

2009
Out & Equal
Workplace Summit



**Remarks of John Berry,
Director of the U.S. Office of Personnel Management
2009 Out and Equal Workplace Summit
October 9, 2009**

It is a treat for me to speak to an audience that is focused on equality in the workplace. I believe strongly that equality in the workplace is the most important, most all-encompassing issue that we face as a community.

I'm proud to be working on this issue with you, as the Federal government's Chief People Person.

I love this position because it gives me unique opportunities to speak and also to act on matters of fundamental importance to the LGBT community.

Under the strong leadership of President Barack Obama, we've made it clear that a fully-inclusive ENDA must be passed. This Administration is committed to repealing Don't Ask, Don't Tell and the Defense of Marriage Act.

A recent report in the Pentagon's top scholarly journal was clear and unequivocal: Don't Ask, Don't Tell is, and I quote, "ultimately more damaging to the unit cohesion" it seeks to preserve.

2009
Out & Equal
Workplace Summit



How can a policy exist that is antithetical to an organization's most sacred core value - integrity? No matter how hard you try - you cannot square forcing someone to lie with integrity - those parts don't fit. They can't. And that is why DADT must and will fall.

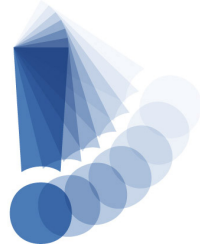
But I see ENDA as the keystone in the arch. It addresses the problem that affects every member of the LGBT community. Representing the Obama administration, EEOC Chair Stuart Ishimaru said it clearly in his testimony before Congress last month:

Although we hear regularly from working Americans who complain that they have been discriminated against because of their sexual orientation or gender identity, we have to tell them that our federal laws provide them no explicit protection.

I'm working to get the Federal government's own house in order and extend key benefits to domestic partners of Federal employees. The White House and Secretary Clinton have been great partners in that effort. But the Federal workforce is only a small slice of America's population.

By creating a change in culture in the private sector, your work and the passage of ENDA can ultimately help many, many more people. After all, virtually every American works during their lifetime, and that's why creating fully equal, inclusive and welcoming employers in the private sector will do more to improve the lives of lesbian, gay, bisexual, and transgender Americans than anything else.

2009
Out & Equal
Workplace Summit



The Federal government used to be a leader in fostering progressive work environments, but we've fallen behind. Luckily the people in this room and the companies you represent have picked up the mantle of leadership. Now, YOU are showing US the way.

Thank you.

I look forward to following on the leadership and best practices that you've created at America's top performing companies.

Spreading strong fairness policies government-wide can be done, it must be done, and it will be done. The rewards are clear. The costs are minimal. This room is full of people who work hard and provide value for your companies and their shareholders. You choose to work where you do, at least in part, because of the way you're treated - the respect, the atmosphere, and the benefits you and your partners receive.

And there are millions more like you around the country - lesbian, gay, bisexual, and transgendered Americans who ask nothing more and nothing less than that they be treated as equals and judged on their merits and nothing else.

When companies do that, they do well by doing good. I have no doubt that people in this room have opened up new markets, accessed new pools of talent, improved employee morale, and ultimately improved the bottom line.

2009
Out & Equal
Workplace Summit



Employees who feel respected and taken care of do better work. Good policies help recruitment and retention and improve relationships with customers.

That's why nearly half of America's Fortune 100 companies are represented here and are known for their strong diversity policies. And it's not just the companies full of chicken-neck liberals that the public might expect; it's also companies like Food Lion, American Airlines, Chevron, Marriott, and Lockheed Martin.

If I'm a CEO, and my company isn't doing this, the simple truth is that I am giving up a competitive edge. And the simple and low cost answer is: "enact a strong fairness policy."

Over the last couple days here in Orlando, I've really seen first-hand what I've been hearing about for a while now - that you all are on the leading edge of making equality real and showing government the way.

I was also deeply gratified to hear that more than 25 Federal agencies and Fed GLOBE are represented here at the conference.

Len Hirsch of Fed GLOBE couldn't make it, but I still want to give him credit for his leadership over many, many years. 25 Federal agencies is a good start, and I hope we'll continue to see our numbers grow.

2009
Out & Equal
Workplace Summit



I'm proud to lead the Obama administration's drive to reinvigorate policies that promote a diverse, fair, respectful, and egalitarian Federal workplace. Let me specifically thank the Feds in the audience for your detailed responses to our request for information on the current status of domestic partner benefits.

I'm counting on you and your employee resource group colleagues across government to continue working closely with us to bring future diversity efforts to fruition.

As we work across government and throughout the economy to do this, the strongest winds are at our backs. This year's Out & Equal workplace survey shows not only growing support for workplace equality, but a consistent shift in attitudes. 86% of heterosexual adults now agree that how an employee does the job should be the standard for judging her or him, and not sexual orientation. 93% of heterosexual adults said they would have a positive or neutral reaction to a co-worker coming out to them.

Just a couple weeks ago, on Capitol Hill, we had more evidence of shifting attitudes - the House held a hearing on ENDA, and guess what? There was no storm of objections. Even those who opposed the bill focused largely on technical legal and procedural issues, and voiced their concerns constructively without demonizing anyone.

This is an attitude shift we've been working toward for a long time. And through our efforts, we are seeing, broadly speaking, that younger people are not just more tolerant, they are more welcoming of people of every background.

2009
Out & Equal
Workplace Summit



As agents of change you are lifting this tide. We as a community are making progress, and we have a lot to be proud of.

But the successes we've had to date doesn't mean we can afford to slow down, or wait, or think that full equality will come on its own. We must go at least once more into the breach, to secure the legislative victories that are within our grasp.

