

FACT SHEET

Stand Up for D.C. Women and Families and Oppose Resolutions H.J. Res. 43 and S.J. Res. 10

April 2015

Senator Ted Cruz (R-FL) and Representative Diane Black (R-TN) have introduced resolutions that would disapprove a District of Columbia law that protects D.C. women and families from employer discrimination based on an employee's personal reproductive health decisions. These disapproval resolutions must be rejected.

The D.C. Reproductive Health Non-Discrimination Act of 2014 Protects Women and Families

Across the country, employers are using a boss's religious beliefs to discriminate against their employees for using birth control, for undergoing in vitro fertilization in order to get pregnant, or for having sex without being married. The Council of the District of Columbia recently passed a law protecting D.C. women and families from such discrimination, making it clear that bosses cannot obstruct or coerce an employee when that employee makes a personal reproductive health care decision.

Women Should Not Be Discriminated Against Because of Their Own Personal Reproductive Health Decisions

It is unfair that anyone dedicated to their job and fully qualified for their position would be fired simply because of a private reproductive health decision made outside of the workplace. Unfortunately, women across the country are being discriminated against precisely for such decisions:

- **Employers are firing women for pursuing pregnancy through the use of assisted reproductive technology.** Emily Herx was fired from her teaching job at a Catholic school in Indiana for using in vitro fertilization. In a letter Herx wrote to school officials shortly after being informed of her dismissal, she said "it was terrible to be forced to choose between trying to have children and keeping her job as a language arts teacher."¹
- **Employers are firing women for having sex outside of marriage.** Christine John, a kindergarten teacher at a Christian school in Michigan, was called into a meeting with school officials. They asked why she was four months pregnant when she was married only two months before. John says that officials told her that premarital sex is strictly forbidden by the school and that her services were no longer needed.²

Congress Must Respect D.C. Home Rule

The D.C. Council passed the D.C. Reproductive Health Non-Discrimination Act of 2014 to protect its residents. D.C. residents elected the D.C. Council—not Representative Black or Senator Cruz—to pass laws to govern the city, and those laws must not be disturbed. Congress should support local efforts, as in D.C., to do the right thing. Congress must stand firm in the principle that religion should never be used as an excuse to discriminate or to harm others.

1. Charles D. Wilson, *Sides in Ind. In Vitro Lawsuit Argue Over Doctrine*, INDYSTAR (Feb. 8, 2014, 6:21 PM), <http://www.indystar.com/story/news/crime/2014/02/08/sides-in-ind-in-vitro-lawsuit-argue-over-doctrine/5319763/>. See also *Jury Rules Discrimination by Cincinnati Archdiocese*, RECORD-JOURNAL (Meriden, Ct.), June 8, 2013, 2013 WLNR 14096999 (Christa Dias, an unmarried teacher for two schools with the Archdiocese of Cincinnati, Ohio, was fired after she became pregnant through artificial insemination); *Teacher Appeals Firing: Appleton Catholic System Cites In Vitro Pregnancy*, JOURNAL SENTINEL (Madison, Wis.), May 11, 2006, <http://news.google.com/newspapers?nid=1683&dat=20060511&id=-yMqAAAAIBAJ&sjid=GkUEAAAAIBAJ&pg=6530,702621> (Kelly Romenesko was fired from her 7 year job teaching French at two Wisconsin Catholic schools, because she and her husband used in vitro fertilization to become pregnant).
2. *Teacher Punished for Pregnancy*, GRAND RAPIDS PRESS, May 12, 2005, 2005 WLNR 7571283; see also Molly Redden & Dana Liebelson, *A Montana School Just Fired a Teacher for Getting Pregnant. That Actually Happens All the Time*, MOTHER JONES (Feb. 10, 2014, 10:32 AM), <http://www.motherjones.com/politics/2014/02/catholic-religious-schools-fired-lady-teachers-being-pregnant> (after an anonymous letter revealed her pregnancy, unmarried middle school teacher Shaela Evenson was fired by a Catholic school district in Montana for having sex outside of marriage. She was fired despite her 10 year career with them and the fact that the principal called her an "excellent teacher"); Statement of Michelle McCusker, *Pregnant Teacher Fired by Catholic School* (Nov. 21, 2005), <http://www.nyclu.org/node/861> (After revealing her pregnancy, preschool teacher Michelle McCusker was fired from a Catholic school in New York for becoming pregnant outside of marriage.).