

# WOMEN'S RIGHTS

ACLU has traditionally been at the forefront of efforts to promote equality between the sexes. Long before today's well known and well-established women's rights organizations were formed, ACLU was hard at work: since 1940 it has fought for equal pay for equal work and against prohibitions on the use of contraceptives or on the distribution of birth control information.

## EQUAL PROTECTION UNDER THE LAW

The Equal Protection Clause of the 14<sup>th</sup> Amendment of the U.S. Constitution provides constitutional protection against laws that arbitrarily differentiate on the basis of gender. (Note that this applies only to government actors; private organizations or businesses are outside the constitution's reach). The fundamental principle that applies to sex discrimination cases is one that applies equally to men and to women; that is, a gender-based distinction must (1) serve an "important" governmental objective and (2) must be closely and substantially related to the achievement of that objective. Thus, ACLU can count among its victories a challenge to the automatic preference of men over women as administrators of estates of decedents and a challenge to the exclusion of woman from a military academy. State and federal statutes also prohibit discrimination on the basis of gender by private employers, in public accommodations, and in housing.

## RIGHT TO PRIVACY: ABORTION, CONTRACEPTION & PREGNANCY

The Supreme Court has found a right to privacy inherent in the Constitution, and this right has been used to protect many rights relating to women, including abortion and contraceptive use. Although most civil liberties issues that affect women also affect men, the question of reproductive rights presents an obvious exception. Women are directly affected when government imposes restrictions on such reproductive choices as abortion and access to a broad range of birth control measures. ACLU-TN is an active and outspoken proponent of reproductive choice in the courts and the state legislature. (See "Reproductive Freedom")

## EMPLOYMENT DISCRIMINATION

Four major federal laws forbid gender discrimination in the workplace: Title VII of the Civil Rights Act of 1964, The

Equal Pay Act, Executive Order 11246, and the Age Discrimination Act of 1967. Teachers are also protected under Title IX of the Education Amendments of 1972. Of these, Title VII is the most far-reaching. Under this law, an employer can make gender-based hiring decisions only if it can prove that gender, or a requirement that results in candidates of one gender, is a "bona fide occupational qualification." The state Law Against Discrimination similarly prohibits employment discrimination on the basis of gender.

## SEXUAL HARASSMENT

Under EEOC guidelines, sexual harassment is defined as:

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment."

To succeed in court, a victim of harassment must show one of three things:

- (1) That s/he was forced to submit to sexual harassment to get or keep her job, even if this was just understood and not explicitly stated;
- (2) That submitting to or rejecting the harassment was the basis for an employment decision that affected the victim; the victim refused sexual advances and was fired, demoted, transferred, or given less favorable conditions; or
- (3) That the harassment itself was intended to or did create an intimidating, hostile or offensive work environment, regardless of whether the person suffered from an unfavorable job action or decision.

Simply being subjected to a hostile, offensive environment is enough to file charges with the EEOC. And, since, the civil rights act of 1991, women can get money damages for



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intentional employment discrimination, including sexual harassment

## **PREGNANCY**

It is illegal to discriminate based on pregnancy, childbirth and related medical conditions. The 1978 Pregnancy Discrimination Act requires that pregnant women who are able to work to be treated like any other worker, and that women disabled by pregnancy be treated as any other disabled worker. The PDA has helped many women secure pregnancy-related benefits, including leaves of absence. A woman CANNOT be fired or forced to take unpaid maternity leave because she is pregnant. Pregnancy must be treated as any other medical condition. Those who suspect pregnancy discrimination should file claims with the EEOC and may have sex discrimination claims under Title VII or under the Equal Protection Clause of the 14<sup>th</sup> Amendment.

While ACLU is interested in employment-related sex discrimination complaints, these complaints do not generally raise issues that warrant ACLU involvement. Such cases usually involve factual disputes rather than issues of law. ACLU is interested in discrimination cases that have the potential to make new law, affect a large number of people, or involve a government employer.

