform Judaism, Small Business Majority, Third Way, and the Williams Institute.

For more information about these allies and other resources, please consult the [resources list](#) at the end of this toolkit.

For information about resources not listed therein, please check out [Americans for Workplace Opportunity](#).

CONTENTS

Introduction	1
Talking Points	2
Lobbying.....	4
Communicating with Members of Congress.....	4
Sample Letters (General)	6
Sample Letters (Faith Leaders)	8
Petition.....	10
Media	11
Submitting Letters to the Editor	11
Sample LTE	13
Submitting Op-Eds	14
Sample Op-Ed.....	14
Sample Tweets	16
Shareable Images.....	17
Right Wing Watch	23
Resources.....	26

Introduction

The Employment Non-Discrimination Act (ENDA) is civil rights legislation that would make it illegal to fire, refuse to hire, or refuse to promote employees because of their sexual orientation or gender identity. Specifically, ENDA would expand current federal employment protections against discrimination – such as those based on race, religion, gender, national origin, age, and disability – to include sexual orientation and gender identity. ENDA would establish uniform protections for lesbian, gay, bisexual, and transgender (LGBT) workers across the country, making it clear that employees cannot be mistreated because of who they are or who they love.

First introduced in 1994, ENDA has been introduced in every subsequent session of Congress except one, including its introduction in April 2013 by a bipartisan group of lawmakers in the [House](#) and [Senate](#). The growing momentum surrounding LGBT equality helped [ENDA move through the Senate in November 2013](#), and now advocates in Congress and on the ground are pushing for a 2014 vote in the House.

People For the American Way is working with [them](#) toward passage of this common-sense, vitally important legislation. PFAW joined [youth and faith leaders](#) in sending a letter to every member of Congress asking them to support ENDA.

Check out PFAW's website for [more information about ENDA and other LGBT equality issues](#).

[Any questions?](#)

*If you are reading a printed copy of this toolkit,
an online version with clickable links is available at
www.pfaw.org/ENDAToolkit.*

Talking Points

Passing ENDA into law is a no-brainer. Here's why:

- **In much of our country, there is no state law protecting lesbian, gay, bisexual, and transgender Americans from being fired because of who they are or who they love.** In [29 states](#) an employer can fire someone just for being gay, lesbian, or bisexual, and 32 states leave transgender and gender non-conforming people vulnerable to workplace discrimination. This means that far too many people find themselves forced to choose between risking their livelihood and hiding who they are or who they love, day after day.
- **Most Americans think LGBT employees are already protected.** Eight out of ten voters [falsely believe](#) that federal employment non-discrimination protections already exist for LGBT Americans. They do not – that's why we urgently need ENDA.
- **Many LGBT workers continue to experience discrimination.** According to the Williams Institute, [42 percent of LGBT people](#) have experienced employment discrimination due to their sexual orientation at some point in their lives. An estimated [78 percent of transgender people](#) have experienced harassment or mistreatment at work due to their gender identity, with some studies reporting [even higher numbers](#). Discrimination at work – whether in hiring, promotions, or firing – is a reality for LGBT Americans across the country.
- **Corporate America knows ENDA is good for business.** More than [90 percent](#) of Fortune 500 companies have included sexual orientation in their workplace nondiscrimination policies, and [61 percent](#) prohibit discrimination based on gender identity. While there are still too many places of employment lacking this type of policy, these numbers make it clear that federal law has fallen far behind corporate best practices.
- **So do small business owners.** A poll conducted by Small Business Majority found that most small business owners ([67 percent](#)) favor federal legislation protecting gay and transgender people from employment discrimination. Entrepreneurs know that not only are workplace protections the right thing to do, they also help attract and keep great employees.
- **Most Americans believe employment discrimination is wrong.** A strong majority of our country ([68 percent of registered voters](#)) supports a federal law with employment protections for LGBT Americans. This is no surprise – Americans believe that *all* hardworking people should have the same shot at earning a living and contributing to our country.
- **Passing ENDA is common sense – a person's sexual orientation or gender identity has nothing to do with how well they do their job.** ENDA is a common-sense measure that would prevent

LGBT people from being fired for being LGBT. It would help ensure that employees are judged by their qualifications and work performance rather than their sexual orientation or gender identity.

Lobbying

Communicating with Members of Congress

Representatives and Senators rely on their constituents' opinions and concerns when formulating positions and voting on legislation. Responding is an integral part of being a member of Congress, and whether they are seen as being responsive can affect how they are viewed by their constituents come Election Day.

Your communication with members of Congress should be concise, informed, and polite. Review information about the member before you write or call and familiarize yourself with their committee assignments and staff. It is important to know something about them before you begin the exchange. A common interest or background should help you stand out.

Six different ways to communicate with members of Congress are listed below.

Meeting

A personal visit with a member of Congress can be a good way to demonstrate your interest in an issue or bill. To make your meeting more effective, schedule an appointment with the member (or a staff member) and be sure to state the subject of your visit in advance. Review the area of discussion before the meeting so you have a thorough knowledge of the subject. During the meeting, speak clearly and be concise. Present the pros and cons of the issue, as well as detailed explanations as to why you support your view. Encourage questions from the member and be ready to answer them. At the end of the meeting, ask for favorable consideration of your issue and thank him or her for their time.

Telephone

To address an issue with a member of Congress by telephone, call the US Capitol Switchboard at 202-224-3121, or use the main number listed for their [House](#) or [Senate](#) office. Speak to a staff member about your issue or concern; be sure to ask them to pass along your opinion. With patience, you might also be able to speak to the member directly.

United States Postal Service (USPS)

USPS mail was for a long time the most common means of communicating with a member of Congress. Letters to them should be legible and concise. State the purpose of the letter in the first paragraph, support your positions in the rest of the letter, and conclude with a strong reiteration of your position. Stick to the facts, and if you are citing a particular bill include the name and number in the letter as:

House bills – “H.R. _____”

Senate bills – “S. _____”

Remember to address how the issue or legislation is likely to affect you and other constituents of the member. Make suggestions and ask for the member's views or opinions on the matter. Include your name and return address and ensure that both are legible.

