

# 28A - EQUAL RIGHTS AMENDMENT

Section 1 Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

Section 2 The Congress shall have the power to enforce, through appropriate legislation, the provisions of this article.

Section 3 This amendment shall take effect two years after the ratification.

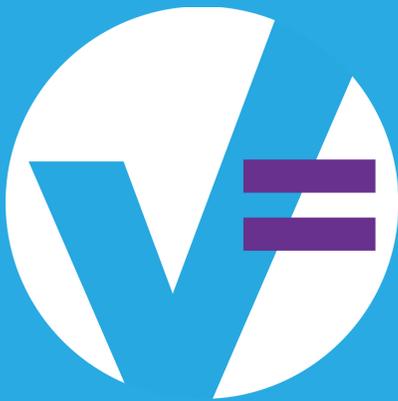
## IT'S ABOUT EQUALITY

### THE EQUAL RIGHTS AMENDMENT WILL:

- Close the current equality gap in the Constitution.
- Provide a framework for the Supreme Court to interpret "equality of rights under the law" related to government actions.
- Anchor equality laws in the U.S. Constitution to prevent rollback of hard-won and popular legislation.

### THE EQUAL RIGHTS AMENDMENT WILL NOT:

- Automatically create new laws. It simply ensures existing and new rights are not denied or abridged based on sex.



### It's 2021 and we still see gender discrimination everywhere.

Childcare • Child Marriage • COVID-19 Response • Criminal Justice System  
 Domestic Violence • Economy • Education • Employment Law • Essential Workers  
 Female Genital Mutilation • Healthcare • Housing • Immigration • Labor Regulations  
 Low Income Communities / Wealth Gap • Maternal Healthcare • Military / Veterans  
 Police • Property • Sexual Exploitation / Human Trafficking • Welfare Reform

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**Pre-COVID, gender inequality cost the United States  
 \$2,000,000,000,000 (trillion) per year. It is worse now.**  
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### What unexpected organizations support the Equal Rights Amendment?

American Bar Association • AIG • Chobani • Citigroup • CVS Health • Equitable  
 Gilead Sciences • Goldman Sachs • Google • Hershey • Kimberly-Clark • Levi Strauss  
 Mastercard • Microsoft • Morgan Stanley • NFL • National Women's Soccer League  
 PepsiCo • Pfizer • Prudential • salesforce.com • Tiffany & Co • TransUnion  
 ...and many more

**The Equal Rights Amendment prohibits federal and state governments from discriminating on the basis of sex. By anchoring laws and acts in our U.S. Constitution we strengthen protections against discrimination and help prevent rollback and discriminatory implementation of laws.**

**This constitutional basis for equality does not change or create any new laws automatically. Laws will continue to be written by legislators and enforced and challenged in courts on a case by case basis.**

**No constitutional right is absolute. Courts and legislatures will continue to weigh competing rights, just as they have always done.**

### Equal Pay

The amendment will provide a stronger constitutional basis for protecting against employment discrimination. Over 100 organizations and businesses publicly support publishing the Equal Rights Amendment, clearly stating that it is needed if we are to recover economically from COVID-19.

### Family Law

The Equal Rights Amendment will be applicable to the many cases of state (and federal) sanctioned sex discrimination in areas of child marriage, custody, adoption, divorce, and citizenship. This will include sex discrimination against girls, women, mothers, fathers and LGBTQ+ people.

### Judicial Review

The 5th and 14th Amendments require equal protection of the laws, but courts do not hold state and federal governments discriminating on the basis of sex to the same high standard applied for race, national origin, or religious discrimination. This essentially preserves the structures and systems that perpetuate second-class status for women and LGBTQ+ people. The Equal Rights Amendment moves us one step closer to America's promise of liberty and justice for all.

### LGBTQ+

The Equal Rights Amendment prohibits government discrimination “on account of sex.” The Supreme Court recently held in a 6-3 decision that government discrimination on the basis of sex includes LGBTQ+ people.

*See Bostock v. Clayton County (Jun. 15, 2020)*

### Military

Under the Equal Rights Amendment, the military will be held to the standard of "equality of rights under the law" in cases of sex discrimination. The military justice system would have a new framework with which to adjudicate cases of military sexual assaults and harassment.

### Pregnancy Related Care

The Equal Rights Amendment will be applicable to sex discrimination in cases of pregnancy related care, including childbirth, breastfeeding, maternal health, and reproductive health.

### Sports / Education

The Equal Rights Amendment does not void Title IX and other protections for girls and women. Additionally, it will apply directly to government action, not private organizations such as the NFL or National Women's Soccer League, which both support the Equal Rights Amendment.