



Ratify the Equal Rights Amendment National Action Program Toolkit

Table of Contents

Information Brief: Three-State Strategy.....	2
Information Brief: Start Over Strategy	3
Action Brief: Three-State Strategy.....	4
Action Brief: Start Over Strategy	5
Phone Script: Three-State ERA (Federal)	6
Phone Script: Three-State ERA (State)	7
Social Media Toolkit: ERA for Facebook & Twitter.....	8
Equal Rights Amendment Resources	14



INFO BRIEF

The Equal Rights Amendment (ERA): A Three-State Strategy



Overview

The **Equal Rights Amendment (ERA)** ensures that gender equity is codified in the United States Constitution. Though passed by Congress in 1972, and ratified by 35 of the 38 States necessary for constitutional passage, the deadline for ratification passed in 1982. **Senate Joint Resolution 5 and House Joint Resolution 53** seek to enact a new timeline that allows the ERA to still be eligible for ratification.

Why the Need for an ERA?

Equality in pay, job opportunities, political structure, education, health care including reproductive health care, and education—in particular for women of color, women with disabilities and the LGBTQIA community—will remain an elusive dream without a guarantee in the U.S. Constitution. The progress we have made—and must continue to make—towards women’s equality can be lost at any time because those advances depend on legislation that can be (and has been) weakened or repealed by Congress. Given the current political climate, this is more of a concern than ever.

Precedent for Extended Ratification Process in the Three State Strategy

In 1992, the 27th Amendment was ratified more than 203 years after its 1789 passage by Congress. This established a precedent for the three-state strategy. If **Senate Joint Resolution 5 and House Joint Resolution 53** are passed, the existing 35 state ratifications would still be in effect, and only three additional states would be needed to successfully ratify the ERA.

Three-State Strategy Approach

With 35 states already ratified, ERA activists can focus on **Virginia, Illinois, North Carolina, Florida, and Nevada.**² These target states present strategic opportunities based on prior attempts at ratification, current political representation, upcoming elections, and state legislature party composition.

Current Status

- **Illinois:** On May 22, 2014, the State Legislature Voted to Ratify the ERA with a tally of 39 to 11, failing to meet the $\frac{3}{4}$ majority required for state ratification.³
- **Virginia:** On January 26 2016, The ERA passed in the Virginia Senate 21 to 19, failing to meet the $\frac{3}{4}$ majority required for state ratification.⁴
- **North Carolina:** On February 14, 2017, the ERA was introduced in both houses of the General Assembly as Senate Bill 85 (S85) and House Bill 102 (H102).⁵

NOW’s Action Agenda

- U.S. Senators should co-sponsor and vote yes on **Senate Joint Resolution 5.**
- U.S. Representatives should co-sponsor and vote yes on **House Joint Resolution 53.**

Sources

¹ The Equal Rights Amendment: Unfinished Business for the Constitution, “[ERA Ratification Bills in the 115th Congress](#)” *The Equal Rights Amendment*, Web. 24 Feb. 2017.

² The Equal Rights Amendment: Unfinished Business for the Constitution, “[The ERA in the States](#)” *The Equal Rights Amendment*, Web. 24 Feb. 2017.

³ Illinois General Assembly, “[Bill Status of SJRCA0075](#)” Web. 24 Feb. 2017,

⁴ The Equal Rights Amendment: Unfinished Business for the Constitution, “[The ERA in the States: Virginia](#)” *The Equal Rights Amendment*, Web. 24 Feb. 2017.

⁵ North Carolina for ERA, “[North Carolina General Assembly Action Alert 02/14/17](#),” Web. 24 Feb. 2017.

INFO BRIEF

The Equal Rights Amendment: A “Start-Over Strategy”



Overview

The **Equal Rights Amendment (ERA)** ensures that gender equity is codified in the United States Constitution. Though passed by Congress in 1972, the ERA was ratified by 35 of the 38 States necessary for passage; the deadline for ratification passed 1982. **Senate Joint Resolution 6 and House Joint Resolution 33¹ seek to reintroduce the ERA** as a proposed amendment to the United States Constitution; this would restart the ratification process.

