



August 7, 2017

The Honorable Laura Reyes Kopack and Honorable Rasha Demashkieh
Co-Chairs, Michigan Civil Rights Commission
Capitol Tower Building
110 W. Michigan Ave., Suite 800
Lansing, MI 48933

Dear Co-Chairs Reyes Kopack and Demashkieh:

Since 2014, the Ann Arbor /Ypsilanti Regional (A2Y) Chamber has been a member of the Michigan Competitive Workforce Coalition (MCWC). The key principles of the MCWC are:

- Preserving the Elliott-Larsen Civil Rights Act (ELCRA), which protects against discrimination based on religion, race, color, national origin, age, gender, amongst other classes.
- Modernizing this Michigan law to include protections against discrimination based on sexual orientation and gender identity.
- Opposing so-called “Religious Freedom Restoration Act” (RFRA) bills, like the one passed in Indiana, which essentially allow individuals to use their religious beliefs to harm others, paving the way for challenges

With the failure of the Michigan Legislature to act on this important issue, the A2Y Chamber joins with our MCWC partners in asking the Michigan Civil Rights Commission to clarify the language of ELCRA by issuing an interpretive statement to this effect. As you consider this process we ask that you keep in mind that discrimination is not only wrong for its abuse of our societal values, but wrong for its detrimental effects on business.

Michigan remains a state where it is legal to fire or refuse to house someone based on their sexual orientation or gender identity. A MCRC interpretation of ELCRA could rectify this injustice. It would create a level playing field that not only ensures the legal protection of all members of the LGBTQ community, but ensures all individuals are treated with fairness and equity.

As you are aware, most businesses actively treat their employees with this level of respect, as many already have in place their own policies to provide these protections. Your interpretation is needed because it will provide all employees with these protections. This will ensure we can attract and retain talented professionals who are unwilling to stay in or come to, a state which continues to codify discrimination.

Your interpretation of ELCRA would also provide clarity to an unnecessarily confusing situation for Michigan businesses. Our members are forced to parse the distinction between a broad and deepening body of federal legal precedents on the scope of sex discrimination on the one hand, and little or no guidance about the scope of state civil rights law on the other. This lack of clarity is detrimental to the businesses community and to Michigan's economic competitiveness. Action by the MCRC to provide clarity regarding the scope of sex discrimination in Michigan would benefit businesses.

Proper interpretation of ELCRA would be in-line with the State of Michigan's past efforts to ensure broad civil rights protections. It will allow Michigan to be a place where residents can achieve economic success through hard work, merit, and innovation in their professional efforts, without unrelated parts of their personal lives having an impact. Your decision will also provide needed certainty for our businesses. Please take action to interpret ELCRA so Michigan can be a more competitive, prosperous, and welcoming place.

Thank you for your consideration of this important topic. If the A2Y Chamber can be of any assistance to you, please do not hesitate to contact our Executive Vice President, Andy LaBarre, at andy@a2ychamber.org or (734) 214-0101.

Sincerely,

A handwritten signature in black ink that reads "Diane Keller". The signature is written in a cursive, flowing style.

Diane Keller, President & CEO
Ann Arbor / Ypsilanti Regional Chamber