

1 [Resolution supporting California Assembly Bill 18]  
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3 **Resolution supporting Assembly Bill 18, eliminating the preemption clause of the State**  
4 **Fair Employment and Housing Act.**  
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6 WHEREAS, The California Fair Employment and Housing Act (FEHA) as currently  
7 written contains language that preempts local jurisdictions such as San Francisco from  
8 enforcing local laws designed to eliminate discrimination in employment and housing; and  
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10 WHEREAS, This preemption language seriously weakens the ability of San Francisco  
11 and other California cities and counties to address discrimination faced by its residents  
12 because local jurisdictions are restricted from ordering remedies for proven acts of  
13 discrimination; and,

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

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

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

25 Supervisor Dufty, Supervisor Ammiano, Supervisor Peskin

\*\*Name of Supervisor/Committee/Department\*\*

BOARD OF SUPERVISORS

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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25 Supervisor Dufty, Supervisor Ammiano

\*\*Name of Supervisor/Committee/Department\*\*

**BOARD OF SUPERVISORS**



# City and County of San Francisco

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

## Tails

### Resolution

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**File Number:** 022044

**Date Passed:**

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

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January 13, 2003 Board of Supervisors — CONTINUED

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

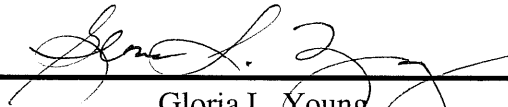
January 21, 2003 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 1 - Newsom

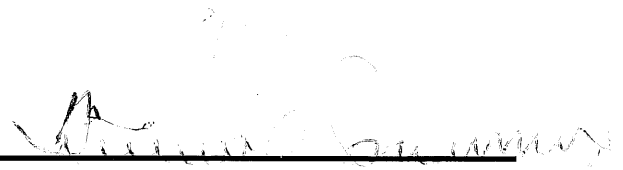
File No. 022044

I hereby certify that the foregoing Resolution was ADOPTED on January 21, 2003 by the Board of Supervisors of the City and County of San Francisco.

  
\_\_\_\_\_  
Gloria L. Young  
Clerk of the Board

JAN 31 2003

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Date Approved

  
\_\_\_\_\_  
Mayor Willie L. Brown Jr.