

WHAT DOES THE EQUALITY ACT MEAN FOR WOMEN?

Protections from sex discrimination in public spaces and services

- In addition to the places of public accommodation like restaurants and hotels already included in the 1964 Civil Rights Act, the Equality Act updates the law to ensure that other important providers of goods and services like stores, accountants, hospitals, and salons do not discriminate on the basis of any protected characteristic. Transportation providers including trains, taxis, and airlines are also included within the Equality Act.
- In the absence of federal protections, women experience discrimination while accessing public accommodations across a wide range of contexts—including in restaurants, stores, theaters, and transportation. The Equality Act would ensure that breastfeeding women are not harassed or excluded from public spaces, for example, and would prohibit pharmacies from refusing to fill a woman's birth control prescription.
- Under current federal law, women can still be charged more for goods and services. For example, studies have shown that women are charged arbitrarily higher prices for everything from car repairs to dry cleaning. Under the Equality Act this would be illegal.
- Under current federal law, women who experience harassment on public transportation or at stores or restaurants do not have a remedy. Under the Equality Act, providers of these goods and services would have an obligation to prevent and address sexual harassment.

Explicit protection from discrimination on the basis of “actual or perceived” membership in a protected class

- The Equality Act makes explicit that individuals are protected from discrimination based on perceived membership in a protected class. An employer, landlord, or business owner's perception—rather than the individual's actual identity—can be just as relevant in assessing illegal discrimination.
- The explicit protection against discrimination based on “perceived” membership in a protected class will ensure, for example, that a woman is not discriminated against because someone misperceives her ethnicity or religion based on her married name, or mistakenly assumes she is a lesbian, or incorrectly identifies her as pregnant.
- Without this explicit protection, employers have sometimes successfully defended Title VII charges of discrimination because the individual was not actually a member of a protected class. This can leave individuals who experience discrimination with little recourse.

Protection from sex discrimination in federally funded programs and activities

- Federal funding touches the lives of people in every state and every county in America—from schools and community centers to homeless shelters and substance abuse rehabilitation facilities. Taxpayers fund critical social and community services including disaster relief, mortgage assistance, law enforcement, and health care.
- By adding sex to the list of protected characteristics under Title VI of the Civil Rights Act of 1964, the Equality Act would prohibit sex discrimination, including pregnancy discrimination and sexual harassment, in federally assisted programs or services. It would also make denying people access to federal benefits or excluding them from a federally assisted program on the basis of their sex or pregnancy unlawful.