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OPINIONS

Bi, pan, queer people need the Equality Act's protections

I've seen firsthand the injustices that bisexual people face

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By **Robyn Ochs**



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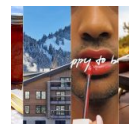
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The U.S. Supreme Court is considering three cases that could decide whether LGBTQ+ people will continue to be protected from discrimination under federal civil rights laws. As we wait for the justices' critical and historic decision — which will literally determine how LGBTQ+ people live our lives in our own country — we must remain stalwart in our commitment to passing crucial legislation that finally clearly and fully protects from discrimination bisexual people, and those who identify as pansexual, sexually fluid or queer.

People are often surprised to learn that bisexual people make up the single largest—and fastest-growing—group within the LGBTQ+ community. However, according to UCLA's [Williams Institute](#) and the HRC Foundation's research, about 50% of people who identify as either gay, lesbian or bisexual, identify as bisexual. Data compiled by the [University of Chicago's General Social Survey](#) suggests that the number of openly bisexual Americans has tripled over the past decade.

The Supreme Court's decision in these cases could effectively decide whether to solidify or take away non-discrimination protections for LGBTQ+ people under federal civil rights laws, which prohibit sex discrimination in contexts ranging from employment to housing, healthcare and education.

The workplace—the location of discrimination in the three cases being considered at the Supreme Court—can be an especially difficult and distressing terrain for bisexual employees. And yet, many conversations regarding these cases—and workplace discrimination in general — have erased the bisexual community. [HRC Foundation data](#) shows that 37% of LGBTQ workers have heard bisexual-specific jokes in the workplace. A 2016 [study](#) by Prudential found that bisexual women make nearly \$10,000 less on average than their lesbian peers, and nearly \$16,000 less than the average straight woman. A person's sexual orientation should never be a barrier to achieving their professional or educational goals, raising a family or simply living their life in the public square without risk of discrimination.

Regardless of how the Supreme Court decides, the Senate must join the House in acting immediately to pass the Equality Act to explicitly codify protections for the LGBTQ+ community and address the significant gaps in federal civil rights laws for everyone. The

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This legislation would have a widespread and positive impact on the bisexual community. Currently, [50% of LGBTQ Americans](#) live in the 29 states that still lack explicit statewide non-discrimination protections, leaving them at risk of being fired, denied housing, or refused service because of who they are or who they love. This means, without the Equality Act, it is possible that a man living with his wife could be kicked out of his apartment if his landlord finds out he once dated a man. A bisexual woman could be fired from her job simply because of her sexual orientation. A pansexual person could be denied access to an LGBTQ-focused education or job training program because they are not seen as being gay “enough”— or too gay.

For me, enshrining the protections of the Equality Act is deeply personal. I’ve identified as bisexual for 43 years, and I have spent my career advocating for marginalized communities. My wife and I are about to celebrate our 23rd anniversary. I’ve seen firsthand the injustices that bisexual people and other LGBTQ+ people face because we lack explicit legal protections under the law. I know my visibility as an openly bisexual woman matters when we talk about this legislation because our community faces unique challenges that can be all too easily dismissed or ignored.

No one should be denied a job or fired simply because of who they are or whom they love. The Supreme Court has an opportunity to uphold this area of law to ensure protections for LGBTQ+ people in many important areas of life. But, regardless of this outcome, passage of the Equality Act is a critical step toward ensuring that bisexual, pansexual, sexually fluid, and queer people, alongside the full LGBTQ+ community, realize the promise of equal opportunity for all.

Robyn Ochs is a longtime LGBTQ rights advocate and editor of Bi Women Quarterly.

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