The Start-Over Strategy

- This strategy reintroduces the ERA in the 115th Congress as the 28th Amendment to the U.S. Constitution.
- This reintroduction would effectively “start over” the congressional passage and state ratification process.

Benefits of the Start-Over Strategy

- New ERA language can be reframed with an explicitly inclusive lens to encompass race, sexual orientation, economic justice and reproductive justice, calling a more diverse coalition of feminists and their allies into the struggle for justice and equality for all.
- The start-over strategy reflects a more traditional, (thus more straightforward) process than the three state-strategy.
- Each state has the opportunity to pass and ratify the ERA, allowing each constituent, state, and representative to have a stake in new legislation.

An Inclusive ERA

NOW is committed to advocating for an **inclusive** and **intersectional** ERA interpretation that includes equitable access to all aspects of women’s reproductive health care and centers marginalized people including LGBTQIA individuals, immigrants, women of color, and women with disabilities. The start-over strategy would allow this inclusion to be stated explicitly. An inclusive ERA would include, among other things:

- A clear and strict legal standard for deciding cases of sex discrimination, including discrimination on the basis of sexual orientation, gender identity and/or gender nonconforming presentation.
- A basis for litigation and legislation to fight back against the gender and gender-race wage gaps, and to ensure paid family leave, rights for pregnant workers, and other workplace issues impacting women generally and/or specific communities of women.
- Explicit recognition of women’s constitutional right to make their own reproductive decisions.

NOW’s Action Agenda

- U.S. Senators should co-sponsor and vote yes on **Senate Joint Resolution 6**, and support all legislation that uplifts women’s constitutional equity.
- U.S. Representatives should co-sponsor and vote yes on **House Joint Resolution 33** and support all legislation that uplifts women’s constitutional equity.

Sources

¹ The Equal Rights Amendment: Unfinished Business for the Constitution, “[ERA Ratification Bills in the 115th Congress](#)” *The Equal Rights Amendment*, Web. 24 Feb. 2017.

ACTION BRIEF

The Equal Rights Amendment (ERA): A Three-State Strategy



NOW Urges That:

- U.S. Senators co-sponsor and vote yes on **Senate Joint Resolution 5**, which is a joint resolution removing the deadline for the ratification of the Equal Rights Amendment.
- U.S. Representatives co-sponsor and vote yes on **House Joint Resolution 53** which also removes the deadline for the ratification of the Equal Rights Amendment.

Overview

The **Equal Rights Amendment (ERA)** ensures that gender equity is codified in the United States Constitution. Though passed by Congress in 1972, and ratified by 35 of the 38 States necessary for passage; the deadline for ratification passed in 1982. **Senate Joint Resolution 5 and House Joint Resolution 53** seek to enact a new timeline that allows for the ERA to be eligible for ratification.

Precedent For Extended Ratification Process: The Three-State Strategy

In 1992 the 27th Amendment was ratified, more than 203 years after its 1789 passage by Congress. This established a precedent for the three state strategy. If **Senate Joint Resolution 5 and House Joint Resolution 53** are passed, the existing 35 state ratifications would still be in effect, and only three additional states would be needed to successfully pass the ERA.

With the 35 current states, ERA activists in unratified states continue to clear a path for passage, with a focus on **Virginia, Illinois, North Carolina, Florida, and Nevada.**²

- These target-states present strategic opportunities in terms of prior attempts at ratification, political representation, and state legislature party-composition.

