

DETROIT CHARTER REVISION COMMISSION

PROPOSAL/ISSUE REVIEW SUMMARY

ISSUE NUMBER: GDS 16

ISSUE CATEGORY: Government Department & Services

SOURCE: City Council

RELATED CHARTER SECTIONS: §6-506 ([Human Resources] Non-Discrimination)

Letter dated December 2, 2010

RELEVANT ORDINANCE SECTION:

RELEVANT LAW(S):

ISSUE/PROPOSAL STATEMENT: Add religion, height, weight, familial status, marital status and generally any status protected by federal or state law to list of protected classifications and remove creed, political orientation and non disabling handicap as protected classification. Remove HR’s obligation to take “affirmative action” as may be required by federal and state constitutions to assure a representative sex and ethnic composition of classified services levels and replace with obligation to take action permitted by law for ensuring fair and equitable treatment of applicants and employees.

Sec. 6-506. Non-discrimination.

No city employee or applicant for employment ~~may~~ be discriminated against because of ~~religion, race, color, national origin, age, sex, sexual orientation, height, weight, disability, familial status, marital status, or any status protected by the laws of the State of Michigan or the United States of America.~~ The human resources department shall take ~~all action permitted by law to ensure fair and equitable treatment of all employees and applicants for employment.~~

- Deleted: shall
- Deleted: creed,
- Deleted: political orientation,
- Deleted: affirmative action as required by the Constitutions of Michigan and the United States, to assure that all levels of the classified service are reasonably representative of the ethnic and sex composition of the city
- Deleted: or non-disabling handicap

RATIONALE: “The current charter language was changed to reflect the protected classes under State law, including the Elliott-Larson Civil Rights Act and similar civil rights statutes, as well as to retain the current charter’s reference to sexual orientation. “Disability” was inadvertently omitted as a specific category and should be added as a protected class, although it is encompassed by the catch-all ‘or any status prohibited by the laws of the State of Michigan or the United States of America.’”-City Council’s Rationale, Letter, dated December 13, 2010.

ANALYSIS:

DISPOSITION/COMMISSION ACTION:

NOTES: