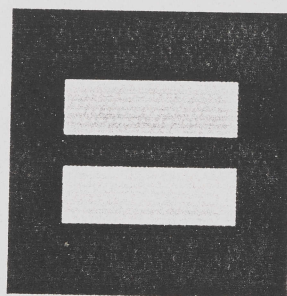


# The State of the Workplace for Gay and Lesbian Americans

*Why Congress Should Pass the Employment  
Non-Discrimination Act*

A Special Report  
of the Human Rights Campaign's  
WorkNet

July 1996



**HUMAN  
RIGHTS  
CAMPAIGN**

1101 14th Street NW Suite 200 Washington DC 20005

phone 202 628 4160 fax 202 347 5323 e-mail [hrc@hrcusa.org](mailto:hrc@hrcusa.org)

# Appendix One

## Corporations Endorsing ENDA

Apple Computer	Louis Dreyfus Energy Corporation
AT&T	Merrill Lynch
Bankers Trust	Microsoft
Bank of Boston	Northern States Power Company
Ben and Jerry's Homemade	Nynex Corporation
Bethlehem Steel Corporation	Pacific Gas and Electric
Borland International	Pacific Telesis Group
Digi-Net Syndication	Polaroid
Eastman Kodak	Prudential Insurance Company
First Bank System	Quaker Oats Company
Genentech	Quark
Harley Davidson	RJR Nabisco
Hill and Knowlton	Silicon Graphics
Inland Steel Industries	Xerox

## Organizations Endorsing ENDA

Actors Equity Association	Communications Workers of America
AFL-CIO	Episcopal Church
Amalgamated Clothing & Textiles Worker's Union	Federally Employed Women, Inc
American Association of University Professors	Hadassah, WZO
American Association of University Women	Human Rights Campaign
American Bar Association	International Association of Machinists and Aerospace Workers
American Civil Liberties Union	International Union of Electronic Workers -- AFL-CIO
American Ethical Union	International Association of Fire Fighters
American Federation of Government Employees-- AFL-CIO	Jewish Women International (formerly B'nai B'rith Women)
American Federation of State, County, & Municipal Employees	Leadership Conference on Civil Rights
American Federation of Teachers	LLEGO
Americans for Democratic Action	LIFE Lobby
American Friends Service Committee	Lutheran Office for Governmental Affairs -- Evangelical Lutheran Church in
American Jewish Committee	Mexican American Legal Defense and Educational Fund
American Postal Workers Union	National Black Caucus of State Legislators
American Psychological Association	National Conference of Black Mayors
American Nurses Association	National Council of Churches
Anti-Defamation League	National Council of Churches in Christ in the USA
Association of Flight Attendants	National Council of Jewish Women
Bazon Center for Mental Health Law	National Council of La Raza
Center for Women Policy Studies	National Education Association
Church of the Brethren	
Church Women United	
Common Cause	

National Employment Lawyers Association  
National Gay and Lesbian Task Force  
National Puerto Rican Coalition  
National Women's Law Center  
North Georgia United Methodists  
NOW Legal Defense and Education Fund  
Organization of Chinese Americans  
People for the American Way  
Presbyterian Church (USA)  
Project Equality, Inc  
Puerto Rican Legal Defense and Education Fund  
Service Employees International Union  
UAW  
Union of American Hebrew Congregations,  
Religious Action Center

Union of Needletrades, Industrial, and Textile  
Employees  
Unitarian Universalist Association  
United Automobile, Aerospace & Agricultural  
Implement Workers of America  
United Church of Christ ( Office for Church in  
Society)  
United Methodist Church, General Board of  
Church and Society  
Women Employed  
Workman's Circle Branch 92/494E  
YWCA of the USA

## *Appendix 2*

### *Summary of the Employment Non-Discrimination Act (S.932/H.R. 1863)*

The Employment Non-Discrimination Act (ENDA) extends federal employment discrimination protections currently provided based on race, religion, gender, national origin, age and disability to sexual orientation. Thus, ENDA extends fair employment practices -- not special rights -- to lesbians, gay men, bisexuals and heterosexuals.

ENDA prohibits employers, employment agencies, and labor unions from using an individual's sexual orientation as the basis for employment decisions, such as hiring, firing, promotion, or compensation.

Under ENDA, covered entities cannot subject an individual to different standards or treatment based on that individual's sexual orientation (real or perceived) or discriminate against an individual based on the sexual orientation of those with whom the individual associates.

The "disparate impact" claim available under Title VII of the Civil Rights Act of 1964 is not available under ENDA. Therefore, an employer is not required to justify a neutral practice that may have a statistically disparate impact on sexual orientation.

ENDA exempts small businesses, as do existing civil rights statutes, and does not apply to employers with fewer than 15 employees.

ENDA exempts religious organizations, including educational institutions substantially controlled or supported by religious organizations.

ENDA prohibits preferential treatment, including quotas, based on sexual orientation.

ENDA does not require an employer to provide benefits for the same-sex partner of an employee.

ENDA does not apply to the uniformed members of the armed forces and thus does not affect current law on lesbians and gays in the military.

ENDA provides for the same remedies (injunctive relief and damages) as are permitted under Title VII and the Americans with Disabilities Act (ADA).

ENDA applies to Congress, with the same remedies as provided by the Congressional Accountability Act of 1995.

ENDA is not retroactive.