Addressee format:

The Honorable _____
<Office Number> <Office Building>
Washington, DC 20515

Dear Representative _____:

The Honorable _____
<Office Number> <Office Building>
Washington, DC 20510

Dear Senator _____:

Fax

Faxing information is another common method of communicating with members of Congress. A fax receives the same attention as a letter sent by mail. Include your name and return address and ensure that both are legible. You should receive a written response from the member in the mail.

Email

Today, many members of Congress encourage their constituents to correspond by email. Although a member occasionally responds via email, more often you will receive an automatic acknowledgement that your message has been received, and then a written response in the mail that addresses the substance of your issue. Email correspondence should address the member as Representative or Senator, and should include your name and address; be sure to type them accurately.

Many members use an online form for email instead of an actual email address. The form is a page on the member's website that can be filled out and submitted electronically. The form enables the member to capture your name, address, and the subject of your message in a database for future correspondence. Often these forms rely on your zip code, and if you don't reside in a member's district or state, you may not be able to submit a message to that member – limiting email to constituents only.

Consult your member's website for his or her email address or online form URL. Directories are available for the [House](#) and [Senate](#).

Social Media

Many members of Congress have social media accounts, and tweeting at them or posting on their Facebook walls has the added benefit of being visible to other people. Go to your members' websites or search Twitter or Facebook for their names, and tweet at them by using their handles – for example, @SenatorJohnSmith – in your tweets. It's also helpful to search Twitter for your issue or concern to find

relevant hashtags or other Twitter accounts – like activists and organizations – that could be included in your tweets. Using hashtags and additional Twitter handles helps raise the visibility of your tweets.

Sample Letters (General)

These sample letters provide constituents with a few general options for lobbying members of Congress. The more personal and the more local each letter is, the more compelling it will be.

Sample 1

As one of your constituents, I urge you to support the important, bipartisan civil rights legislation known as the Employment Non-Discrimination Act (ENDA) (H.R. 1755 & S. 815).

In most states, employers can fire or refuse to hire someone based on their sexual orientation or gender identity. 29 states lack employment non-discrimination laws that protect lesbian, gay, and bisexual Americans. 32 states' laws lack gender identity protections.[1] These civil rights gaps leave far too many people vulnerable to workplace discrimination, and the terrifying threat of being unable to financially support themselves and their families.

American principles of fairness and equal opportunity should be extended to all in the workplace. Passage of ENDA would be a major step in the right direction by ensuring that current protections prohibiting employment discrimination on the basis of race, religion, gender, national origin, age, and disability are extended to include protections prohibiting employment discrimination based on sexual orientation and gender identity.

Public support for ENDA has remained strong over the years. A September 2013 survey conducted by Republican pollster Alex Lundry found that 68 percent of registered voters support a federal law that protects lesbian, gay, bisexual, and transgender Americans in the workplace.[2] Additionally, over 90 percent of Fortune 500 companies have included sexual orientation in their workplace policies, and 61 percent prohibit discrimination based on gender identity.[3] Corporate America is leading the way toward workplace fairness, and Congress needs to act to level the playing field for all.

ENDA is commonsense legislation that addresses injustice with a sensible solution. As I have noted, it would extend protections that some states and many large corporations already provide – without disruptive business consequences. I strongly support ENDA.

[1] http://hrc-assets.s3-website-us-east-1.amazonaws.com/files/assets/resources/employment_laws_1-2014.pdf

[2] http://images.politico.com/global/2013/09/29/enda_poll_2013-09-08_natl_memo.html

[3] <http://www.workplaceopportunity.org/broad-support>

Sample 2

It's way past time for Congress to enact basic workplace protections that shield LGBT Americans from employment discrimination. It's illegal to fire someone because of race, religion, national origin, disability, age, or gender, but currently employment discrimination based on sexual orientation or gender identity is not prohibited by federal law.

Although much progress has been made, LGBT Americans remain widely discriminated against. 29 states have no laws prohibiting employment discrimination based on sexual orientation, and 32 states have none that do so based on gender identity.[1]

The Employment Non-Discrimination Act (ENDA) is a very basic, commonsense measure that would protect LGBT Americans against the very real discrimination many of them face in the workplace -- one that the public overwhelmingly supports.

Please support ENDA -- H.R. 1755/S. 815 -- and do everything in your power to move it to final passage this year.

[1] http://hrc-assets.s3-website-us-east-1.amazonaws.com/files/assets/resources/employment_laws_1-2014.pdf

Sample 3

I urge you to become a cosponsor of the Employment Non-Discrimination Act (ENDA) (H.R. 1755 & S. 815). It is time for Congress to act on this crucial civil rights legislation.

I am dedicated to the principle that every worker should be judged solely on his or her merits. Hardworking Americans should not be kept from supporting their families and making a positive contribution to the economic life of our nation because of characteristics that have no bearing whatsoever on their ability to do a job. However, lesbian, gay, bisexual, and transgender (LGBT) Americans continue to experience high rates of discrimination in the workplace based on their sexual orientation and gender identity.

Without a comprehensive federal law like ENDA, these workers lack employment protections in a majority of states. Only 21 states' laws prohibit discrimination in employment based on sexual orientation, and only 18 also do so based on gender identity, meaning that it is legal to fire members of the LGBT community in 29 and 32 states, respectively.[1] ENDA prohibits discrimination based on sexual orientation and gender identity in most workplaces. The time has long since come to end this injustice for LGBT Americans and pass ENDA.

America's corporate leaders support ENDA's fair-minded approach. More than ninety percent of Fortune 500 companies have included sexual orientation protections in their workplace policies and

sixty-one percent of them prohibit discrimination based on gender identity.[2] Corporate America is leading the way in workplace fairness.

Public support for ENDA is strong. A September 2013 survey conducted by Republican pollster Alex Lundry found that 68 percent of registered voters support a federal law that protects lesbian, gay, bisexual, and transgender Americans in the workplace.[3] It is clear that Americans know that ENDA represents a measured and pragmatic response to unjust prejudice and discrimination.

I hope you will cosponsor and support this historic legislation.

[1] http://hrc-assets.s3-website-us-east-1.amazonaws.com/files/assets/resources/employment_laws_1-2014.pdf

[2] <http://www.workplaceopportunity.org/broad-support>

[3] http://images.politico.com/global/2013/09/29/enda_poll_2013-09-08_natl_memo.html

Sample Letters (Faith Leaders)

These sample letters provide faith leaders with a few general options for lobbying members of Congress. The more personal and the more local each letter is, the more compelling it will be.

