

RESOLUTION 4

RESOLUTION IN SUPPORT OF EQUAL RIGHTS FOR ALL CITIZENS BY EXPLICITLY INCLUDING AN EQUALITY AMENDMENT IN THE UNITED STATES CONSTITUTION AND IN THE CONSTITUTION OF THE STATE OF OHIO

- WHEREAS** The people of the United States continue to experience the negative effects from the lack of legal parity between men and women as well as sexual orientation and gender identity, in workplace discrimination, health care inequities, disparate rate of poverty, rape, and domestic violence including coercive control; and
- WHEREAS** The Ohio Federation of the Business and Professional Women’s (BPW/OHIO) Legislation Platform has contained the Equal Rights Amendment in its Preamble since 1935 stating that Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex; and
- WHEREAS** The Supreme Court of the United States opinion in *Bostock v. Clayton County*, held that discrimination against individuals based on “their” sexual orientation or gender identity is a form of sex discrimination under Title VII of the Civil Rights Act of 1964; and
- WHEREAS** BPW/OHIO recognizes the Equal Rights Amendment as our 28th Amendment to the U.S. Constitution because it has met the two requirements in Article V even though it has yet to be recognized as such and will require the courts to confirm its enforceability through lawsuits; and
- WHEREAS** 219 US House members are cosponsors of H. J. Res 80, which affirms that the ERA has been ratified and removes the time limit; and
- WHEREAS** BPW/OHIO supports passage of H.J. Res 80 to remove all doubt that the Equal Rights Amendment is the 28th Amendment to the Constitution and has met all requirements; and that the arbitrary time limit put in the proposing clause and not in the text of the amendment has no impact; and
- WHEREAS** The Ohio Constitution does not explicitly guarantee equal rights and equal protection for the sexes; including sexual orientation or gender identity, and
- WHEREAS** According to The Brennan Center for Justice, 21 states have comprehensive Equal Rights Amendments in their constitutions, explicitly barring the denial of equal rights under the law on the basis of sex; and
- WHEREAS** The Brennan Center for Justice states that many state courts interpret their ERAs to require “strict scrutiny” for sex-based classifications — the highest level of constitutional review. That has allowed litigants to challenge laws involving employment discrimination, marriage laws, pregnancy-related policies, education, prison rules, and LGBTQ discrimination and that State courts increasingly use these amendments as independent constitutional protections; and

WHEREAS The Ohio Equal Rights organization is in process of gathering signatures to put a constitutional amendment on the November 2026 ballot that would amend Article I of the Ohio Constitution to add Section 23 as follows: 23. Equality of Rights Under the Law A. Equality of rights under the law shall not be denied or abridged by the State of Ohio or its political subdivisions on account of race, color, creed or religion, sex, sexual orientation, gender identity or expression regardless of sex assigned at birth, pregnancy status, genetic information, disease status, age, disability, recovery status, familial status, ancestry, national origin, or military and veteran status. NOTE This includes, but is not limited to, the rights of individuals in education, employment, housing, healthcare services and health insurance, public spaces and accommodations, State records, and legal identification; and

BE IT RESOLVED

that the 2026-27 BPW/OHIO Legislative Chair and the 2026-27 BPW/OHIO Legislative Consultant are hereby directed to monitor proposed legislation that is introduced in Congress as well as the Ohio House of Representatives and/or the Ohio Senate and keep the membership of BPW/OHIO informed of any developments regarding legislation and/or efforts to limit, restrict or include equal rights.

BE IT RESOLVED

that BPW/Ohio endorse the Ohio Equal Rights Amendment and send a copy of this resolution to the Ohio Equal Rights organization that is spearheading the efforts to bring this Constitutional Amendment to the voters of Ohio in the November 2026 elections.

BE IT FURTHER RESOLVED

that the members of BPW/Ohio continue to educate their communities about the importance of equal rights for all citizens and the adoption and enforcement of an Equal Rights Amendment in the Ohio Constitution and the United States Constitution.

Signed by: *Cynthia A McCabe*

Cyndi McCabe 2026 Resolution Chair

May 15-17, 2026

RESOLVED AND ADOPTED THIS 17th DAY OF May, 2026.