

CITY OF NORTHAMPTON

MASSACHUSETTS

In the City Council, October 18th, 2018

Upon the Recommendation of Councilor Gina-Louise Sciarra and Councilor Alisa F. Klein

**R-18.186 A RESOLUTION REAFFIRMING NORTHAMPTON AND MASSACHUSETTS
NON-DISCRIMINATION LAWS PROHIBITING DISCRIMINATION IN
PLACES OF PUBLIC ACCOMMODATION ON THE BASIS OF
GENDER IDENTITY AND GENDER EXPRESSION**

WHEREAS, the City of Northampton and the Northampton City Council have long supported transgender equality, passing a unanimous resolution on August 18, 2011 in support of the Massachusetts House Bill adding gender identity as a protected category to anti-discrimination laws in employment, housing, education, public accommodations, and credit. And also unanimously passing “A Resolution to Affirm the City’s Non-discrimination Policy and in Support of the Equality of Access in Public Places” on May 19, 2016; and

WHEREAS, on August 10, 2017, the Northampton School Committee unanimously voted to formalize into policy its commitment to ensure for students and employees nondiscrimination on the basis of transgender or gender nonconforming status, including but not limited to “access to restrooms, locker rooms, and changing facilities that correspond to their gender identity;” and

WHEREAS, the Massachusetts House of Representatives and Senate approved the addition of gender identity to the Massachusetts Public Accommodations Law (M.G.L c. 272, §§ 92A, 98 and 98A) on July 8, 2016, signed into legislation by Governor Charles Baker on the same day; and

WHEREAS, the updated Massachusetts Public Accommodations Law has been in full effect since October 1, 2016 and functioning well to protect against discrimination; and

WHEREAS, the upcoming Massachusetts statewide election on November 6, 2018 includes a ballot question, Question 3, seeking to repeal the provision in the Massachusetts Public Accommodations Law prohibiting discrimination on the basis of gender identity in places of public accommodation; and

WHEREAS, repeal of this law would roll back civil rights and protections against discrimination of transgender and gender non-conforming members of the Commonwealth; and be in direct opposition to the values and policy of the City of Northampton that no person shall unjustly discriminate against any person belonging to a protected category, including age, ancestry or national origin, color, creed, family or marital status, gender identity, genetic information, mental or physical ability, race, religion, sex, sexual orientation, socioeconomic status or veteran status, relative to any essential public matter involving goods, services, or access that are generally available to all people, including education, employment, health care, housing, municipal services and public accommodations.

NOW THEREFORE BE IT RESOLVED that the Northampton City Council does hereby reaffirm our commitment to equal protection under the law for all people and encourages voters to vote YES on Question 3 on November 6, 2018, affirming approval of the Massachusetts Public Accommodations Law.

BE IT FURTHER RESOLVED that the Northampton City Council opposes any effort to infringe on the rights of transgender and gender non-conforming members of our community and the Commonwealth, and strongly opposes repealing the provision in the Massachusetts Public Accommodations Law prohibiting discrimination on the basis of gender identity in places of public accommodation.

BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall cause a copy of this resolution to be sent to the “Yes on 3 Freedom for All Massachusetts” campaign, to the “No on 3” campaign, and to MA Governor Charles Baker.