

The Need for ENDA, the Employment Non-Discrimination Act, in the Chemical Process Industries

This symposium at the 2003 New York meeting covered the current state of the workplace for sexual minorities. The discussion included the legal environment at the federal, state, and local levels under which these employees operate.

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The sponsor was the Division of Professional Relations. Co-sponsors were the Committee on Economic and Professional Affairs, the Younger Chemists Committee, the Women Chemists Committee, the Division of Chemistry and the Law, and the Committee on Minority Affairs. It was organized by CEPA, in conjunction with ACS Department of Career Services.

Introduction

The Division of Professional Relations sponsored symposium entitled, “The Need for ENDA, the Employment Nondiscrimination Act, in the Chemical Process Industries” was held in New York City during the ACS Fall National Meeting. The program was co-sponsored by the Division of Chemistry and the Law (CHAL), the Younger Chemists Committee (YCC), the Committee on Economic and Professional Affairs (CEPA), the Women Chemists Committee (WCC), and the Committee on Minority Affairs (CMA). It was organized by CEPA, in conjunction with the ACS Department of Career Services.

The symposium was followed by a reception hosted by the National Organization of Gay and Lesbian Scientists and Technical Professionals (NOGLSTP). The symposia corresponded with the adoption of a new ACS policy statement on the need for Federal legislation to protect workers from discrimination based on sexual orientation, gender expression and gender identity. The new statement can be read and/or downloaded on Chemistry.org from the “government affairs” homepage. The White Paper from which the policy statement was developed was forwarded to the Board of Directors from CEPA and originated in its subcommittee on Public Policy Priorities.

Profiling the Chemical Workplace

Elizabeth Birch (HRC Executive Director)

Daryl Herrschaft (HRC Worknet)

The presentation will cover the current state of the workplace for lesbian, gay, bisexual and transgender workers. The legal environment at the federal, state and local levels under which they operate will be discussed as well as efforts to change those laws. Trends in corporate America toward implementing inclusive policies such as non-discrimination policies that include sexual orientation and domestic partner health benefits will be reviewed.

Particular attention will be focused on the state of inclusive policies in the chemical, petrochemical and pharmaceutical industries in relation to other business sectors. The presentation will also address a wide range of LGBT issues in the workplace and how they can affect employee productivity and retention and ultimately the company's bottom line.

Presentation: [Profiling the Chemical Workplace](#) (large file may take a few minutes to open)

ENDA – The Next Frontier in Civil Rights

Art Bremner (ACS Human Resource Director):

The Employment Non-Discrimination Act (ENDA) has become increasingly the next civil rights battleground that will resolve as to whether the United States as a nation and corporate America will be able to recognize segments of the population that are currently without benefit of basic civil rights. These rights particularly relate to benefits, such as healthcare, spousal rights, and other regular aspects of life that most segments of society take for granted.

Employment non-discrimination is one of the few remaining areas that have not been specifically covered by Federal or State law (basic protection against job, gender, and other forms of harassment and discrimination). The presentation will discuss and describe efforts on the part of some corporations to recognize this segment of the population as an untapped source of human assets development and recognition.

The American Chemical Society (ACS) has initiated a policy on "Inclusion for Competitive Advantage" to identify new and innovative ways to further enhance the workplace and its diverse staff.

Presentation: [ENDA - The Next Frontier in Civil Rights](#) (large file may take a few minutes to open)

Sexual Orientation and Federal Employment

Thomas Myers (Federal GLOBE):.

The federal government is the largest employer in the United States. Although sexual orientation is not currently included in federal civil rights statutes, some protection against sexual orientation discrimination is provided to federal employees through other statutes and executive orders.

The federal government does not provide its employees with domestic partner benefits. This presentation will discuss the status of these federal protections and the business case for providing equal protections and benefits to employees, both federal and non-federal.

Furthermore, this presentation will describe some steps that can be taken to improve the cultural environment for gay, lesbian, bisexual and transgender employees in the absence of federal protections or domestic partner benefits.

Presentation: [Sexual Orientation and Federal Employment](#) (large file may take a few minutes to open)

Championing Inclusion: A Schering Plough Case Study

Bijian Fan (Schering Plough Research Institute)

Schering Plough has an equal employment opportunity policy that includes sexual orientation. A GLBT employee group, SP Rainbow Network, was formed in 2002. The group encourages workforce diversity and fosters an accepting and open working environment for all employees.

Among other inclusion initiatives, the SP Rainbow Network has worked with Schering Plough Corporate Human Resources to provide equal access to company facilities as well as fair compensation. Additionally, the group successfully championed the addition of domestic partner benefits to the Schering Plough employee benefits package.

Presentation: [Championing Inclusion: A Schering Plough Case Study](#) (large file may take a few minutes to open)

Challenging Stereotypes: A ChevronTexaco Case Study

Susan Guerrero (ChevronTexaco)

What do Big Oil and GLBT employees have in common? Both are often viewed negatively by the general public. This presentation will cover the 10-year history, challenges, and accomplishments of a GLBT employee group as it transformed from an informal network into a recognized company asset. Also covered will be the process and programs implemented to transform a traditionally male-oriented, heterosexual company into a world-class industry leader in diversity.

Susan Guerrero, who has worked within the oil industry for more than 20 years, will cover the efforts and journey that resulted in: A revised non-discrimination policy, expanded benefits for all employees, a supportive and inclusive environment, and promotion of the company within niche communities.

Presentation: Challenging stereotypes: A ChevronTexaco Case Study. (not available at this time)

Employment Discrimination – A Lawyer’s Perspective

Kevin Hansen (Livengood, Fitzgerald & Alskog, PLLC)

Employment discrimination lawsuits can be costly to defend and damaging to employee morale and retention. Whether justified or not, many employees believe they are victims of discrimination when suffering any adverse employment action, and most employees are protected under the myriad of federal and state anti-discrimination laws.

Unfortunately, lawyers are often not consulted about employment discrimination issues until after an employer has been sued by a current or former employee. Employers can and should take affirmative steps to reduce their risk of liability through effective policies and procedures, management training, performance appraisals, and guidelines for hiring and termination decisions.

Presentation: [Employment Discrimination – A Lawyer’s Perspective](#) (large file may take a few minutes to open)