Sample 1

I urge you to support the Employment Non-Discrimination Act (ENDA) (H.R. 1755 & S. 815). As a nation, we cannot tolerate arbitrary discrimination against millions of Americans just because of who they are. Lesbian, gay, bisexual and transgender (LGBT) people should be able to earn a living, provide for their families and contribute to our society without fear that who they are or who they love could cost them a job. ENDA is a measured, common sense solution that will ensure workers are judged on their merits, not on their personal characteristics like sexual orientation or gender identity. I call on you to pass this important legislation without delay.

Many religious texts speak to the important and sacred nature of work and demand in the strongest possible terms the protection of all workers as a matter of justice. Faith leaders and congregations grapple with the difficulties of lost jobs every day, particularly in these challenging economic times. It is indefensible that, while sharing every American's concerns about the health of our economy, LGBT workers must also fear for their job security for reasons completely unrelated to their job performance.

Faith traditions hold different and sometimes evolving beliefs about the nature of human sexuality and marriage as well as gender identity and gender expression, but we can all agree on the fundamental premise that every human being is entitled to be treated with dignity and respect in the workplace. In addition, any claims that ENDA harms religious liberty are misplaced. ENDA broadly exempts from its scope houses of worship as well as religiously affiliated organizations. This exemption – which covers the

same religious organizations already exempted from the religious discrimination provisions of Title VII of the Civil Rights Act of 1964 – should ensure that religious freedom concerns don't hinder the passage of this critical legislation.

I urge Congress to swiftly pass the Employment Non-Discrimination Act so that lesbian, gay, bisexual and transgender Americans have an equal opportunity to earn a living and provide for themselves and their families.

Sample 2

As a faith leader, I call on you to pass the Employment Non-Discrimination Act (ENDA) (H.R. 1755 & S. 815) this year to ensure the fair treatment of lesbian, gay, bisexual, and transgender (LGBT) Americans in the workplace.

There is currently no federal law that bars employment discrimination based on sexual orientation and gender identity. ENDA simply adds sexual orientation and gender identity alongside existing federal workplace protections, like those for race, religion, gender, and disability. In the workplace, individuals deserve to be judged on their merits and talents.

I believe it is immoral to deprive anyone of the means to feed, clothe, and care for themselves and their families. When LGBT people are discriminated against while on the job simply for living honestly, their basic humanity is fundamentally denied. As a faith leader, I know firsthand the devastating effects the loss of a job can have on individuals, families, and communities. Though we are all pained by the economic hardships befalling our nation, loss of a job because of discrimination against one's identity incurs an even more devastating sense of personal loss and humiliation. This prejudice is not benign – it hurts real families in my congregation.

ENDA does not harm religious liberty. ENDA broadly exempts from its scope houses of worship as well as religiously affiliated organizations. This exemption, which covers the same religious organizations already exempted from the religious discrimination provisions of Title VII of the Civil Rights Act of 1964, should ensure that concerns about religious freedom do not hinder the passage of this critical legislation.

I affirm the sacred dignity and worth of all human beings for all are created equal, a reflection of the divine. Our faiths unite us in a moral obligation to treat others with the respect we desire for ourselves and to pursue justice by preventing further harm from coming to those most marginalized by our society. My advocacy is grounded in the belief that advancing equality also means ensuring economic opportunity for our LGBT brothers and sisters.

Swift enactment of the Employment Non-Discrimination Act is needed this year to uphold the American Dream of opportunity and fair treatment for all.

Petition

In May 2013, PFAW launched a petition to rally support for ENDA, which today has more than 146,000 signers. Click below to add your name, or encourage others to add theirs at the same link.

STATES WHERE YOU CAN BE FIRED FOR BEING GAY



Members of Congress:

Stand with common sense, not anti-gay extremists -- support the passage of the Employment Non-Discrimination Act (ENDA).

It's way past time for Congress to enact basic workplace protections that shield LGBT Americans from employment discrimination. It's illegal to fire someone because of race, religion, national origin, disability, age or gender but currently, employment discrimination based on sexual orientation or gender identity is not prohibited by federal law.

Although much progress has been made, LGBT Americans remain widely discriminated against. 29 states have no laws prohibiting employment discrimination based on sexual orientation, and 32 states have none that do so based on gender identity.

ENDA is a very basic, commonsense measure that would protect LGBT Americans against the very real discrimination many of them face in the workplace -- one that the public overwhelmingly supports.

Please support ENDA -- H.R. 1755/S. 815 -- and do everything in your power to move it to final passage this year.

Signed,

[Add your name with the form on the right]

TAKE ACTION:

Your information:

* First Name:

* Last Name:

* Email:

* Street 1:

Street 2:

* City:

* State / Province:

* ZIP / Postal Code:

PFAW will send you periodic updates by email.

Membership

I affirm my membership with People For the American Way.

Media

Submitting Letters to the Editor

Writing a letter to the editor (LTE) is an effective way of raising awareness on an issue. Here's how you do it:

Logistics

- **Be brief.** As a general rule, you will want to keep your LTE under 200 words. However, be sure to review in advance the LTE guidelines of your newspaper of choice to double-check that 200 words is an acceptable length. Generally guidelines are posted online; however you can also find out by calling the newspaper's office.
- **Be creative.** The best letters to the editor make readers look at an issue in a new way — introduce interesting facts that weren't in the paper's coverage of the issue, or look at the same facts from a different angle.
- **Make it personal.** If you can tie your letter to the editor in to local events or connect it to local personalities, do that. The more personal and the more local your letter is, the more compelling it will be.
- **Be polite.** No matter how much you might disagree with the article or point of view to which you're responding, be respectful — newspapers won't publish letters they consider rude or insulting.
- **Do not feel obligated to only submit LTEs to large newspapers.** Your local paper is a great place to start the discussion. At the same time, do not hesitate to submit to bigger papers even if the chances of acceptance are slimmer.
- **Be sure to include your contact information in your submission.** Many newspapers will require their employees to contact an LTE submitter prior to publication. If you do not feel comfortable sharing your information publicly, be sure to make that stipulation at the bottom of your letter.

