

## S 1584

Employment Non-Discrimination Act of 2009

**Congress:** 111 (2009–2011, Ended)

**Chamber:** Senate

**Policy Area:** Labor and Employment

**Introduced:** Aug 5, 2009

**Current Status:** Committee on Health, Education, Labor, and Pensions. Hearings held. Hearings printed: S.Hrg. 111-113

**Latest Action:** Committee on Health, Education, Labor, and Pensions. Hearings held. Hearings printed: S.Hrg. 111-1134.  
(Nov 5, 2009)

**Official Text:** <https://www.congress.gov/bill/111th-congress/senate-bill/1584>

### Sponsor

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**Name:** Sen. Merkley, Jeff [D-OR]

**Party:** Democratic • **State:** OR • **Chamber:** Senate

**Cosponsors** (45 total)

<b>Cosponsor</b>	<b>Party / State</b>	<b>Role</b>	<b>Date Joined</b>
Sen. Akaka, Daniel K. [D-HI]	D · HI		Aug 5, 2009
Sen. Bingaman, Jeff [D-NM]	D · NM		Aug 5, 2009
Sen. Boxer, Barbara [D-CA]	D · CA		Aug 5, 2009
Sen. Brown, Sherrod [D-OH]	D · OH		Aug 5, 2009
Sen. Burris, Roland [D-IL]	D · IL		Aug 5, 2009
Sen. Cantwell, Maria [D-WA]	D · WA		Aug 5, 2009
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Aug 5, 2009
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		Aug 5, 2009
Sen. Collins, Susan M. [R-ME]	R · ME		Aug 5, 2009
Sen. Dodd, Christopher J. [D-CT]	D · CT		Aug 5, 2009
Sen. Durbin, Richard J. [D-IL]	D · IL		Aug 5, 2009
Sen. Feingold, Russell D. [D-WI]	D · WI		Aug 5, 2009
Sen. Feinstein, Dianne [D-CA]	D · CA		Aug 5, 2009
Sen. Franken, Al [D-MN]	D · MN		Aug 5, 2009
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Aug 5, 2009
Sen. Harkin, Tom [D-IA]	D · IA		Aug 5, 2009
Sen. Inouye, Daniel K. [D-HI]	D · HI		Aug 5, 2009
Sen. Kennedy, Edward M. [D-MA]	D · MA		Aug 5, 2009
Sen. Kerry, John F. [D-MA]	D · MA		Aug 5, 2009
Sen. Klobuchar, Amy [D-MN]	D · MN		Aug 5, 2009
Sen. Kohl, Herb [D-WI]	D · WI		Aug 5, 2009
Sen. Lautenberg, Frank R. [D-NJ]	D · NJ		Aug 5, 2009
Sen. Leahy, Patrick J. [D-VT]	D · VT		Aug 5, 2009
Sen. Levin, Carl [D-MI]	D · MI		Aug 5, 2009
Sen. Lieberman, Joseph I. [I-CT]	ID · CT		Aug 5, 2009
Sen. Menendez, Robert [D-NJ]	D · NJ		Aug 5, 2009
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Aug 5, 2009
Sen. Murray, Patty [D-WA]	D · WA		Aug 5, 2009
Sen. Reed, Jack [D-RI]	D · RI		Aug 5, 2009
Sen. Sanders, Bernard [I-VT]	I · VT		Aug 5, 2009
Sen. Schumer, Charles E. [D-NY]	D · NY		Aug 5, 2009
Sen. Shaheen, Jeanne [D-NH]	D · NH		Aug 5, 2009
Sen. Snowe, Olympia J. [R-ME]	R · ME		Aug 5, 2009
Sen. Specter, Arlen [D-PA]	D · PA		Aug 5, 2009
Sen. Udall, Mark [D-CO]	D · CO		Aug 5, 2009
Sen. Udall, Tom [D-NM]	D · NM		Aug 5, 2009
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Aug 5, 2009
Sen. Wyden, Ron [D-OR]	D · OR		Aug 5, 2009
Sen. Stabenow, Debbie [D-MI]	D · MI		Aug 6, 2009
Sen. Bennet, Michael F. [D-CO]	D · CO		Sep 24, 2009
Sen. Landrieu, Mary L. [D-LA]	D · LA		Oct 15, 2009

Cosponsor	Party / State	Role	Date Joined
Sen. Kirk, Paul Grattan, Jr. [D-MA]	D · MA		Nov 4, 2009
Sen. Kaufman, Edward E. [D-DE]	D · DE		Nov 9, 2009
Sen. Begich, Mark [D-AK]	D · AK		Dec 14, 2009
Sen. Webb, Jim [D-VA]	D · VA		Mar 10, 2010

## Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Hearings By (full committee)	Nov 5, 2009

## Subjects & Policy Tags

### Policy Area:

Labor and Employment

## Related Bills

Bill	Relationship	Last Action
111 HR 3017	Related bill	<b>Sep 23, 2009:</b> Committee Hearings Held.
111 HR 2981	Related bill	<b>Jul 23, 2009:</b> Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties.

## Summary (as of Aug 5, 2009)

Employment Non-Discrimination Act of 2009 - Prohibits employment discrimination on the basis of actual or perceived sexual orientation or gender identity by covered entities (employers, employment agencies, labor organizations, or joint labor-management committees). Prohibits preferential treatment or quotas. Allows only disparate treatment claims.

Prohibits related retaliation.

Makes this Act inapplicable to: (1) religious organizations; and (2) the relationship between the United States and members of the Armed Forces. Declares that this Act does not repeal or modify any federal, state, territorial, or local law creating a special right or preference concerning employment for a veteran.

Provides for the construction of this Act regarding: (1) enforcement by employers of rules and policies; (2) sexual harassment; (3) certain shared facilities such as showers or dressing facilities; (4) construction of new or additional facilities; (5) dress and grooming standards; and (6) provision of employee benefits to married vs. unmarried couples.

Declares that, in this Act, "married" refers to a legal union between one man and one woman.

Prohibits the Equal Employment Opportunity Commission (EEOC) from collecting statistics from covered entities on actual or perceived sexual orientation or gender identity or compelling the collection by covered entities of such statistics.

Provides for enforcement, including giving the EEOC, the Librarian of Congress, the Attorney General, and U.S. courts the same enforcement powers as they have under specified provisions of the Civil Rights Act of 1964, the Government Employee Rights Act of 1991, and other specified laws.

Allows actions and proceedings, subject to exception, against the United States and the states.

## **Actions Timeline**

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- **Nov 5, 2009:** Committee on Health, Education, Labor, and Pensions. Hearings held. Hearings printed: S.Hrg. 111-1134.
- **Aug 5, 2009:** Introduced in Senate
- **Aug 5, 2009:** Sponsor introductory remarks on measure. (CR S8867-8868)
- **Aug 5, 2009:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure as introduced: CR S8868-8870)

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