

## **Equality Act**

The Equality Act amends the Civil Rights Act to prevent discrimination based on sexual orientation and gender identity. Currently, states have different standards, presenting challenges as employers work to comply with a patchwork of conflicting laws. In New York, this bill is already law. The legislation before the House today, which has strong support in the business and manufacturing community, creates a uniform and clear federal standard for addressing discrimination.

The Equality Act is strongly supported by hundreds of businesses and business organizations including the **U.S. Chamber of Commerce, National Association of Manufacturers, and National Retail Federation.**

### **Myths and Facts:**

**Myth: Churches will be forced to act as places of public accommodation and will be forced to pastor to everyone.**

Fact: Houses of worship are not places of public accommodation when they are serving members of the faith, and the clergy determine who is and who is not a member of the faith. If a place of worship provides spaces exclusively to their members – like meeting spaces or spaghetti dinners – they aren't considered to be public accommodations. That's the existing law and that would be the law under the Equality Act. **No member of the clergy will ever be compelled to perform a religious ceremony that conflicts with their beliefs, including marrying same-sex couples.**

**Myth: Parents will no longer be able to make medical decisions for their minor children.**

Fact: Nothing in the Equality Act interferes with parental rights. Parents will retain the ability to make medical decision for their minor children consistent with state law, just as they can now.

Similarly, the Americans with Disabilities Act prohibits discrimination on the basis of disability for both adults and children. The ADA has not been interpreted to prohibit parents from making medical decision for their minor children with disabilities. In addition, the Supreme Court has held numerous times that fit parents have a right to raise their children consistent with their views of what is right for the child, and the Equality Act will not - and cannot - change that.

**Myth: Parochial schools will no longer be able to accept federal funds and retain their religious character.**

Fact: The Equality Act does not add religion to Title VI of the Civil Rights Act of 1964 which prohibits discrimination by recipients of federal funds. A religious school that limits enrollment to members of the faith may continue to receive federal funds such as school lunch subsidies. Religious schools may determine the tenets of their faith and decline to enroll or hire individuals who are not of the faith in good standing. If a school opens its doors to the general public instead of limiting enrollment to members of the faith, it can continue to accept federal funds while

offering religious curriculum and retaining a religious character provided that the school is not harassing LGBTQ students.

**Myth: Single-sex spaces and activities will be eliminated.**

Fact: Gender specific programs to overcome the effects of past discrimination have generally not been considered to constitute sex discrimination either in federal laws that have nondiscrimination protections for sex or in corollary state laws. The Equality Act would not prohibit single-sex activities or spaces, rather it would advance equal treatment of women in gender integrated spaces.

**Myth: Medical providers would be required to provide abortions.**

Fact: The Equality Act would not require any institution or provider to perform any specific procedure, or prohibit them from exercising medical judgment. The Equality Act prohibits discrimination against individuals, and ensures that medical care is not withheld on the basis of a patient's sex, including their sexual orientation or gender identity. **Nothing in the Equality Act changes laws that apply to provider conscience.**