What to Write About

- Provide background information on LGBT employment discrimination and what ENDA is all about. Keep in mind your audience will most likely have never heard of ENDA, so your LTE should primarily be educational.

- Try to identify a target for your LTE. This could be your Representative, your state legislature, or a local business or corporation. By identifying a local target, you can make your LTE relevant to your community.
 - Check out Congress.gov to find out [where your Representative stands on ENDA](#). Those on the list should be thanked; those not should be asked for support and cosponsorship.
 - To find out about your state's employment laws and policies, check out this great [map from the Human Rights Campaign \(HRC\)](#).
 - The [Business Coalition for Workplace Fairness](#) can help you identify supportive local businesses or corporations that have a large presence and/or headquarters in your community. Call those not listed to find out their employment policies on sexual orientation and gender identity.

- Identify timely information in your LTE, such as:
 - ENDA was introduced in the House as H.R. 1755 on April 25, 2013. It was introduced in the Senate as S. 815 that same day, voted out of committee on July 10, and voted out of the chamber on November 7.
 - ENDA is ready for House consideration. We also want to get it to the President for his signature.
 - First introduced in 1994, ENDA has been introduced in every subsequent session of Congress except one.

- Conclude with an opinion and/or call to action, possibly something along the lines of:
 - Asking why anyone condones mistreating employees because of who they are or who they love.
 - Making clear that employment discrimination is not the American way.
 - Calling for Congress to stand on the side of equality – pass ENDA.

After Submitting Your LTE

- [Please let us know if your LTE has been printed](#). We'll work to amplify your message and will make sure your public officials see it.

- If your LTE is not accepted, do not be deterred. There are many way you can contribute to the movement. A quick way you can make sure your hard work does not go to waste is by repurposing what you wrote and mailing it in to your Representative.

[Any questions?](#)

Sample LTE

This letter to the editor is about a state-level nondiscrimination act that goes beyond employment protections, but it is a great example of an effective letter. It is timely, concise, and personal (“As a small-business owner myself...”). It also includes a call to action and a clear target for that action.

[Missouri Nondiscrimination Act Protects Gay, Transgender People](#)

July 19, 2013

By Kelly Hamilton – printed in the *St. Louis Post-Dispatch*

Last month’s U.S. Supreme Court decision overturning the Defense of Marriage Act was a landmark decision in countless ways. However, in Missouri, new federal laws will do nothing to protect Missourians from being fired for being gay — and that’s wrong.

A Small Business Majority letter July 7 titled “Court’s ruling is good for Missouri’s small businesses” stated that the vast majority of Missouri small business owners believe their state should have a law protecting gay and transgender people from discrimination in the workplace. As a small-business owner myself, I am a part of that majority. But believing and making it happen are two different things.

Lesbian, gay, bisexual and transgender Missourians can be fired, evicted from their homes and be denied access to public services and accommodations. The passage of the Missouri Nondiscrimination Act is the surest way to prohibit discrimination based on sexual orientation and gender identity in employment, housing and public accommodations.

Current state law prohibits discrimination based on race, color, religion, national origin, ancestry, sex, age as it relates to employment, disability, and familial status as it relates to housing. The Supreme Court decision does nothing to change that. MONA’s passage would add to the list a prohibition against discrimination based on sexual orientation and gender identity.

Leaders of both political parties support MONA, as well as many of Missouri’s most well-respected companies. When the Missouri Legislature reconvenes in 2014 we all must encourage our elected officials to do the right thing and protect all Missourians from discrimination.

Kelly Hamilton • St. Louis

Submitting Op-Eds

Writing an op-ed is similar to writing a letter to the editor, but it can be a slightly longer and more in-depth look at the issue. Here's how you do it:

- **Find a news hook.** Like with LTEs, your op-ed must be timely. You can have a great topic for your op-ed, but if it doesn't relate to current news, an editor might not pick it for publication. Luckily, there are a lot of ways to make your topic relevant and newsworthy. You can include surprising new research or statistics that illuminate your topic; link your topic to a holiday or an anniversary of a historic event; connect your topic to popular culture; tie your topic in with a debate or trend that's big in the news; show how the conventional wisdom about a topic is wrong; or any combination of the above.
- **Make it compelling.** Also like LTEs, if you have a personal story to tell about your topic, tell it! In addition, be sure to include a call to action clearly and early, and support it with compelling facts. Then carefully proofread it and make sure it fits in the word limit.
- **Pitch it.** Look for your target paper's op-ed submission instructions on its website. If there is no submission form, you should send your op-ed in the body of an email, and include a brief note at the top introducing yourself, explaining the context for your op-ed and providing your contact information. If you don't hear back from the editors in a couple of days, send another note or call the editorial department to follow up. If your first choice paper doesn't accept it, don't give up! Pick your second choice paper, and try again.

Sample Op-Ed

[With Americans Moving Forward on Gay Rights, Why Won't the GOP? Congress will soon debate something the rest of America decided years ago: whether or not it's okay to fire people for being gay.](#)

May 22, 2013

By Drew Courtney

By the end of June, the Supreme Court will decide two related cases involving the right of gay couples to get married. We don't know what the decisions will be, although it seems likely that gay-rights activists will have something to celebrate that day, even if it's less than what we're hoping for.

And the celebration has already begun. Delaware and Minnesota recently became the 11th and 12th states to enact marriage equality for same-sex couples, and Illinois could follow suit. At the federal level, things are promising too, as 54 Senators have spoken out in favor of marriage equality.

Poll numbers show a healthy majority of Americans agree. Even the NBA is getting in on the action, now that the first openly gay athlete in one of the nation's Big Four sports has come out of the closet and been greeted with nearly unanimous support from teammates and coaches.

To an outsider, it would appear that marriage equality is an idea whose time has come.

But despite the fact that our national conversation about gay rights is largely focused on marriage equality, this year Congress will be debating something the rest of America decided years ago: whether or not it's OK to fire people for being gay.

Few Americans still think that's a live question. Overwhelming majorities of Americans support the passage of the Employment Non-Discrimination Act (ENDA), which would make it illegal to fire someone for being gay or transgender. Even within the business community itself, there's broad support for the legislation. Tellingly, pollsters have found that most Americans assume that it's already the law.

