

Congressman Rothman Fights to Stop Discrimination against LGBT Employees

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Washington, DC – Today, Congressman Steve Rothman (NJ-9) joined 71 of his colleagues in writing a letter to President Obama which called on him to sign an executive order that would prohibit federal contractors from discriminating against Lesbian, Gay, Bisexual or Transgender (LGBT) employees.

“Unfortunately, it remains legal to fire an individual because they are gay or transgender in a majority of the states in our nation. This is unacceptable and does not reflect the core values we share as Americans,” said Congressman Rothman. “As an advocate for equal rights for LGBT Americans, I believe gay and transgender workers deserve consistent and full employment protections nationwide, which the Employment Non-Discrimination Act (ENDA) would provide and I support.”

Only 21 states and the District of Columbia have outlawed employment discrimination on the basis of sexual orientation, and only 16 states and the District of Columbia have done so on the basis of gender identity. New Jersey is one of the 16 states that protect the rights of employees from being fired on the basis of both sexual orientation and gender identity. ENDA, which Congressman Rothman is an original cosponsor, would grant LGBT employees similar workplace protections currently afforded to women, people of color, seniors, veterans, and the disabled.

“With this Congress unlikely to move on ENDA, I join with my colleagues and strongly urge President Obama to use his power to issue an executive order to ensure that federal contractors are no longer allowed to discriminate against the LGBT community,” said Congressman Rothman. “It is long past time to end the second class treatment of LGBT Americans and President Obama can start with providing employment protections to Federal LGBT

employees.”

The letter asks President Obama to “sign an executive order that would prohibit federal contractors from discriminating in the workplace based on an individual’s sexual orientation or gender identity. This order would extend important workplace protections to millions of Americans, while at the same time laying the groundwork for Congressional passage of the Employment Non-Discrimination Act.”

The full text of the letter:

April 3, 2012

President Barack Obama

The White House

1600 Pennsylvania Avenue NW

Washington, DC 20500

Dear Mr. President:

Thank you for your leadership advancing equality for lesbian, gay, bisexual and transgender (LGBT) Americans. Your administration will be long-remembered for its efforts to build an America that is fully inclusive of all people, regardless of their sexual orientation or gender identity. But, as you know, more work needs to be done.

To that end, we are writing to ask that you sign an executive order that would prohibit federal contractors from discriminating in the workplace based on an individual’s sexual orientation or gender identity. This order would extend important workplace protections to millions of Americans, while at the same time laying the groundwork for

Congressional passage of the Employment Non-Discrimination Act (ENDA), a goal that we share with you.

In 1965, President Johnson established Executive Order 11246 prohibiting federal contractors from discriminating against employees based on race, color, religion, sex, or national origin. President Johnson's executive order continues to stand as an important protection for many Americans, and is currently enforced by the Office of Federal Contract Compliance Programs at the Department of Labor. The opportunity to expand protections against workplace discrimination to members of the LGBT community is a critical step that you can take today, especially when data and research tell us that 43 percent of LGB people and 90 percent of transgender people have experienced workplace discrimination. According to the Williams Institute at the UCLA School of Law, an executive order prohibiting federal contractors from discriminating based on sexual orientation and gender identity would protect more than 16 million additional workers.

Beyond this executive order helping to address the widespread problem of discrimination against LGBT people, it would also help advance what is viewed to be a best practice in corporate America: creating a level playing field for LGBT workers. The majority of the 50 largest corporations in America, for example, say that adopting inclusive workplace practices — such as adding sexual orientation and gender identity to corporate non-discrimination statements — helps attract the best talent, reduce employee turnover, and overall is a plus to their bottom lines.

Given these experiences, it is not surprising that the five largest federal contractors — Lockheed Martin, Boeing, Northrop Grumman, Raytheon, and General Dynamics — have already adopted the policy this order would require. In fact, the majority of the 25 largest federal contractors have also adopted these policies. The Human Rights Campaign's 2012 Corporate Equality Index report further shows that 86 percent of Fortune 500 companies have added sexual orientation to their non-discrimination statements, and 50 percent have added gender identity (this represents a growth rate of 1,567 percent for gender identity inclusion over the past decade). A recent survey of small business owners by the Center for American Progress (CAP) shows that these practices are not limited to large corporations — clear majorities of small business owners report that they also have added sexual orientation and gender identity to their non-discrimination policies.

Unfortunately, there are current examples of why this executive order is so critically needed. DynCorp, a military contractor that profits from billions of U.S. taxpayer dollars, was recently found to have been permitting a hostile work environment in which one employee was bullied at work and called hateful and derogatory anti-gay slurs on a daily basis. After more than 50,000 citizens signed a petition started by Freedom to Work (a new LGBT organization), DynCorp agreed to add LGBT protections to its non-discrimination policies. However, many more companies will take this positive step if you approve the executive order.

Finally, recent polling shows that the American public would support this executive order. A second poll from CAP, for example, found that approximately three out of four likely 2012 voters support protecting LGBT individuals from workplace discrimination. Further, this poll showed that the support for such protections transcends partisan, age and religious lines.

We thank you for considering our request. We also reaffirm our commitment to working with you to ensure that members of the LGBT community receive the same protections and opportunities as all other Americans. Thank you again for your leadership on advancing LGBT equality – it has improved the lives of many, and has helped our nation live up to its great ideals.

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