## **AFFIRMATIVE ACTION**

ACLU advocates affirmative action. The largest group of Americans to benefit from affirmative action since the passage of the Civil Rights Act of 1964 has been women. Before 1964, women were excluded from many higher paying occupations and professions based on stereotype, custom and law. There were no women police officers, truck drivers, or pilots, and women lawyers and doctors were rare. Despite progress, many barriers to full equality remain:

- ❑ Men make up 99% of all auto mechanics and carpenters; 98% of all firefighters, 97% of all pilots, and 95% of all welders.
- ❑ Overall, American women earn only 72% of what men make for comparable work.
- ❑ Women hold only 3-5% of senior positions in the private sector.

Affirmative action is not unfair, it is not a quota system, and it does not give preferential treatment to unqualified minorities and women. In fact, preferential treatment of whites and males is the norm, and requiring that qualified minorities and women be actively recruited is the only way that previously excluded minorities and women can get a foot in doors previously secured for white men only.

## **DOMESTIC VIOLENCE**

Domestic violence is the most common crime in America today, affecting 3-4 million women a year. The Surgeon General's Office reports that domestic violence is the leading cause of death among women. More than 50 percent of women are battered during their lives, and nearly 2/3 of married women experience physical violence in their marriages. Battering is the single major cause of injury to women.

The Tennessee Domestic Abuse Statute (T.C.A. §36-3-601) offers protection to victims of domestic abuse. When abuse occurs, the victim should immediately call the police, stressing the emergency nature of the situation.

In addition, many civil laws relating to domestic violence, stalking and harassment exist to help victims of domestic violence. Victims should get an Order of Protection, which protects the victim from the abuser. The OP prohibits the abuser from assaulting, harassing, or touching the victim, and can prohibit the abuser from coming to the victim's house. The victim can get a temporary restraining order without an attorney, and without the knowledge or presence of the abuser, immediately following any incident of violence. The temporary order is good for 15 days, at which time the date for a hearing is set, to determine if the temporary restraining order should be made permanent. (T.C.A § 36-3-605)

A victim of domestic violence should immediately go to the office of the Clerk of Court in the county they reside in or the county in which the abuse occurred and fill out the proper forms. A victim may also present any legally sufficient petition to the court. Victims may also call a women's shelter, women's center or the Tennessee Coalition against Domestic and Sexual Violence for directions to local services. Private services such as those listed below provide attorneys to accompany battered partners to these hearings.



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This information provided is for educational purposes only. It is not intended to be legal advice.

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## RESOURCES – NATIONAL AND STATE

ACLU-TN provides the following list of resources for informational purposes only. ACLU-TN does not endorse any of the organizations listed.

### National Organizations

- **National Domestic Violence Hotline**  
**Website:** <http://www.thehotline.org/>  
1-800-799-SAFE (7233)  
**TTY:** 1-800-787-3224
  - **National Sexual Assault Hotline**  
**Website:** <https://rainn.org/get-help/national-sexual-assault-hotline>  
1-800-656-HOPE (4673)
  - **National Organization for Victim Assistance (NOVA)**  
510 King Street, Suite 424  
Alexandria, VA 22314  
**Website:** <http://www.trynova.org/>  
**Victim Assistance:** 800-TRY-NOVA (800-879-6682)  
**Office Phone:** 703-535-6682
- NOVA is the oldest national victim assistance organization of its type in the United States. NOVA's mission is to champion dignity and compassion for those harmed by crime and crisis.
- **Planned Parenthood of Middle and East Tennessee, Inc.**  
**Website:** <https://www.plannedparenthood.org/planned-parenthood-middle-east-tennessee>