Support For Gender Equity Is Widely Supported In The United States¹

An April 2012 poll for Daily Kos and Service Employees International Union (SEIU) found that **91% of Americans believe that men and women should have equal rights affirmed by the Constitution.** A 2001 Opinion Research Corporation poll showed that **72% of the respondents mistakenly assume that the Constitution already includes such a guarantee.**

An Inclusive Interpretation of the ERA

NOW is committed to advocating for an **inclusive** and **intersectional** ERA interpretation that includes equitable access to all aspects of reproductive health care and centers marginalized people, including LGBTQIA individuals, immigrants, women of color, and women with disabilities. We believe the broad language of the 1972 text (“Equality of rights under the law shall not be abridged ... on account of sex”) lends itself to this broad and inclusive interpretation.

Sources

¹ The Equal Rights Amendment: Unfinished Business for the Constitution, “[ERA Ratification Bills in the 115th Congress](#)” *The Equal Rights Amendment*, Web. 24 Feb. 2017.

² The Equal Rights Amendment: Unfinished Business for the Constitution, “[The ERA in the States](#)” *The Equal Rights Amendment*, Web. 24 Feb. 2017.

³ Francis, Roberta W. and Bettina Hager, “[Why We Need The Equal Rights Amendment.](#)” National Council of Women’s Organizations, Mar. 2013 Web. 24 Feb. 2017.

⁴ See 3.

ACTION BRIEF

The Equal Rights Amendment: A “Start-Over Strategy”



NOW Urges That:

- U.S. Senators cosponsor and vote yes on **Senate Joint Resolution 6**, which is a joint resolution proposing a constitutional amendment prohibiting the United States or any state from denying or abridging equal rights under the law on account of sex.
- U.S. Representatives co-sponsor and vote yes on **House Joint Resolution 33** which is a joint resolution proposing a constitutional amendment declaring that women shall have equal rights and prohibiting the U.S. or any state from denying or abridging equal rights under the law on account of sex.

Overview

The **Equal Rights Amendment (ERA)** ensures that gender equity is codified in the United States Constitution. Though passed by Congress in 1972, and ratified by 35 of the 38 States necessary for passage; the deadline for ratification passed in 1982. **Senate Journal Resolution 6 and House Joint Resolution 33 seek to reintroduce the ERA** as a proposed amendment to the United States Constitution, effectively restarting the ratification process.

Why the Need for an ERA?

Equality in pay, job opportunities, political structure, education, health care including reproductive health care, and education--in particular for women of color, women with disabilities and the LGBTQIA community--will remain an elusive dream without a guarantee in the U.S. Constitution. The progress we have made—and must continue to make—towards women’s equality can be lost at any time because those advances depend on legislation that can be (and has been) weakened or repealed by Congress. Given the current political climate, this is more of a concern than ever.

Support For Gender Equity Is Widely Supported In The United States

An April 2012 poll for Daily Kos and Service Employees International Union (SEIU) found that **91% of Americans believe that men and women should have equal rights affirmed by the Constitution.** A 2001 Opinion Research Corporation poll showed that **72% of the respondents mistakenly assumed that the Constitution already includes such a guarantee.**

It is imperative that the rights of all women are once and for all protected by the United States Constitution.

Sources

¹The Equal Rights Amendment: Unfinished Business for the Constitution, “ERA Ratification Bills in the 115th Congress” *The Equal Rights Amendment*, Web. 24 Feb. 2017.

²Francis, Roberta W. and Bettina Hager, “Why We Need The Equal Rights Amendment.” National Council of Women’s Organizations, Mar. 2013 Web. 24 Feb. 2017.

PHONE SCRIPT

The Equal Rights Amendment (ERA): S.J. Res. 5 and H.J. Res. 53



Hello, my name is [name] and my zip code is [zip code].

As a constituent, I am calling to express my concern with the current state of the Equal Rights Amendment (ERA). Although passed by both the Senate and the House in 1972, the Equal Rights Amendment has not been ratified and added to the United States Constitution. Currently, we need three additional states to reach the three-fourths threshold. Without the ERA there is no guarantee of constitutional gender equality. Therefore, I am reaching out to ask that [name of Congress person] revisit the ERA as a topic of extreme importance.

