

NORTHWEST NEWS

New Chapter for ENDA

Senator Jeff Merkley Leads Employment Non-Discrimination Act to Senate

By RYAN J. PRADO

On the morning of August 5, it was announced that Oregon's junior Senator, Democrat Jeff Merkley, along with Senators Susan Collins (R-ME), Edward M. Kennedy (D-MA), and Olympia J. Snowe (R-ME), introduced a gender identity-inclusive version of the Employment Non-Discrimination Act in the United States Senate.

The introduction of the bill marks the first time that the ENDA has been placed before the Senate with transgender protection, in addition to protection in employment for the nation's gay, lesbian and bisexual community. The bill would prohibit discrimination against employees on the basis of sexual orientation, gender identity and disability, and would add sexual orientation and gender identity to existing federal employment non-discrimination laws.

"Those of us who are championing this bill feel that discrimination in employment is absolutely wrong," Merkley told *Just Out*. "If you're going to have equality under the law, people have to have the ability to work."

Merkley has been taken under the wing of fellow Democrat Edward Kennedy, who has long been a supporter of equal rights to same-sex couples. Kennedy took an early

version of the ENDA to the Senate, without gender identity included, in 1995, 2001, and again in 2003 to the Senate Committee on Health, Education, Labor, and Pensions. Massachusetts Democratic Representative Barney Frank also brought a similar bill to the Senate in 2007, but in each case, the bill died.

However, Merkley feels that an evolving social view of gay, lesbian and transgender discrimination in the workplace provides positive momentum to pass the bill.

"I am absolutely thrilled that Kennedy's team reached out to me and asked me to carry the baton forward," said Merkley. "I'm delighted that we were able to launch this in a bipartisan manner with both Collins and Snowe signing on, and I think that the time is now."

Democratic Party of Oregon leader Laura Calvo echoed Merkley's enthusiasm for an ENDA victory in the Senate.

"I see a lot of positive indicators," said



"Attitudes have been changing steadily, and it's time for us to catch up," says Oregon Sen. Jeff Merkley of the gender identity-inclusive version of the Employment Non-Discrimination Act he's championing in the US Senate.

Calvo. "They're significant steps in a long process. We all want these things now, we all acknowledge that they probably should have happened years ago. I do think that we'll probably see a vote on these important bills in congress this session."

Merkley was key to getting the Oregon Equality Act passed in 2007, which banned discrimination on the basis of sexual orientation and gender identity in housing and in the workplace in Oregon, with state-granted rights, immunities and benefits. The bill also expanded hate crimes to include gender identity.

Recently, Merkley commended the adoption of the Matthew Shepard Hate Crimes Prevention Act as it passed the Senate in July. That bill, another championed by Senator Kennedy, is going through United States conference committees to combine the passed Senate and House bills, which then go to President Barack Obama to sign into law or veto.

Human Rights Campaign co-founder Terry Bean acknowledged his support upon the announcement of Merkley's leadership on the ENDA bill as well.

"I'm very proud that Senator Merkley is going to take the lead on this," said Bean. "In order to get bills passed, you need to have a lead co-sponsor who's really willing to make it a high priority and not just put their name on it. Jeff is somebody I know will put a high priority on this historic bill."

Merkley noted that since the ENDA bill has not been introduced to the Senate for nearly three years, the next step is to re-publicize the issue of employment discrimination, and for the bill's lead sponsors to hold dialogue with colleagues and various gay rights advocacy groups to develop a strategy.

"I would be thrilled if we could get this done in this legislative cycle," said Merkley.

"Attitudes have been changing steadily, and it's time for us to catch up," he continued. "More than 400 of the Fortune 500 companies have implemented non-discrimination policies with regard to sexual orientation. Many business groups that are not outright supportive have said that they will be neutral in this discussion. So I think the tide is moving in our favor." **JO**

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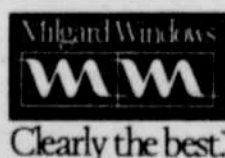
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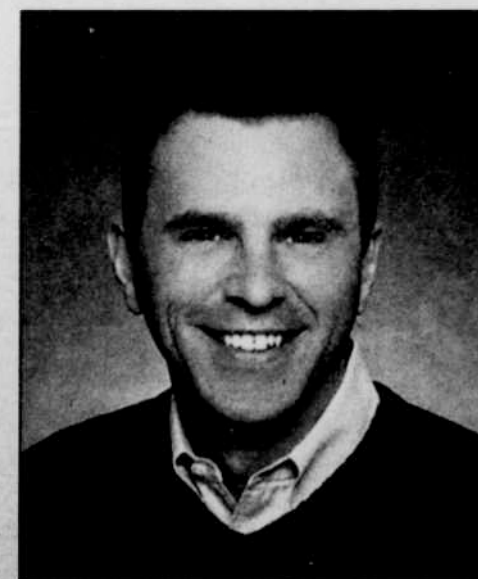
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