



NATIONAL CENTER FOR LESBIAN RIGHTS

## ENDA FACT SHEET

### **The Employment Non-Discrimination Act: Bans Workplace Discrimination Based on Sexual Orientation and Gender Identity**

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#### **What ENDA Does**

- The Employment Non-Discrimination Act (ENDA) is a federal bill that would prohibit discrimination in the workplace based on a person's "sexual orientation" or "gender identity."
- ENDA would make it illegal for employers to discriminate on those bases, including, for example, refusing to hire a person or firing an employee because they are lesbian, gay, bisexual, transgender, or heterosexual.
- This legislation is modeled on the existing federal employment discrimination laws and therefore would cover private employers with 15 or more employees, as well as federal, state, and local governments, unions, and employment agencies. The U.S. military, as well as certain religious organizations, would be exempted.
- The bill defines sexual orientation as "homosexuality, heterosexuality, or bisexuality" and gender identity as "the gender-related identity, appearance, or mannerisms or other gender-related characteristics of an individual, with or without regard to the individual's designated sex at birth."

#### **Why ENDA Is Needed**

- Lesbian, gay, bisexual and transgender people face a high risk of job discrimination and have no adequate remedy in federal law. This bill would provide critically needed job protections.
- Only twelve states and the District of Columbia have laws that specifically ban workplace discrimination based on sexual orientation and gender identity. Another eight have laws that ban discrimination based on sexual orientation, but not gender identity. This patchwork of laws is inadequate to prevent and remedy the serious discrimination against LGBT employees that takes place across the country.
- Right now there is no federal law that expressly protects people from job discrimination based on their sexual orientation or gender identity.