

1 [Resolution supporting California Assembly Bill 18]

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4 **Resolution supporting Assembly Bill 18, eliminating the preemption clause of the State**  
5 **Fair Employment and Housing Act.**

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8 WHEREAS, The California Fair Employment and Housing Act (FEHA) as currently  
9 written contains language that preempts local jurisdictions such as San Francisco from  
10 enforcing local laws designed to eliminate discrimination in employment and housing; and

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13 WHEREAS, This preemption language seriously weakens the ability of San Francisco  
14 and other California cities and counties to address discrimination faced by its residents  
15 because local jurisdictions are restricted from ordering remedies for proven acts of  
16 discrimination; and,

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19 WHEREAS, After investigating and documenting a serious problem of discrimination,  
20 San Francisco and other California cities and counties have chosen and could still choose to  
21 add additional protected categories, not covered by FEHA, to local anti-discrimination laws to  
22 address serious acts of discrimination faced by community residents; and

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25 WHEREAS, Eliminating the preemption language in FEHA would allow individuals  
suffering from employment or housing discrimination on the basis of a protected category not  
covered by FEHA to sustain a cause of action in court to seek redress for such discrimination;  
and;

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28 WHEREAS, If the preemption language in FEHA were removed, the enforcement  
29 authority of local agencies, such as the San Francisco Human Rights Commission, would be  
30 strengthened, increasing their ability to resolve complaints of discrimination, and

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1           WHEREAS, If the preemption language in FEHA were removed, local agencies would  
2 have the authority to compel defendant companies to participate in resolving allegations of  
3 discrimination instead of simply asking for their cooperation in the resolution process, thereby  
4 resolving complaints more quickly at the local level;

5           NOW, THEREFORE BE IT RESOLVED, That the City and County of San Francisco  
6 expresses its strong support for Assembly Bill 18, which would eliminate the preemption  
7 language in the California Fair Employment and Housing Act.

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