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November 9, 2009

The Honorable Tom Harkin, Chairman
Committee on Health, Education, Labor and Pensions
428 Senate Dirksen Office Building
Washington, D.C. 20510

The Honorable Michael B. Enzi, Ranking Member
Committee on Health, Education, Labor and Pensions
379A Senate Russell Office Building
Washington, D.C. 20510

RE: S. 1584, The Employment Non-Discrimination Act of 2009

Dear Chairman Harkin and Senator Enzi:

I am writing to you to state my strong support for Senate 1584, the Employment Non-Discrimination Act of 2009 ("ENDA"). This legislation expands the protections granted under federal civil rights laws to ensure that workplace discrimination on the basis of sexual orientation and gender identity is expressly and uniformly prohibited nationwide. The amendments to our federal antidiscrimination laws contemplated by ENDA represent great strides forward in our prevention of discrimination and violence faced by vulnerable members of our population.

Our workforce is stronger when every person may work and contribute without being discriminated against, harassed, threatened or assaulted. The protections that are expanded under ENDA are intended to ensure that workplaces are safe, productive environments where all individuals may work and earn a living, free from fear of mistreatment on the basis of characteristics unique to them.

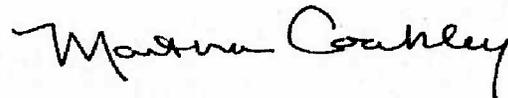
Moreover, the expansion of employment antidiscrimination protections benefits not only workers who fall into the proposed protected classes, but also their co-workers and their employers. More than 150 Fortune 500 companies nationwide realize this and have adopted policies protecting their workers from discrimination on the basis of sexual orientation or gender identity. The reason: it just makes good business sense. Companies with expansive antidiscrimination policies are in a position to attract and retain the most qualified people; save money on retraining; and motivate their workforces to maximize productivity. When discrimination is taken off the table as a barrier to success, workers and companies are in a better position to thrive.

As Massachusetts' Attorney General, I am committed to protecting the civil rights of all individuals who live in, work in and visit our Commonwealth. I am proud that Massachusetts is one of 13 states and the District of Columbia to protect individuals on the basis of sexual orientation. In addition,

the Massachusetts Legislature is currently contemplating the addition of gender identity as a protected class within our antidiscrimination and hate crime laws. However, waiting for states to amend their laws means only a patchwork of protection is available. Individuals who face discrimination and harassment on the basis of sexual orientation and gender identity deserve more than piecemeal protections. The Employment Non-Discrimination Act of 2009 has the potential to improve the lives of individuals in *every* state, and I hope that it is passed.

Thank you for the opportunity to submit these comments. Please do not hesitate to contact me with any questions or to discuss this matter further.

Cordially,

A handwritten signature in black ink that reads "Martha Coakley". The signature is written in a cursive, flowing style.

Martha Coakley
Massachusetts Attorney General

cc: The Honorable Barney Frank