The tide of public opinion is in our favor. The forces of intolerance are on the run. Our allies control both houses of Congress. We have a President who has always been clear in his support for our community and his commitment to equality.

This is the best opportunity we will ever have as a community - and shame on us if we don't succeed. But don't think for a minute that this will be easy.

As history recedes, memory tends to soften its sharpest edges. As a child, I watched Black Americans and their allies fight. Courageous and upright, they stood, as cruelty and violence rained down. Beaten brutally, and murdered even, they stood their ground until they prevailed.

Since then, Americans with disabilities secured vital workplace protections in the Americans with Disabilities Act, and women's rights to equal pay for equal work were reinforced by Lilly Ledbetter Fair Pay Act earlier this year. This year nearly 100 years since women won the right to vote!

2009
Out & Equal
Workplace Summit



We've had many victories since our own struggle began in the hot summer of Stonewall, but the game is now afoot. History will note the day that President Obama signs a fully-inclusive Employment Non-Discrimination Act, giving the LGBT community the legal protections that other groups won in 1964.

How privileged are we to carry this fight to fruition? How blessed are we to plant this flag which Harvey Milk could only dream of? Those not with us will hold their hearts cheap and themselves cowardly to have not made this battle and help us secure the victory.

It's simple, really: the fulfillment of the inalienable rights of life, liberty and the pursuit of happiness flows from our ability to work and to be compensated fairly for our efforts. That's what the passage and enforcement of ENDA will secure.

It will help every LGBT American live free from the darkness of discrimination. This is the law that will help bring so many of us out of the shadows. This is the law that will affirm our nation's respect for us and our contributions. This is the law that secures liberty and justice for all.

I see in the faces of this audience today what I've seen in so many others this year - a determination to bring the battle home. I see you, like the soldiers of Henry V, standing like Greyhounds in the slips, straining upon the start.

2009
Out & Equal
Workplace Summit



We have all we need to win: we have the power of right, and the angels of virtue are on our side. We have the numbers needed and the resources required. We just need to summon the unity, courage and persistence to see this through.

We must secure the passage of a fully inclusive ENDA. The vote to include our Transgendered brothers and sisters will be hard and very close. But we must go together or NOT AT ALL.

I have spoken to the merits of ENDA and told you of this Administration's support for it. Now there's a disconnect that you have to help us overcome: roughly 90% of the country is with us on workplace equality, but we're around 50-50 in Congress. This is when the forces of intolerance dig in deepest and we just have to win the battle.

History tells us that this is the toughest part of the fight. This is the part that took so long in the 1950s and '60s.

It wasn't enough to have simple majorities in both houses of Congress. It wasn't enough to have the "Master of the Senate," Lyndon Johnson. And when he became President and the leaders of both the House and Senate were with him, even that wasn't enough.

It still took the full pressure of a movement that laid bare the harshness of segregation so that it could no longer be ignored. It still took Dr. King's March on Washington.

2009
Out & Equal
Workplace Summit



It took leadership from inside government, aided by pressure from outside government, to overcome a determined minority in both houses that had stymied meaningful progress for so long.

Returning to the present and to our fight, this is when we need our allies to stand with us, to help us make the moral case and the business case. We need to do all we can and bring all our forces to bear. Even though 90% of Americans are with us, the 10% that aren't can be loud.

Believe me, they can be loud. Loud, and organized and unwilling to go quietly into the night. So while the hearing went well and we're near the finish line on ENDA, we're not there yet. We need your corporate leaders to make the case that this is good for business - that it works and works well.

I know that progress isn't always as quick as we hope it will be. And the closer we get, and the more that roadblocks appear, the more frustrating it becomes. As we near the summit, the thinner the air and the steeper the climb.

But remember, January 20th wasn't a day to stop working - it was a day to start working harder, with a freshening wind at our backs. There is none here - though now only a mean handful of dust - when love is added and you are fired in the kiln of justice - who cannot stand as noble and true as any good king of old.

2009
Out & Equal
Workplace Summit



We are so close. We need to rekindle the fire and the passionate intensity of Stonewall! We need the persistence that animated President Lincoln in his struggle to keep our nation whole and General Grant as he pounded on the enemy's lines relentlessly until the day was won.

And as we fight, keep in mind that our struggle benefits not only ourselves, but all Americans. Each time we act to lift up an oppressed minority - each time we act against discrimination - we add a new ring of life to the American tree of liberty.

Planted by our Founders with the declaration that "All men are created equal," this tree has grown through revolution, civil war, women's suffrage, and the struggles we've witnessed in our own lifetimes. Its broad branches have withstood the lightning strikes of fascism and the gale force winds of communism.

It is that miraculous quality that has produced the proud sheltering and living tree that we seek to nourish further today. The more it grows, the happier, stronger and more secure our nation becomes.

And the tree of liberty grows but in one direction - by adding rings. And each ring is only secured with blood, sweat and tears. This will not be easy. But make no mistake - This is the fight of this generation - This is the fight of our lives. And the fight is now! To quote Henry V of Shakespeare:

2009
Out & Equal
Workplace Summit



Once more unto the breach, dear friends, once more;

Or close the wall up with our LGBT dead.

In peace there's nothing so becomes a man

As modest stillness and humility:

But when the blast of war blows in our ears,

Then imitate the action of the tiger;

Stiffen the sinews, summon up the blood,

Disguise fair nature with hard-favour'd rage;

Then lend the eye a terrible aspect;

Now set the teeth and stretch the nostril wide,

Hold hard the breath and bend up every spirit

To his full height.

I see you stand like greyhounds in the slips,

Straining upon the start. The game's afoot:

Follow your spirit, and upon this charge, cry for Harvey Milk, Liberty and justice for all.

Thank you. God bless you and God Bless the United States of America.