In the current political environment, it is more important than ever to champion women's rights. American citizens across the country are impassioned after the hateful rhetoric that dominated the election cycle, much of which was aimed at women.

Women will not be equal in this country until our rights are solidified with the ratification of the Equal Rights Amendment. With the passage of **Senate Joint Resolution 5 and House Joint Resolution 53**, the ratification deadline for the ERA would be removed, allowing for three final states to make it a reality. With the example recently set by Nevada, now is the time to secure the fight for the ERA! I represent many women in our (name of state/ district) that want the ERA to pass. Generations of women have fought for the ERA, it's time to stand with them.

If you are concerned about women's equality, will you commit to supporting and co-sponsoring **Senate Joint Resolution 5 and House Joint Resolution 53** removing the deadline and allowing for the final three states to be ratified?

Thank you for your time, do you need any more information from me?

PHONE SCRIPT

The Equal Rights Amendment in Your State



Hello, my name is **[name]** and my zip code is **[zip code]**.

As a constituent, I am calling to express my concern with the current state of the Equal Rights Amendment (ERA). Although passed by both the Senate and the House in 1972, the Equal Rights Amendment has not been ratified and added to the United States Constitution. Currently, we need three additional states to reach the three-fourths threshold. Our state is one of those that has yet to ratify the ERA. Without it, there is no guarantee of constitutional gender equality. Therefore, I am reaching out to ask that **[name of Congress person]** revisit the ERA as a topic of dire importance.

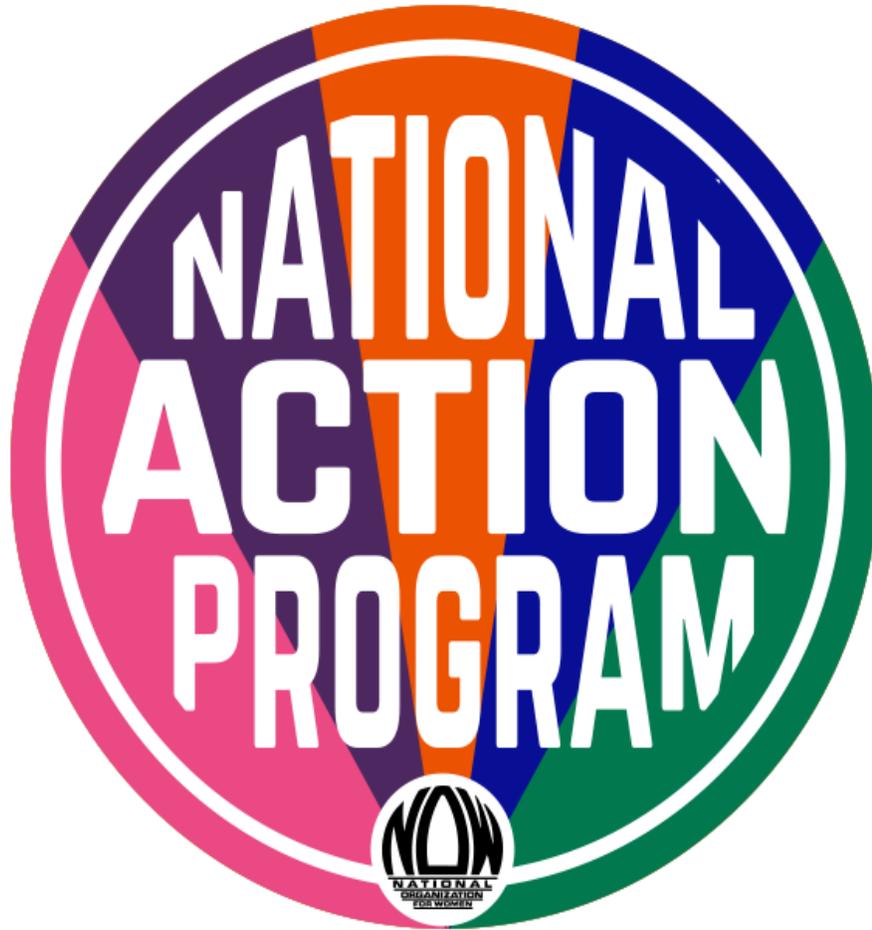
In the current political environment, it is more important than ever to champion women's rights. American citizens across the country are impassioned after the hateful rhetoric that dominated the election cycle, much of which was aimed at women. With the example set by the ratification of the ERA in Nevada, now is the time to secure this legislation in our state.