#### **Nashville Health Center:**

412 Dr. D.B. Todd Jr. Blvd.  
Nashville, TN 37203  
**Phone:** 615-321-7216  
**Fax:** 615-320-5233

#### **Knoxville Health Center:**

710 N. Cherry Street  
Knoxville, TN 37914  
**Phone:** 865-694-7155  
**Fax:** 865-694-7154

#### **Johnson City Health Center**

409 East Unaka Avenue  
Johnson City, TN 37601  
**Phone:** 423-504-4447

#### **Greater Memphis Area:**

2430 Poplar Avenue  
Memphis, TN 38112

**Website:** <https://www.plannedparenthood.org/planned-parenthood-memphis-tennessee>

**Phone:** 901-725-1717

**Toll Free:** 866-711-1717

**Fax:** 901- 274-1660

**E-mail:** [info@ppgmr.org](mailto:info@ppgmr.org)

- **Rape, Abuse, & Incest National Network (RAINN)**  
1220 L Street NW, Suite 505  
Washington, DC 20005  
**Website:** <https://rainn.org/>  
**Phone:** 202-544-1034  
**E-mail:** [info@rainn.org](mailto:info@rainn.org)  
**Online Chat:** [online.rainn.org](http://online.rainn.org)  
**Español:** [rainn.org/es](http://rainn.org/es)

RAINN is the nation's largest anti-sexual violence organization. RAINN created and operates the National Sexual Assault Hotline. RAINN also carries out programs to prevent sexual violence, help victims and ensure rapists are brought to justice.

- **WomensLaw.org**  
**Website:** <http://www.womenslaw.org/>  
**E-mail hotline:** <http://hotline.womenslaw.org>

WomensLaw.org provides state-specific legal information and resources for survivors of domestic violence. The Web site provides a confidential e-mail hotline to offer direct support to survivors, advocates, friends, and family members.



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## State Organizations

- **[League of Women Voters of Tennessee](#)**

P.O. Box 158369  
Nashville, TN 37215  
**Website:** <http://www.lwvtn.org/>  
**Phone: 615-297-7134**

The League of Women Voters is a nonpartisan political organization that encourages participation in government and influences public policy through education and advocacy.

- **[Mary Parrish Center](#)**

P.O. Box 60009  
Nashville, TN 37206  
**Website:** <http://www.maryparrish.org/>  
**Phone:** 615-256-5959  
**Fax:** 615-256-5909  
**E-mail:** [office@maryparrish.org](mailto:office@maryparrish.org)

The Mary Parrish Center provides therapeutic transitional housing and therapeutic programs for survivors of domestic and sexual violence.

- **[Nashville Police Department – Domestic Violence Division](#)**

811 Second Avenue South  
Nashville, TN 37210  
**Website:** <http://www.nashville.gov/Police-Department/Investigative-Services/Domestic-Violence.aspx>  
**Phone:** 615-880-3000 (8a.m.-10 p.m. M-F) or 615-862-8600

- **[Nashville Police Department – Victim Intervention Program \(VIP\)](#)**

2231 26th Ave. N.  
Nashville, TN 37208  
**Website:** <http://www.nashville.gov/Police-Department/Administrative-Services/Behavioral-Health-Services/Victim-Intervention-Program.aspx>  
**Phone:** 615-862-7773  
**Fax:** 615-862-8999  
**Sex Crimes Section:** 615-862-7540  
**Domestic Violence Division:** 615-880-3000  
**Domestic Violence Counselors:** 615-880-3000  
**TN Criminal Injury Compensation Program:** 615-741-2734

- **[Tennessee Coalition to End Domestic & Sexual Violence](#)**

2 International Plaza Dr., Suite 425  
Nashville, TN 37217  
**Website:** <http://www.tncoalition.org/>  
**Phone:** 615-386-9406 and 800-289-9018

The Tennessee Coalition to End Domestic & Sexual Violence is a private non-profit organization with a vision to end violence through public policy, advocacy, and education.

- **[Tennessee Department of Human Services](#)**

400 Deaderick Street, 15<sup>th</sup> Floor  
Nashville, TN 37243-1403  
**Website:** <http://www.tn.gov/humanservices>  
**Phone:** 615-313-4700  
**Fax:** 615-741-4165  
**E-mail:** [Human-Services.Webmaster@tn.gov](mailto:Human-Services.Webmaster@tn.gov)

- **[Tennessee Women’s Political Caucus](#)**

P. O. Box 332155  
Nashville, TN 37203  
**Website:** <http://tnwpc.org/>  
**E-mail:** [tennesseewpc@gmail.com](mailto:tennesseewpc@gmail.com)

Tennessee Women’s Political Caucus educates and trains women in all areas of political participation.