It's not. In 29 states, it's still legal to fire someone because they're gay. In 34, it's legal to fire someone because they are transgender.

Democrats, including President Barack Obama, have supported the legislation for years, but even as the nation gets more and more comfortable with equality for LGBT people, the Republican Party's leadership has been unable to move forward on the issue. That's very bad news, not just for the LGBT community, but also for the GOP itself.

Republican strategists are well aware that moderate voters aren't keen on supporting a party that's actively working against basic equality for LGBT people, but there are powerful constituencies within the GOP that are demanding fealty to a rigidly anti-gay agenda. While voters in a general election are turned off by nasty anti-gay rhetoric, Religious Right activists have whipped the GOP's base voters, the ones who show up for primary elections, into a lather.

Tony Perkins of the right-wing Family Research Council says that ENDA is being pushed by the "totalitarian homosexual lobby." Mat Staver of Liberty Counsel says that the law would lead to sexual molestation and even "the death of some individuals." Andrea Lafferty of the Traditional Values Coalition compared a similar anti-discrimination measure to the brutal massacre of first graders at Sandy Hook Elementary.

All that because of a law that would stop gay people from getting fired for being gay.

It would be easy to write off these extremists as fringe figures, but the truth is that Republican leaders, so far, have chosen to cast their lot with the anti-gay industry, and against the common sense anti-discrimination laws supported by most Americans.

Every day, it gets clearer and clearer that LGBT people are part of our communities, and that basic legislation, including laws to prevent discrimination on the job, are common sense. But ENDA won't even get a vote until House Speaker John Boehner and at least a few Senate Republicans stop carrying water for the far-right and instead open the door to some common sense pro-equality initiatives.

In the next few months, GOP leaders will face a choice. They can stand up for common sense, progress, and an increasingly lopsided majority of Americans, or they can side with the rigidly anti-gay activists who are currently calling the shots in the Republican Party.

They should probably hurry up. America is getting way ahead of them.

Sample Tweets

If you are looking for an even quicker way to lend your support to an issue, [you can tweet about it!](#)

Here are some sample tweets for [ENDA](#):

- Can talking about your family at work get you fired? It can if you're #LGBT. Tell Congress to pass #ENDA! www.pfaw.org/ENDA
- In many states, you can be fired just for being #LGBT. That's not right. Support #ENDA! www.pfaw.org/ENDA
- Fortune 500 companies bit.ly/1jF9WdN and small business owners bit.ly/1iHfV0c agree: #ENDA is good for business!
- Did you know that in 29 states, you can be fired for being gay? Time to pass #ENDA. www.pfaw.org/ENDA
- Employees should be judged by their work performance, NOT by who they are or who they love. Support #ENDA! www.pfaw.org/ENDA
- Where is Speaker Boehner hiding all the good bills like #ENDA? bit.ly/HNbwt9
- The Senate passed #ENDA. Now it's the House's turn. Take action: www.pfaw.org/ENDAToolkit
- Want to join the fight for #ENDA? Check out PFAW's policy toolkit: www.pfaw.org/ENDAToolkit

- RT this if you believe it's time to protect #LGBTworkers from discrimination: www.pfaw.org/ENDAToolkit
- RT this if you stand for #WorkplaceFairness for #LGBTworkers: www.pfaw.org/ENDAToolkit
- RT this if you stand with #LGBTworkers: www.pfaw.org/ENDAToolkit
- What will you do to protect #LGBTworkers? www.pfaw.org/ENDAToolkit
- Why is Congress letting #ENDA grow cobwebs? ow.ly/wA20o | www.pfaw.org/ENDA
- Americans believe employment discrimination is wrong, but House GOP leadership continues to block #ENDA: ow.ly/i/5ugHd
- Many LGBT workers continue to experience discrimination. We need #ENDA now! ow.ly/i/5ugzB | www.pfaw.org/ENDA

When appropriate, don't be afraid to tweet @ your Representative and Senators. Twitter and Facebook are great places to [communicate with members of congress](#).

Shareable Images

Another easy way to show your support is to share images on Facebook and Twitter or other social media. Click on the images below and then "share" them on your own Facebook page. Check out [PFAW on Facebook](#) for more options.



**Can talking about your family
at work get you fired?**



It can if you're gay.

Tell Congress to pass the **Employment Non-Discrimination Act (ENDA)**

**STATES WHERE YOU CAN
BE FIRED FOR BEING GAY**



LET'S CHANGE THAT

Tell Congress to pass the **Employment Non-Discrimination Act (ENDA)**

**Employees should be judged by
their work performance,**



**NOT by who they are or
who they love.**

Tell Congress to pass the **Employment Non-Discrimination Act (ENDA)**

QUIZ

IF THE EMPLOYMENT
NON-DISCRIMINATION ACT IS PASSED...

- A. IT WILL "REPRESENT THE RETURN OF JIM CROW LAWS." (AMERICAN FAMILY ASSOCIATION'S BRYAN FISCHER)
- B. IT WILL "ULTIMATELY RESULT IN SIGNIFICANT DAMAGE AND EVEN DEATH OF SOME INDIVIDUALS." (LIBERTY COUNSEL'S MAT STAVER)
- C. "OUR FREEDOM OF RELIGION WILL BE DESTROYED." (FAMILY RESEARCH COUNCIL'S TONY PERKINS)
- D. PEOPLE WILL NO LONGER BE FIRED FOR WHO THEY ARE OR WHO THEY LOVE.

LET'S STAND WITH
COMMON SENSE,
NOT WITH ANTI-GAY EXTREMISTS.

RIGHTWINGWATCH.ORG

“ [ENDA] WILL PUT INDIVIDUALS AT RISK AND
ULTIMATELY RESULT IN SIGNIFICANT DAMAGE
AND EVEN DEATH OF SOME INDIVIDUALS. ”
— LIBERTY COUNSEL'S MAT STAVER ”



STAND WITH COMMON SENSE,
NOT WITH ANTI-GAY EXTREMISTS.

RIGHTWINGWATCH.ORG


“ “ENDA WOULD REPRESENT THE
RETURN OF JIM CROW LAWS.” ”
— AMERICAN FAMILY ASSOCIATION'S BRYAN FISCHER



STAND WITH COMMON SENSE,
NOT WITH ANTI-GAY EXTREMISTS.

