

Title: American Medical Women’s Association Position Paper on Supporting the Equal Rights Amendment

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Position Statement: The American Medical Women’s Association (AMWA) supports gender equity in compensation and supports adoption of the Equal Rights Amendment as legislation that can help realize this.

Background: The Equal Rights Amendment (ERA) is designed to amend the US Constitution to guarantee equal legal rights for all American citizens, regardless of sex.¹ The ERA was originally passed in 1972 but fell three states short of the 38 ratification requirement in 1982.² Forty years later, the amendment could provide a significant victory for American citizens to achieve gender equality and protection against discrimination in pay.

164 United Nation member states have gender equality provisions in their constitutions and 115 have provisions prohibiting sex discrimination in their constitutions.³ However, the United States has yet to move forward with protecting all citizens from inequality and instead relies on the insufficient Fourteenth Amendment Equal Protection Clause.⁴ The current constitutional absence of equal rights impacts same sex marriage, interracial marriage, violence against women, women in the workforce, access to contraception, and more. Notably, not having the ERA affects accessibility of comprehensive reproductive health services.

Adopting the ERA is an important step toward achieving equality for all Americans by cementing gender equality in the Constitution and providing another tool to protect women from violence, provide equal opportunity for career advancement, reduce the effects of conscious and

¹ <https://www.equalrightsamendment.org/>

² https://www.equalitynow.org/era_explainer/

³ https://www.equalitynow.org/era_explainer/

⁴ https://www.equalitynow.org/era_explainer/

unconscious bias in compensation, and close the gender pay gap. For physicians, the gender pay gap amounts to an approximately \$2 million deficit over a 40-year career, which underscores the urgency of adopting this legislation into law.⁵

Promoting gender equity and eliminating inequities in health, compensation, and career advancement are longstanding AMWA priorities. AMWA calls for adoption of the Equal Rights Amendment as legislation that can help achieve this.

⁵ See https://www.healthaffairs.org/doi/abs/10.1377/hlthaff.2021.00461?utm_medium=press&utm_source=mediaadvisory&utm_campaign=december2021issue&utm_content=whaley.