- **[Women’s Resource & Rape Assistance Programs](#)**

**Website:** <http://www.wraptn.org/>  
**24 Hour Hotline:** 1-800-273-8712  
**TTY:** 1-800-787-3224  
**Phone:** 731-668-0411

Women’s Resource & Rape Assistance Program (WRAP) works with local law enforcement agencies, attorneys, hospitals, social service agencies, state agencies, and court offices to provide services for survivors of sexual and domestic violence. Services are primarily offered in fourteen counties in West Tennessee and are free of charge.



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▪ **Tennessee Sexual Assault Service Providers**

**Avalon Center**

P.O. Box 3063  
Crossville, TN 38557  
**Website:** <http://www.avaloncentertn.org/>  
**Phone:** 931-456-0747 or 877-296-0119  
**TTY:** 931-337-5824  
**Fax:** 931-787-1057  
Crisis Line: 1-800-641-3434

**CEASE, Inc.**

P.O. Box 3359  
Morristown, TN 37815  
**Website:** <http://www.ceaseabuse.com/>  
**Domestic Violence Office Phone:** 423-581-7029  
**Domestic Violence Office Fax:** 423-581-9984  
**Sexual Assault Office Phone:** 423-581-7953  
**Sexual Assault Office Fax:** 423-586-0692  
**Crisis Hotline:** 423-581-2220  
**Toll Free Hotline:** 800-303-2220

**Domestic Violence Program & Sexual Assault Services**

2106 East Main Street  
Murfreesboro, TN 37130  
**Website:** <http://dvpshelter.org/>  
**Phone:** 615-896-7377  
**Fax:** 615-896-1628  
Domestic Violence Crisis: 615-896-2012  
Sexual Assault Crisis: 615-494-9262

**Genesis House, Inc.**

P.O. Box 1180  
Cookeville, TN 38503  
**Website:** <http://www.geneshouseinc.com/>  
**Phone:** 931-526-5197  
**24/7 Crisis Line:** 800-707-5197  
**E-mail:** [info@genesishouseinc.com](mailto:info@genesishouseinc.com)

**The H.O.P.E. Center, Inc.**

704 W Madison Ave.  
Athens, TN 37303  
**Website:** <http://thehopecenterinc.com/>  
**Phone:** 423-744-0599  
**24/7 telephone line:** 423-745-5289

**Partnership for Families, Children, and Adult: Rape Crisis Center**

1800 McCallie Ave.  
Chattanooga, TN 37403  
**Website:** <https://www.partnershipfca.com/>  
**Phone:** 423-755-2822  
**Fax:** 423-697-3812  
**E-mail:** [info@partnershipfca.com](mailto:info@partnershipfca.com)  
**24/7 Hotline:** 423-755-2700

**Rape Crisis Center**

1750 Madison Ave., Suite 102  
Memphis, TN 38104  
**Website:** <http://www.shelbycountyttn.gov/index.aspx?NID=737>  
**Phone:** 901-222-4350  
**Fax:** 901-222-4351  
**E-mail:** [Anna.Whalley@shelbycountyttn.gov](mailto:Anna.Whalley@shelbycountyttn.gov)

**Sexual Assault Center (SAC)**

**Nashville/Main Office**  
101 French Landing Drive  
Nashville, TN 37228  
**Website:** <http://www.sacenter.org/>  
**Phone:** 615-259-9055  
**Crisis and Support Line:** 1-800-879-1999

**Clarksville Office**

1725-I Wilma Rudolph Blvd.  
Clarksville, TN 37040  
**Phone:** (931) 241-4143

**Murfreesboro Office**

115 Heritage Park Drive  
Murfreesboro, TN 37129

**Sexual Assault Center of East Tennessee**

2455 Sutherland Ave., Building B  
Knoxville, TN 37919  
**Website:** <http://www.mcnabbcenter.org/sacet>  
**Phone:** 865-558-9040  
**24/7 Crisis Hotline:** 865-522-7273

