



Written by [Dave Bohon](#) on October 31, 2013

Reid Vows to Push Vote on Federal Transgender Protections

The Democrat-controlled U.S. Senate is gearing up for a vote on a bill that would ban workplace discrimination of gays, transvestites, and others with a sexual identity claim. Senate Majority Leader Harry Reid (D-Nev.) announced October 28 that he would bring the Employment Non-Discrimination Act (ENDA) to the floor of the Senate for a vote in the next few weeks.

In 2007, a Democrat-controlled House passed a version of the bill, albeit one that didn't include special status for lesbians, gays, bisexuals, and transgendered (LGBT) persons. The newly introduced ENDA measure would make it a federal offense for an employer to consider an individual's sexual orientation or gender identity in hiring or firing decisions. Thus far, federal workplace discrimination laws apply only to age, race, ethnicity, religion, gender, and disability.

The text of the bill explains that its purpose is to "address the history and persistent, widespread pattern of discrimination, including unconstitutional discrimination, on the bases of sexual orientation and gender identity by private sector employers and local, state, and federal government employers." The bill specifies that it would be "an unlawful employment practice for an employer to ... refuse to hire or to discharge any individual, or otherwise discriminate against any individual with respect to the compensation, terms, conditions, or privileges of employment of the individual, because of such individual's actual or perceived sexual orientation or gender identity."

Employers would also be prohibited from trying to "limit, segregate, or classify the employees or applicants for employment of the employer in any way that would deprive ... any individual of employment or otherwise adversely affect the status of the individual as an employee, because of such individual's actual or perceived sexual orientation or gender identity."

A number of states have passed laws prohibiting employers and businesses from passing on a job applicant — or even a customer — because of sexual identity, preferences, and practices, but it appears that Reid and company are pushing to federalize the embrace of such behavior.

Homosexual activist groups think it's a good idea too. "The vast majority of Americans believe that lesbian, gay, bisexual, and transgender people should not have to live in fear of being fired or discriminated against at work because of who they are or who they love," claimed Rea Carey of the National Gay and Lesbian Task Force. "The upcoming ENDA vote is an historic opportunity for all





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senators to listen to the American people and be on the right side of history.”

In July the Senate Health, Education, Labor, and Pensions Committee, headed by Senator Tom Harkin (D-Iowa) approved the bill 15-7 with the help of three Republicans, including bill cosponsor Mark Kirk of Illinois. Religious organizations and businesses with fewer than 15 employees would supposedly be exempt from the bill. While the bill may indeed pass the Senate, it has almost no chance at this time of passage in the Republican-controlled House.

Harkin said that in today’s employment environment, “countless hardworking Americans, whether employed by private companies or by public entities, are being judged not by their talent, ability, and qualifications, but by their sexual orientation or gender identity. They are being judged not by what they can contribute to a company, but by who they are or whom they choose to love.” Harkin claimed that there have been “countless cases of bigotry and blatant job discrimination based on sexual orientation or gender identity.”

But Peter Sprigg, a policy analyst for the conservative Family Research Council, argued in a CNN op-ed that the ENDA “prepares the way for a form of reverse discrimination — against anyone who expresses disapproval of homosexual behavior. The more open homosexuals become, the more people with traditional values will be forced to conceal their views.”

Sprigg also warned that if passed the law would “provide fertile new ground for employers to be hit by costly lawsuits ... with disgruntled employees suing for ‘discrimination’ over a characteristic (in the case of sexual orientation) which is not even visible and of which the employer may have been unaware.”



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