

FOCUS ON THE FAMILY ACTION

How Sexual Orientation Nondiscrimination Laws Harm Businesses & Employees

Pending legislation in Congress called the Employment Non-Discrimination Act (ENDA) would prohibit employers from making employment decisions based upon "actual or perceived sexual orientation or gender identity." The following is a list of real-life examples of the harm caused by ENDA-type policies in the workplace.

California company is sued and pays over \$1 million for failing to grant promotion to a man who came to work dressed as a woman.

A California software maker was forced to pay a settlement and legal fees totaling over \$1 million because the company did not promote a man who had come to work dressed as a woman. It did not matter that the company did not even know the "woman" was a man. The "victim" sued under California's sexual orientation nondiscrimination law. As legal fees escalated, the company finally settled out of court. To pay for the loss, eight employees were laid off.

Oakland city employees posting a flier on a company bulletin board advertising a meeting to discuss the "natural family" and "family values" are forced to remove flier and threatened with discipline after complaint from lesbian.

Oakland, Calif., city employees Regina Rederford and Robin Christy formed a group called the "Good News Employee Association" and posted a flier on a company bulletin board advertising a "forum for people of faith to express their views on contemporary issues of the day, with respect for the natural family, marriage and family values." After a lesbian employee complained of being offended by the flier, the city removed the flier and threatened the two women with adverse employment action for placing the fliers "in public view which contained statements of a homophobic nature and were determined to promote sexual orientation based harassment." A federal court upheld the city's action.

Christian employees who read Bibles during "diversity training" reprimanded and spend four years in lawsuits to obtain reversal.

The ACLJ filed suit in April 1998 against the Minnesota Department of Corrections on behalf of Thomas Altman and Ken Yackly to force their employer to rescind the reprimands they received in 1997 after they silently read their Bibles at a state-mandated training session called "Gays and Lesbians in the Workplace." The employees contended that the training session was little more than

a state-sponsored indoctrination aimed at changing their religious beliefs about homosexuality. Four years later, and several appeals later, the employees were finally vindicated.

AT&T employee in Denver fired for refusing to sign company-required pledge to recognize, respect and value sexual orientation differences within the company.

In January 2001, an employee of AT&T was required to sign a new AT&T Broadband Employee Handbook with policies that conflicted with his religious beliefs by condoning the homosexual lifestyle. After notifying his supervisor that based on his religious beliefs he could not sign the certificate of understanding, he was fired.

Christian firefighter suspended for handing out tract entitled "The truth about homosexuality."

Madison, Wis., firefighter Ron Greer nearly lost his job for giving his colleagues a tract entitled, "The truth about homosexuality." He was suspended and ordered to attend diversity training for violating the city's anti-discrimination code.

Hospice worker fired by gay supervisor for expressing Christian beliefs about homosexuality.

Debra Kelly, a former hospice worker in Philadelphia, was fired for expressing her Christian beliefs about homosexuality. Her supervisor, a supporter of ACT-UP, a militant homosexual group, said Kelly was intolerant and unsuited for her position.

At Hewlett Packard's plant in Boise, Idaho, an employee with a 21-year record of meeting or exceeding expectations was fired for refusing to remove Bible verses about homosexuality from his cubicle.

The employee allegedly posted the Bible verses in response to a poster near his cubicle that he perceived to be promoting GLBT relationships. HP openly admitted that its reasoning for firing the employee was "his overt opposition to HP's Diversity Advertising Campaign."

Man fired by American Red Cross for not celebrating homosexuality

Michael Hartman was employed by the Red Cross in San Diego. The company sent a mass e-mail to all employees in 2005 promoting "Gay and Lesbian Pride Month," urging them to "observe" the celebration. Hartman, a Christian, communicated his religious objections to his supervisors and was promptly called in and told his communication was "inappropriate." Hartmann was fired.