

COMPARING THE EMPLOYMENT NON-DISCRIMINATION ACT (ENDA) TO THE EQUALITY ACT

ENDA	EQUALITY ACT
Prohibits discrimination on the basis of sexual orientation and gender identity	Expands discrimination to include on the basis of sex, sexual orientation, gender identity, pregnancy, childbirth, or related medical condition of an individual
Does not address or amend the definition of “sex” as defined in the Civil Rights Act of 1964	Amends the Civil Rights Act of 1964 to include sexual orientation and gender identity as defined under “sex”
Neither requires nor permits employers to construct new or additional facilities	Does not address employer obligations related to construction of new facilities
Prohibits requirements to collect statistics on the sexual orientation or gender identity of employees	Does not address collection of statistics on the sexual orientation or gender identity of employees
Permits employers to require reasonable dress and grooming standards for employees and allows employees the opportunity to follow the dress or grooming standards in line with their gender identity	Omits employers’ ability to establish/enforce reasonable dress and grooming standards
Neither requires nor permits employers to grant preferential treatment to an individual based on sexual orientation or gender identity	No provisions or guidance on preferential treatment with respect to new protected classes