**DISTRICT ATTORNEYS' OFFICES**

- **1st Judicial District (Carter, Johnson, Unicoi, and Washington counties)**  
Washington County Courthouse, P.O. Box 38  
Jonesborough, TN 37659  
**Phone:** 423-753-5020  
**Fax:** 423-753-4803



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- **2nd Judicial District (Sullivan County)**  
140 Blountville Bypass, P.O. Box 526  
Blountville, TN 37617  
**Phone:** 423-279-3278  
**Fax:** 423-279-3290
  
- **3rd Judicial District (Greene, Hamblen, Hancock, and Hawkins counties)**  
124 Austin Street, Suite 3  
Greeneville, TN 37745  
**Phone:** 423-787-1450  
**Fax:** 423-787-1454
  
- **4th Judicial District (Cocke, Grainger, Jefferson, and Sevier counties)**  
125 Court Avenue, Suite 301  
Sevierville, TN 37862-3525  
**Phone:** 865-429-7021  
**Fax:** 865-429-7025
  
- **5th Judicial District (Blount County)**  
942 E. Lamar Alexander Pkwy  
Maryville, TN 37804-5002  
**Phone:** 865-273-5600  
**Fax:** 865-273-5617
  
- **6th Judicial District (Knox County)**  
P.O. Box 1468  
Suite 168, 400 Main Avenue  
City - County Building  
Knoxville, TN 37901-1468  
**Phone:** 865-215-2515  
**Fax:** 865-215-4253 or 865-215-4420
  
- **7th Judicial District (Anderson County)**  
101 S. Main Street, Suite 300  
Clinton, TN 37716  
**Phone:** 865-457-5640  
**Fax:** 865-457-9352
  
- **8th Judicial District (Campbell, Clairborne, Fentress, Scott, and Union counties)**  
575 Scott High Drive, Suite A  
Huntsville, TN 37756  
**Phone:** 423-663-2544  
**Fax:** 423-663-4105
  
- **9th Judicial District (Loudon, Meigs, Morgan, and Roane counties)**  
1008 Bradford Way, P.O. Box 703  
Kingston, TN 37763-0703  
**Phone:** 865-376-2145  
**Fax:** 865-376-2148
  
- **10th Judicial District (Bradley, McMinn, Monroe, and Polk counties)**  
P.O. Box 1351  
Suntrust Bank Bldg.  
93 Ocoee Street, 2nd Fl  
Cleveland, TN 37364-1351  
**Phone:** 423-472-2179  
**Fax:** 423-479-4434
  
- **11th Judicial District (Hamilton County)**  
600 Market Street, Suite 310  
Chattanooga, TN 37402-4810  
**Phone:** 423- 209-7400  
**Fax:** 423-209-7401
  
- **12th Judicial District (Bledsoe, Franklin, Grundy, Rhea, Marion, and Sequatchie counties)**  
Rhea County Courthouse Annex  
375 Church Street, Suite 300  
Dayton, TN 37321  
**Phone:** 423-775-4468  
**Fax:** 423-775-2805
  
- **13th Judicial District (Clay, Cumberland, DeKalb, Overton, Pickett, Putnam, and White counties)**  
1519 A Spring Street  
Cookeville, TN 38506  
**Phone:** 931-528-5015  
**Fax:** 931-528-9359
  
- **14th Judicial District (Coffee County)**  
409 Madison Street, P.O. Box 147  
Manchester, TN 37349  
**Phone:** 931-723-5055  
**Fax:** 931-723-5058
  
- **15th Judicial District (Jackson, Macon, Smith, Trousdale, and Wilson counties)**  
203 Greentop Street, P.O. Box 178  
Hartsville, TN 37074  
**Phone:** 615-374-2604  
**Fax:** 615-374-3758
  
