

1 [AB1649 adding gender to Fair Employment and Housing]
2 Resolution urging the Assembly to pass AB1649 authored by Jackie
3 Goldberg to include "gender" in the Fair Employment and Housing
4 Act.

5
6 WHEREAS, The San Francisco Human Rights Commission
7 ("Commission") conducted a public hearing in May 1994
8 investigating discrimination against the transgender community;
9 and,

10 WHEREAS, A Commission finding from the public hearing is
11 that transgender people have great difficulty obtaining social
12 services from both government and private agencies; and,

13 WHEREAS, San Francisco's ability to enforce remedies in
14 discrimination complaints in its jurisdiction is strongly
15 constrained by the preemption clause in the Fair Employment and
16 Housing Act (FEHA); and its municipal process to redress
17 complaints is therefore weakened and made less effective; and,

18 WHEREAS, Countless Californians have no remedy under state
19 law when they suffer discrimination in employment and housing;
20 and,

21 WHEREAS, The Department of Fair Employment and Housing
22 (DFEH) consistently turns complainants away, citing non-
23 inclusion of gender under state law as the reason for lack of
24 DFEH jurisdiction; and
25

Supervisors
Mark Leno, McGoldrick, Gonzalez, Daly, Peskin

BOARD OF SUPERVISORS

1 WHEREAS, Transgender people cannot sue in civil court
2 because gender identity is not protected under FEHA or under
3 Federal Law; and,

4 WHEREAS, AB1649 would add "gender" under the definition of
5 "sex" in the Fair Employment and Housing Act; now, therefore be
6 it

7 RESOLVED, That the Board of Supervisors of the City and
8 County of San Francisco urges the California State Assembly to
9 pass AB1649 authored by Jackie Goldberg to include "gender" in
10 the Fair Employment and Housing Act.

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Mark Leno

BOARD OF SUPERVISORS



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Resolution

File Number: 010687

Date Passed:

Resolution urging the Assembly to pass AB 1649 authored by Jackie Goldberg to include "gender" in the Fair Employment and Housing Act.

April 23, 2001 Board of Supervisors — ADOPTED

Ayes: 6 - Daly, Gonzalez, Hall, Maxwell, McGoldrick, Peskin
Absent: 5 - Ammiano, Leno, Newsom, Sandoval, Yee

File No. 010687

I hereby certify that the foregoing Resolution was ADOPTED on April 23, 2001 by the Board of Supervisors of the City and County of San Francisco.

Jean Lum
Acting Clerk of the Board

MAY 04 2001

Date Approved

Mayor Willie L. Brown Jr.