Women will not be equal in this country until our rights are solidified with the ratification of the Equal Rights Amendment. Our state needs to play its important role in the process. I represent many women in our state that want the ERA to pass. Generations of women have fought for the ERA, it's time to stand with them.

If you are concerned about women's equality, will you commit to supporting and co-sponsoring the ERA in our State's legislature?

Thank you for your time, do you need any more information from me?

Social Media Toolkit:



Ratify the Equal Rights Amendment

The Women's March, Black Lives Matter, DAPL, Occupy: What do these movements have in common? They all started in the digital world.

Why is online activism important?

Often, people dismiss social media and its' importance in social justice movements. However, over the past 20 years, studies have found that social media is a unique tool that allows people to connect, learn, and mobilize at an unprecedented rate. Here are a few reasons why:

1. Social media helps link people from all over the world who are dedicated to the same causes, building a community made up of a variety of ideas, narratives, and experiences.
2. It has the power to educate many people at once and connect them to resources they might not otherwise find.
3. It can enhance our offline activism, creating a foundation and jumping-off point for 'on the ground' action.



4 Ways to Enhance Your Online Activism

Quality, not Quantity

While there's something to be said for saturating people's timelines with news you care about, the quality of your posts is far more important. Make your posts meaningful by retrieving your information from reputable sources. Attach relevant videos, articles, and graphics to captivate readers, and make sure your posts are well-written and free of grammatical errors.

Engage in (Informed) Disagreement...

Conversing with people who hold opposing views is healthy and sometimes even productive! It forces us (and others) to consider, defend, and reevaluate our beliefs. However, when voicing your opinions with people on the internet, keep the conversation respectful. Stick to the facts, refrain from name-calling, and see your position through.

...But, Remember to Pick Your Battles

Although it can be productive to engage in healthy discussions, sometimes it just isn't worth it. Consider the level of influence you have over the person you're trying to debate. Offer to speak offline with someone about an issue you feel particularly passionate about if it feels appropriate for the situation.

Collaborate and Connect with Others

Pooling your resources with like-minded groups can make your movement that much stronger. Don't let your hashtags disappear into oblivion; work with local activists to expand your movement into different communities.

Note: The current cultural climate has bred an increased uptick in aggressive rhetoric in digital spaces. If you are feeling unsafe in a particular space or with a particular user, please do not hesitate to disengage and block that person/user.



How to Use Facebook Live

For newcomers to this feature of Facebook, here are a few simple steps for Facebook Live use and best practices.

NOTE: You can only go live on Facebook through Facebook’s iOS (iPhone, iPad) app or Android (Galaxy, Notebook, etc) app. Facebook Live is not applicable through desktop computers or laptops.

Step 1: Download the Facebook App on your iPhone or Android phone:



Step 2: Once it is downloaded and you have logged in under your NOW profile, go to the top of your News Feeds. Tap **‘What’s On Your Mind?’**

Step 3: Tap  **Live Video.**

Step 4: Write a description of your broadcast (using the aforementioned guidelines).

Step 5: Tap **Go Live** to begin.

Step 6: Tap **Finish** when you want your video to end.

In order to film an event such as a panel discussion, an interview or a conference, it is suggested the person use an iPad rather than a cellular phone. For events such as these, the same rules apply, however, make sure your front facing camera (the camera used to take selfies) is in use. Using an iPad also affords you the ability to set it up on a docking station and let it record as you are live.