RIGHTWINGWATCH.ORG

“ IF ENDA BECOMES LAW, CHRISTIANS WILL BE BANKRUPTED IN ALL 50 STATES. ”
 — FORMER NAVY CHAPLAIN GORDON KLINGENSCHMITT



FALSE.

**STAND WITH COMMON SENSE,
 NOT WITH ANTI-GAY EXTREMISTS.**

RIGHTWINGWATCH.ORG



“ ...IN THE UNITED STATES OF AMERICA, WHO YOU ARE AND WHO YOU LOVE SHOULD NEVER BE A FIREABLE OFFENSE. ”
 —PRESIDENT OBAMA

WHY IS JOHN BOEHNER REFUSING TO BRING ENDA TO A VOTE IN THE HOUSE?
 TELL CONGRESS YOU SUPPORT LAWS PROTECTING LGBT PEOPLE ON THE JOB.

PEOPLE FOR THE AMERICAN WAY PFAW.ORG

MANY LGBT WORKERS CONTINUE TO EXPERIENCE DISCRIMINATION.



More than **four in ten** LGBT people have experienced employment discrimination because of their sexual ori-



Nearly **eight in ten** transgender people have experienced harassment or mistreatment at work because of their

Source: The Williams Institute (June 2012 press)

ADD YOUR NAME TO OUR PETITION 

TELLING CONGRESS TO STAND UP TO DISCRIMINATION BY PASSING ENDA.

WWW.PFAW.ORG/ENDA

Why is Congress letting
ENDA
grow cobwebs?

WWW.PFAW.ORG/ENDA

**AMERICANS BELIEVE EMPLOYMENT
DISCRIMINATION IS WRONG.**



68% of voters support a federal law with employment protections for LGBT Americans.

Source: 2013 TargetPoint Consulting

**BUT THERE'S STILL NO FEDERAL LAW MAKING IT ILLEGAL TO FIRE,
REFUSE TO HIRE, OR REFUSE TO PROMOTE EMPLOYEES BECAUSE OF**

WHO THEY ARE OR WHO THEY LOVE.

ADD YOUR NAME TO OUR **PETITION** 
TELLING CONGRESS TO STAND UP TO DISCRIMINATION BY PASSING ENDA.

WWW.PFAW.ORG/ENDA

TIME TO STAND UP TO DISCRIMINATION

Six months after the Senate passed the Employment Non-Discrimination Act (ENDA)...

WHY IS HOUSE GOP LEADERSHIP BLOCKING PROGRESS?

MANY LGBT WORKERS CONTINUE TO EXPERIENCE DISCRIMINATION.



More than four in ten LGBT people have experienced employment discrimination because of their sexual orientation.



Nearly eight in ten transgender people have experienced harassment or mistreatment at work because of their gender identity.

Source: The Williams Institute (June 2012 press release)

AMERICANS BELIEVE EMPLOYMENT DISCRIMINATION IS WRONG.



68% of voters support a federal law with employment protections for LGBT Americans.

Source: 2013 TargetPoint Consulting Survey

BUT THERE'S STILL NO FEDERAL LAW MAKING IT ILLEGAL TO FIRE, REFUSE TO HIRE, OR REFUSE TO PROMOTE EMPLOYEES BECAUSE OF WHO THEY ARE OR WHO THEY LOVE.

ENDA WOULD FIX THIS.

IT'S TIME FOR CONGRESS TO ACT.

The Senate has passed ENDA, and we're only 17 votes away from majority support for passage in the House.



IT'S TIME FOR HOUSE GOP LEADERSHIP TO STOP STANDING IN THE WAY OF PROGRESS AND IGNORING THE WILL OF THE PEOPLE.

ADD YOUR NAME TO OUR PETITION 
TELLING CONGRESS TO STAND UP TO DISCRIMINATION BY PASSING ENDA.

WWW.PFAW.ORG/ENDA

Right Wing Watch

People For the American Way's [Right Wing Watch](#) is an ongoing source of information on what the far Right is saying about ENDA. Below is [a collection we released in July 2013](#). Click for its [October 2013 update](#).

[The ENDA is Near: The Top Five Religious Right Claims About the Employment Non-Discrimination Act](#)

With the Employment Non-Discrimination Act expected to come before the full Senate by the end of the year, here's a look at [Right Wing Watch](#)'s collection of recent – and classic – claims from the Religious Right about ENDA. Because ENDA is common-sense civil rights legislation that would expand federal employment protections against discrimination to include sexual orientation and gender identity, the Right cannot gain much traction by opposing ENDA on its merits. Instead, resorting to fear-mongering and lies, they contend that ENDA will lead to everything from the end of religious freedom to sexual assault and death.

Here are highlights of [Right Wing Watch](#)'s reporting on right-wing opposition to ENDA:

5. Tony Perkins: 'Totalitarian Homosexual Lobby' Out to Destroy Religious Freedom with ENDA (March 2013)

"Like a B-grade 1950's horror-movie, ENDA is coming back from the dead," [warned](#) Family Research Council President Tony Perkins in a recent mailing. Perkins said President Obama is working with the "totalitarian homosexual lobby" to sneak ENDA into law, and if that happens, "Our freedom of religion will be destroyed."

"In fact," says Perkins in his letter, "under ENDA biblical morality becomes illegal."

Read the full article [here](#).

4. Steve Crampton: ENDA is Insanity (June 2012)

Speaking about a Senate hearing on ENDA, Liberty Counsel's "Faith and Freedom" radio host Steve Crampton [marveled](#) that a transgender person was actually allowed to testify on behalf of the legislation and complained that ENDA is not about "equal rights" but rather "special rights" for gays and cross-dressers.

Crampton stated that if ENDA passed, he could come into work – “God forbid,” he said – wearing a dress and would be allowed to use the women’s restroom. “In years past,” Crampton said, “we had another word for this: it’s called insanity.”

Read the full article [here](#).

3. Andrea Lafferty Cites CT School Shooting to Rally Opposition to Non-Discrimination Policies (December 2012)

Andrea Lafferty of the Traditional Values Coalition used the school shooting in Newtown, Connecticut, in order to bolster her campaign against ENDA. While speaking to [Janet Mefferd](#) about the Orange County, Florida, school system’s new [non-discrimination policy](#) that is similar to ENDA, Lafferty said that just as parents are upset about the Sandy Hook elementary school shooting and are concerned about keeping their children safe, they should also be worried about ENDA’s “devastating effects” as schools will have “people with some real issues playing out their personal problems in the classroom.”