- **16th Judicial District (Canon and Rutherford counties)**  
320 West Main Street, Suite 100  
Murfreesboro, TN 37130  
**Phone:** 615-898-8008  
**Fax:** 615-898-8039



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- **17<sup>th</sup> Judicial District (Bedford, Lincoln, Marshall, and Moore counties)**  
311 East Market Street, Suite B  
P.O. Box 878  
Fayetteville, TN 37334  
**Phone:** 931-438-1906  
**Fax:** 931-438-1908
- **18<sup>th</sup> Judicial District (Sumner County)**  
113 West Main Street, 3rd Floor  
Gallatin, TN 37066  
**Phone:** 615-451-5810  
**Fax:** 615-451-5836
- **19<sup>th</sup> Judicial District (Montgomery and Robertson counties)**  
101 North Third Street  
Clarksville, TN 37040  
**Phone:** 931-648-5574  
**Fax:** 931-648-5543
- **20<sup>th</sup> Judicial District (Davidson County)**  
Washington Square, Suite 500  
222 2nd Avenue North  
Nashville, TN 37201-1649  
**Phone:** 615-862-5500  
**Fax:** 615-862-5599
- **21<sup>st</sup> Judicial District (Hickman, Lewis, Perry, and Williamson counties)**  
Williamson County Courthouse, G-8  
P.O. Box 937  
Franklin, TN 37065-0937  
**Phone:** 615-794-7275  
**Fax:** 615-794-7299
- **22<sup>nd</sup> Judicial District (Giles, Lawrence, Maury, and Wayne counties)**  
252 North Military Avenue, P.O. Box 459  
Lawrenceburg, TN 38464-0459  
**Phone:** 931-762-7777  
**Fax:** 931-766-0737
- **23<sup>rd</sup> Judicial District (Cheatham, Dickson, Houston, Humphreys, and Stewart counties)**  
200 Dickson Street, P.O. Box 580  
Charlotte, TN 37036  
**Phone:** 615-789-5021  
**Fax:** 615-789-5012
- **24<sup>th</sup> Judicial District (Benton, Carrol, Decatur, Hardin, and Henry counties)**  
100 Court Square, P.O. Box 627  
Huntingdon, TN 38344  
**Phone:** 731-986-5031  
**Fax:** 731-986-5208
- **25<sup>th</sup> Judicial District (Fayette, Hardeman, Lauderdale, McNairy, and Tipton counties)**  
121 North Main St.  
Ripley, TN 38063  
**Phone:** 731-635-5163  
**Fax:** 731-221-3086
- **26<sup>th</sup> Judicial District (Chester, Henderson, and Madison counties)**  
P.O. Box 2825  
Lowell Thomas State Office Building, Suite 330  
225 Martin Luther King, Jr. Drive  
Jackson, TN 38301 (P.O. Box zip is 38302)  
**Phone:** 731-423-5800  
**Fax:** 731-424-9039
- **27<sup>th</sup> Judicial District (Obion and Weakley counties)**  
121 West Main Street  
Dresden, TN 38225  
**Phone:** 731-364-5513  
**Fax:** 731-364-5804
- **28<sup>th</sup> Judicial District (Crockett, Gibson, and Haywood counties)**  
113 B West Eaton Street, P.O. Box 145  
Trenton, TN 38382  
**Phone:** 731-855-7813  
**Fax:** 731-855-7815
- **29<sup>th</sup> Judicial District (Dyer and Lake counties)**  
P.O. Drawer E, 115 E Market Street  
Dyersburg, TN 38025-2005  
**Phone:** 731-286-8329  
**Fax:** 731-286-8362
- **30<sup>th</sup> Judicial District (Shelby County)**  
201 Poplar, Suite 301  
Memphis, TN 38103-1947  
**Phone:** 901-222-1300  
**Fax:** 901-222-1305
- **31<sup>st</sup> Judicial District (Van Buren and Warren counties)**  
455 N. Chancery Street, P.O. Box 510  
McMinnville, TN 37110  
**Phone:** 931-473-9572  
**Fax:** 931-473-7410



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