Ratify the Equal Rights Amendment Facebook Guide

NOW has made ratifying the ERA a top priority for decades. The National Action Program has identified several areas of focus for the campaign:

- Pursue a three-state strategy to ratify the ERA.
- Pursue a start-over strategy to ratify the ERA.
- Advocate for an inclusive and intersectional ERA interpretation that includes equitable access to all aspects of reproductive health care and centers marginalized people, including LGBTQIA individuals, immigrants, women of color, and women with disabilities.
- Educate and inspire women—particularly a younger generation of women—as to why the ERA is still so important.

NOW's National Action Program is also excited to announce the creation of a **Visions for Equality** campaign. This initiative asks young women to paint their own unique vision of equality as a creative method and interpretation of gender equity in America. We ask that you:

- Share blogs and posts from Visions for Equality
- Submit your own blog content with Visions for Equality and share it on Facebook.
- Express your Vision for Equality on your Facebook page

Ratify the ERA: Facebook Examples

- Shocking Statistic: Over 72% of people think that the ERA is already a part of the constitution. Want to be informed on the real facts? Join us at our weekly ERA info session and learn about your rights! Info in the link below:
- The ERA was just approved by Nevada Senate Committee! Nevada constituents: Call your representatives now and tell them how much the ERA means to you! Details on what to say in the link below:
- Nevada is on its way to ratifying the ERA! Call your legislator to tell them how the ERA fits into your vision of equality! Details Below:
- In North Carolina, an organization just posted a billboard proclaiming women don't want equal rights. This is why we NEED the ERA: <http://bit.ly/2lAsyC8>
- Author, Doug Parry wrote an op-ed of the merits of the ERA in 2017. Sound off below and give us your thoughts on what the ERA means to you! <http://bit.ly/2mmbBK3>
- To make the ERA an amendment in the Constitution, we currently need three more states to approve it. To find out more about the three-state strategy, click on the link below!
- The ERA is one of the only documents that provides gender equity for women. This includes wages, labor, job discrimination, and education. Place the ask here.
- North Carolina just introduced the ERA in House Bill 102 and Senate Bill 85. Call your representatives and let them know how much you care.
- In 2017, women are still disproportionately affected by issues of class and income. Women make up the majority of minimum wage workers, yet 22 states have a minimum

- wage that is less than \$8. Supporting the ERA is a promise to make sure women are compensated adequately for their labor.
- When we look at the gender wage gap, we see that Black and Latino women bear the burden of that gap. For every \$1 a White man makes Black women make 64 cents. For every \$1 a White man makes, Latinas make 54 cents. Let's support fair wages and in turn, support women of color.
- Domestic violence is an issue that often goes ignored. The ERA guarantees that the perpetrators of domestic violence will be punished to the full extent of the law. This is why we need the ERA.
- The ERA touches so many issues of gender disparity. From fair wages to support of birth control. Let's make sure that the ratification of the ERA does not disappear from the agenda.
- The ERA was just ratified in Nevada. While we celebrate this victory, we must continue to advocate for its ratification across the country. We are not done yet.

Ratify the Equal Rights Amendment Twitter Guide

Did you know that 72% of Americans already believe an Equal Rights Amendment is a part of the Constitution? We need to raise awareness about the fact that women in this country still don't have constitutional equality, and why that's so important—for all women! We ask that you:

- Educate the general public on what the ERA is, its capabilities, and why it matters
 - This includes the history of the ERA
 - Fact tweets on the ERA
 - How the ERA protects women
 - The full breadth of the ERA and its potential in sectors of education, economics, and social justice

NOW's National Action Program is also excited to announce the creation of Visions for Equality! This initiative asks young women to paint their own unique vision of equality as a creative method and interpretation of gender equity in America. We ask that supporters:

- Tweet under the hashtag #Visions4Equality
- Post your vision of equality in the future
- Retweet about our website and encourage others to join

See our Resources for the RERA campaign on NOW.org for more information!