Lafferty maintained that ENDA is part of the left’s “open season” on Christians on behalf of “fringe minorities and people that are truly sick.” She warned that Chick-fil-A restaurants may soon be “forced” to hire “weirdos” seeking to undermine Christian businesses, warning that transgender people are committing “the ultimate act of self-hatred” and need “special medical treatment” rather than job protections.

Read the full article [here](#).

2. Bryan Fischer: Businesses Threatened by ‘Flaming Homosexual’ Job Applicants and the ‘Return of Jim Crow Laws’ (January 2013)

American Family Association spokesman Bryan Fischer warned in a [blog post](#) that “ENDA would represent the return of Jim Crow laws.” On his radio program Focal Point, Fischer warned that if ENDA is signed into law businesses will be faced with a barrage of “[flaming homosexual](#)” job applicants. “The homosexual lobby,” Fischer said, “will send a guy in there wearing stilettos, a dress and dangly earrings” in order to provoke Christian business-owners “not to hire him.”

Read the full article [here](#).

1. Mat Staver: ENDA Will Result in the 'Death of Some Individuals' (June 2012)

Liberty Counsel chairman Mat Staver is ratcheting up the rhetoric in opposition to ENDA, even going so far as to say that if passed the legislation may lead to child molestation, sexual assault, and death. Staver

told Jim Schneider of VCY America on [Crosstalk](#) that ENDA “will put individuals at risk and ultimately result in significant damage and even death of some individuals”:

Staver: So you can go into these restrooms or changing rooms, if you’re a man, and want to go in and molest, or watch, or sexually assault young girls. So, I mean, the absurdity of this is just beyond understanding how someone could be in favor of it. This will ultimately, in addition to colliding with religious liberty, in addition to forcing a radical agenda on people, this also will put individuals at risk and ultimately result in significant damage and even death of some individuals.

Read the full article [here](#).

Resources

For information about resources not listed herein,
please check out [Americans for Workplace Opportunity](#).

The Advocate: Fired For Being LGBT

<http://www.advocate.com/politics/2013/05/08/fired-being-lgbt>

The Advocate magazine, established in 1967, is the [oldest](#) and largest LGBT publication in the United States. This publication and its sister website have an editorial focus on news, politics, opinion, and arts and entertainment of interest to LGBT people. In "Fired for Being LGBT," they make the case for why ENDA must pass through the stories of individuals who lost their jobs for simply being LGBT.

AFL-CIO

<http://www.aflcio.org>

AFL-CIO is the umbrella federation for US unions, with 57 unions representing more than 12 million working men and women. The federation works to ensure that all people who work receive the rewards of their work—decent paychecks and benefits, safe jobs, respect and fair treatment. It works to make the voices of working people heard in the White House, on Capitol Hill, in state capitals across the country, and in corporate boardrooms. It provides an independent voice for working families and ways for working people to be actively engaged in politics and legislation. It also holds corporations accountable for their treatment of employees and ensures the voice of working people is heard in the financial system, and works with federations of unions in other countries toward global social and economic fairness.

American Civil Liberties Union

<http://www.aclu.org>

The American Civil Liberties Union is a guardian of liberty, working daily in courts, legislatures and communities to defend and preserve the individual rights and liberties that the Constitution and laws of the United States guarantee everyone in this country. These rights include: your First Amendment rights - freedom of speech, association and assembly; freedom of the press, and freedom of religion; your right to equal protection under the law - protection against unlawful discrimination; your right to due process - fair treatment by the government whenever the loss of your liberty or property is at stake; and your right to privacy - freedom from unwarranted government intrusion into your personal and private affairs. The organization also works to extend rights to segments of the population that have traditionally been denied their rights, including people of color; women; lesbians, gay men, bisexuals and transgender people; prisoners; and people with disabilities.

American Federation of Teachers

<http://www.aft.org>

The American Federation of Teachers, an affiliate of the AFL-CIO, was founded in 1916 and today represents 1.5 million members in more than 3,000 local affiliates nationwide. Five divisions within the AFT represent the broad spectrum of the AFT's membership: pre-K through 12th-grade teachers; paraprofessionals and other school-related personnel; higher education faculty and professional staff; federal, state, and local government employees; and nurses and other healthcare professionals. In addition, the AFT represents approximately 80,000 early childhood educators and nearly 250,000 retiree members.

American Unity Fund

<http://www.americanunityfund.com>

Pro-freedom conservatives, major GOP donors, and ordinary American citizens who care about their gay and lesbian neighbors have come together in a new effort to build more Republican support for gay rights. That effort is American Unity Fund, an organization dedicated to advancing the cause of freedom for gay and lesbian Americans by making the conservative case that freedom truly means freedom for everyone.

Americans for Workplace Opportunity

<http://www.workplaceopportunity.org>

Americans for Workplace Opportunity will ensure that lawmakers in Washington hear from the millions of Americans from all walks of life who support LGBT workplace protections. The campaign is undertaking grassroots organizing in a number of key states, including Arizona, Arkansas, Florida, Idaho, Indiana, Nevada, New Hampshire, New Jersey, Ohio, Pennsylvania, Tennessee, and West Virginia. Its steering committee includes the American Civil Liberties Union, the American Federation of Teachers, the American Unity Fund, the Human Rights Campaign, the Leadership Conference on Civil and Human Rights, the National Center for Transgender Equality, the National Gay & Lesbian Task Force, and the Service Employees International Union.

Business Coalition for Workplace Fairness

<http://www.hrc.org/resources/entry/business-coalition-for-workplace-fairness-members>

The vast majority of United States businesses have already started addressing workplace fairness for lesbian, gay, bisexual, and transgender employees. But we still need a federal standard that treats all employees the same way. The Business Coalition for Workplace Fairness is a group of leading US employers that support the Employment Non-Discrimination Act, a federal bill that would provide the same basic protections that are already afforded to workers across the country.

