

### **RESOLUTION 3:**

#### **RESOLUTION IN SUPPORT OF THE 28<sup>TH</sup> AMENDMENT (EQUAL RIGHTS AMENDMENT) TO THE UNITED STATES CONSTITUTION BY THE OHIO FEDERATION OF BUSINESS AND PROFESSIONAL WOMEN**

- WHEREAS,** equality under the law is a fundamental value of Americans and the people of the United States of America; and
- WHEREAS,** the United States Constitution did not explicitly guarantee equal rights and equal protection for the sexes; and
- WHEREAS,** legislation and court decisions have increased women’s access to education, employment, and public service; and
- WHEREAS,** that same legislation can be repealed and the Supreme Court may strike legislation or retreat from its own precedent, thereby eliminating or abridging legal rights currently enjoyed by women, girls, and their families; and
- WHEREAS,** Americans value the continued participation of women in education, the military, public service, our economy, and all other spheres of our society; and
- WHEREAS,** the people of the United States continue to experience the negative effects from the lack of political parity between men and women, in workplace discrimination, health care inequities, disparate rate of poverty, rape, and domestic violence including coercive control; and
- WHEREAS,** inclusion of the 28th Amendment (Equal Rights Amendment) in the Constitution requires courts to raise the level of judicial scrutiny it currently applies to sex discrimination; and
- WHEREAS,** the 28th Amendment text passed in 1972 by Congress included in the preamble to the proposed Equal Rights Amendment a seven-year ratification deadline on states, later extended by thirty-six months; and
- WHEREAS,** the 28th Amendment text ratified by each state did not include the deadline; and
- WHEREAS,** the Constitution does not authorize Congress to impose unilateral, extraneous ratification limits on the states; and
- WHEREAS,** ratifications are a one-way street and cannot be undone, as evidenced by the inclusion of our Fourteenth, Fifteenth, and Nineteenth Amendments despite purported rescissions; and
- WHEREAS,** the American Bar Association reaffirmed its support for ratification of the Equal Rights Amendment in 2016; and
- WHEREAS,** well after the 1982 deadline extension set by Congress, Nevada (2017), Illinois (2018), and Virginia (2020) ratified the Equal Rights Amendment, bringing the total number of states that have ratified the amendment to 38, the number needed to satisfy the

Constitutional requirement that an amendment be ratified by three-fourths of the states to become valid; and

**WHEREAS,** a 2020 Pew Research Center found that 97% of Americans say it is somewhat or very important for women to have equal rights with men in this country; and

**WHEREAS,** no amendment ratified by the required three-fourths of the states has failed to become a part of the U.S. Constitution; and

**WHEREAS,** the 28th Amendment states:

Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.

**WHEREAS,** the Ohio Federation of Business and Professional Women, recognize the Equal Rights Amendment as our 28th Amendment to the U.S. Constitution; and we commemorate the 100<sup>th</sup> anniversary of the amendment; and

**WHEREAS,** that the Ohio Federation of Business and Professional Women supports passage of SJ 4 and HRes 25 to remove all doubt that the Equal Rights Amendment is the 28<sup>th</sup> Amendment to the Constitution and has met all requirements; and that the Archivist of the United States should certify and publish the ERA; and

**BE IT RESOLVED** that the 2023-2024 Legislation Chair of the Ohio Federation of Business and Professional Women shall organize and implement a mechanism to assist the membership in a letter writing and telephone campaign to their United States Senators and United States Representative to request passage of SJ 4 and HRes 25; and

**BE IT FURTHER RESOLVED,** that the Ohio Federation of Business and Professional Women, call upon the Biden Administration to affirm the Equal Rights Amendment as our 28th Amendment and remove all uncertainty of its inclusion in the Constitution by instructing the National Archivist to certify and publish the amendment.

**ALSO BE IT RESOLVED,** that copies of this resolution be transmitted to the President and Vice President of the United States, to the Ohio delegation to the United States Congress, and to the Archivist of the United States.

**RESOLVED AND ADOPTED THIS** 21st **DAY OF** May, **2023.**