Ratify the ERA: Twitter Examples

- Why We Need The ERA: Because our Congress is now controlled by a bunch of 'white, rich misogynists' <http://bit.ly/2ltxgid>
- Women are slowly breaking down the gender barriers in different fields of industry <http://bit.ly/2kYPhb5>
- The last national women's strike led to the passing of the ERA, can we do it again? #WomensStrike

- Go Nevada!! NV Senate Committee just passed the Equal Rights Amendment
- On not passing the ERA: “It normalizes misogyny and moderates the collective cognitive difference related to universal equality” Pat Spearman is all of us
- Only 23 states provide constitutional protection from sex discrimination. We must ratify the ERA to extend those rights to everyone.
- Scary: 72% of Americans believe that the ERA is already a part of the Constitution. News brief: It’s Not.
- The ERA is the only piece of federal legislation that guarantees all women are treated equally. Find out more here: [link to educational resources](#)
- The gender wage gap affects Black and Latina women more than any other group.
- Did you know that women in computing are paid only 87% of what their male counterparts are paid? Ratifying the ERA would change that.
- Gender disparities exist everywhere: Nationally, women receive \$300 less in social security than men.
- Unacceptable: The minimum wage in 22 states is below \$8. Do you who most minimum wage workers are? Women.
- So Nevada just ratified the ERA...Virginia, it's your turn.
- The ERA has not been ratified since 1982 and Nevada just did it in less than three weeks. Do you see what happens when our legislatures actually work to protect our rights?!

Visions for Equality

- My vision of equality is a world that values the lives of Black women.
- In my vision for equality, reproductive rights are not a luxury but a right.
- In my Vision for Equality, women are being paid a living wage that provides for themselves and their families.



Equal Rights Amendment Resources



General Resources

[ERA Ratification Bills in the 115th Congress \(2017-2018\)](#)

Overview of the current legislation introduced in the 115th congress (2017-2018) which takes two approaches, the 3 state strategy and the start-over strategy.

[Why We Need the Equal Rights Amendment](#)

Overview of the language of the ERA and benefits of passing the ERA including clearer legal precedent in sex discrimination cases and putting the US on same level as other developed nations.

[Why We Need the Equal Rights Amendment](#)

Examines the positive outcomes of ERA in various fields including pay equity, pregnancy discrimination and violence against women.

[Quick Facts: Equal Rights Amendment](#)

Focuses on the history of the ERA and why a constitutional amendment is more effective and influential than the current patchwork system of sex discrimination laws.

[Is the Equal Rights Amendment Relevant in the 21st Century?](#)

This article gives a an overview of the positive implications of the ERA including reproductive justice, LGBTQIA rights and ending discriminatory practices in a variety of public sectors.

ERA Strategies

[The ERA in the States](#)

Overview of the history of the ratification of the ERA each state as well as a spotlight on states that have not ratified.

[Illinois General Assembly](#)

Overview of the legislative status of the ERA bill in the Illinois legislature (98th assembly), including description of the bill, actions and co-sponsors.

[The ERA in the States: Virginia](#)

Highlights the current status of activism and legislation around the ERA in Virginia. In 2016, The ERA passed in the Virginia Senate 21 to 19, failing to meet the $\frac{3}{5}$ majority required for state ratification

[North Carolina General Assembly Action Alert 02/14/17](#)

Gives an overview of the legislative action on the ERA in North Carolina, On February 14, 2017, the ERA was introduced in both houses of the General Assembly as Senate Bill 85 (S85) and House Bill 102 (H102).

[The Equal Rights Amendment: Why the ERA Remains Legally Viable and Properly Before the States](#)

Overview of the 3 State Strategy, the precedent to ignore the deadline because of the Madison Amendment's passage 203 years after it was introduced.