Center for American Progress

<http://www.americanprogress.org>

The Center for American Progress is dedicated to improving the lives of Americans through progressive ideas and action. Building on the achievements of progressive pioneers such as Teddy Roosevelt and

Martin Luther King, the organization's work addresses 21st-century challenges such as energy, national security, economic growth and opportunity, immigration, education, and health care. It develops new policy ideas, critiques the policy that stems from conservative values, challenges the media to cover the issues that truly matter, and shapes the national debate.

Faith Leaders Supporting ENDA

<http://rac.org/Articles/index.cfm?id=23226>

Faith leaders from across denominations have also come together to show their support for ENDA. In a July 2013 letter to members of Congress, fifty faith leaders said: “As a nation, we cannot tolerate arbitrary discrimination against millions of Americans just because of who they are. Lesbian, gay, bisexual and transgender (LGBT) people should be able to earn a living, provide for their families and contribute to our society without fear that who they are or who they love could cost them a job [. . .] Our faith traditions hold different and sometimes evolving beliefs about the nature of human sexuality and marriage as well as gender identity and gender expression, but we can all agree on the fundamental premise that every human being is entitled to be treated with dignity and respect in the workplace. In addition, any claims that ENDA harms religious liberty are misplaced. ENDA broadly exempts from its scope houses of worship as well as religiously affiliated organizations.”

Human Rights Campaign

<http://www.hrc.org>

As the largest civil rights organization working to achieve equality for lesbian, gay, bisexual, and transgender Americans, the Human Rights Campaign represents a force of more than 1.5 million members and supporters nationwide — all committed to making HRC's vision a reality. Founded in 1980, HRC advocates on behalf of LGBT Americans, mobilizes grassroots actions in diverse communities, invests strategically to elect fair-minded individuals to office, and educates the public about LGBT issues.

Interfaith Alliance

<http://www.interfaithalliance.org>

As religion plays an increasingly prominent role in American politics, preserving the boundary between religion and government is more vital than ever. Interfaith Alliance works to ensure that faith and freedom flourish so that individuals can worship freely or not worship at all, so they can embrace matters of personal conscience without fear of government intrusion, and so that all can live in a vibrant, healthy society. Created in 1994, Interfaith Alliance today has 185,000 members across the country made up of 75 faith traditions as well as those of no faith tradition.

Leadership Conference on Civil and Human Rights

<http://civilrights.org>

The Leadership Conference on Civil and Human Rights is a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the civil and human rights of all persons in the United States. Through advocacy and outreach to targeted constituencies, The Leadership Conference works toward the goal of a more open and just society — an America as good as its ideals. It

was founded in 1950 and has coordinated national lobbying efforts on behalf of every major civil rights law since 1957.

Media Matters for America

<http://mediamatters.org>

Using its website as the principal vehicle for disseminating research and information, *Media Matters* posts rapid-response items as well as longer research and analytic reports documenting conservative misinformation throughout the media. Additionally, *Media Matters* works daily to notify activists, journalists, pundits, and the general public about instances of misinformation, providing them with the resources to rebut false claims and to take direct action against offending media institutions.

National Center for Transgender Equality

<http://transequality.org>

The National Center for Transgender Equality is a national social justice organization devoted to ending discrimination and violence against transgender people through education and advocacy on national issues of importance to transgender people. By empowering transgender people and their allies to educate and influence policymakers and others, NCTE facilitates a strong and clear voice for transgender equality in our nation's capital and around the country.

National Education Association

<http://www.nea.org>

The National Education Association (NEA), the nation's largest professional employee organization, is committed to advancing the cause of public education. NEA's 3 million members work at every level of education—from pre-school to university graduate programs. NEA has affiliate organizations in every state and in more than 14,000 communities across the United States.

National Gay and Lesbian Task Force

<http://thetaskforce.org>

The mission of the National Gay and Lesbian Task Force is to build the power of the lesbian, gay, bisexual, and transgender (LGBT) community from the ground up by training activists, organizing broad-based campaigns to defeat anti-LGBT referenda and advance pro-LGBT legislation, and by building the organizational capacity of the LGBT movement. As part of a broader social justice movement, the Task Force to create a nation that respects the diversity of human expression and identity and creates opportunity for all.

Religious Action Center of Reform Judaism/Union for Reform Judaism

<http://rac.org>

For 50 years, the Religious Action Center of Reform Judaism ("the RAC") has been the hub of Jewish social justice and legislative activity in Washington, DC. As the DC office of the Union for Reform Judaism, the RAC educates and mobilizes the Reform Jewish community on legislative and social

concerns, advocating on more than 70 different issues, including economic justice, civil rights, religious liberty, Israel, and more.

Service Employees International Union

<http://www.seiu.org>

The Service Employees International Union is an organization of 2.1 million members united by the belief in the dignity and worth of workers and the services they provide and dedicated to improving the lives of workers and their families and creating a more just and humane society. It is the fastest growing union in North America and focuses on three sectors: healthcare, property services, and public services.

Small Business Majority

<http://www.smallbusinessmajority.org>

Small Business Majority is an advocacy group founded and run by small business owners to focus on solving the biggest problems facing small businesses today. The organization actively engages small business owners and policymakers in support of solutions that promote small business growth and drive a strong economy. It advocates for policies that create jobs and maximize business opportunities and cost savings in healthcare reform, clean energy, access to capital, and other areas.

Third Way

<http://www.thirdway.org>

Third Way represents Americans in the “vital center” — those who believe in pragmatic solutions and principled compromise, but who too often are ignored in Washington. The organization's mission is to advance moderate policy and political ideas. Its agenda includes: a series of grand economic bargains, a new approach to the climate crisis, progress on social issues like immigration reform, marriage for gay couples, tighter gun safety laws, and a credible alternative to neoconservative security policy.

The Williams Institute

<http://williamsinstitute.law.ucla.edu>

A national think tank at UCLA Law, the Williams Institute is dedicated to conducting rigorous, independent research on sexual orientation and gender identity law and public policy. Its experts have authored dozens of public policy studies and law review articles, filed amicus briefs in key court cases, provided expert testimony at legislative hearings, been widely cited in the national media, and trained thousands of lawyers, judges, and members of the public.

People For the American Way is dedicated to making the promise of America real for every American: Equality. Freedom of speech. Freedom of religion. The right to seek justice in a court of law. The right to cast a vote that counts. The American Way.

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