

# CORRESPONDENCE

## 2. Anti Discrimination Policy

The Pasadena City Attorney's state law summary "*Attachment A: What Characteristics Are Protected By State Law*" incorrectly states that citizenship status *is not* a protected characteristic by California law for education, housing or employment. If Pasadena uniquely classifies citizenship status differently from immigration status, a definition for each should be provided by the City. And if Pasadena differentiates between the two, an additional line item for immigration status protected characteristic should be included in the summary. Alternatively, Pasadena can confirm that it intends to explicitly exclude immigration status from the protected characteristics.

### HOUSING

**"You have the right to apply for and secure housing without sharing your immigration status."** California law prohibits housing providers from asking about your immigration status unless you are applying for affordable housing funded by the federal government." – CA Attorney General (<https://oag.ca.gov/immigrant/resources>)

### EDUCATION

**"Right to a Free Public Education: All children have a right to equal access to free public education, regardless of their or their parents'/guardians' immigration status."** – CA Attorney General (<https://oag.ca.gov/immigrant/resources>)

**California Ed. Code §§ 220 - No person shall be subjected to discrimination** on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, **including immigration status**, in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance, or enrolls pupils who receive state student financial aid.<sup>1</sup>

#### **California AB 699 (2017)**

(b) In June 1982, the United States Supreme Court issued *Plyler v. Doe* (457 U.S. 202), a landmark decision holding that states cannot constitutionally deny students a free public education based on immigration status.

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<sup>1</sup> [https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=220.&lawCode=EDC](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=220.&lawCode=EDC)

## 2. Anti Discrimination Policy

(f) **Children are entitled to a public education while in California, regardless of immigration status.**<sup>2</sup>

### EMPLOYMENT

California labor laws prohibit discrimination and retaliation based on immigration status:

- California Labor Code Section 90.2<sup>3</sup>
- California Labor Code Section 98.6<sup>4</sup>
- California Labor Code Section 244<sup>5</sup>
- California Labor Code Section 1019<sup>6</sup>
- California Labor Code Section 1019.1<sup>7</sup>
- California Labor Code Section 1019.2<sup>8</sup>
- California Labor Code Section 1024.6<sup>9</sup>
- California Labor Code Section 1171.5<sup>10</sup>

#### **CA Labor Code §§ 1171.5**

(a) **All protections, rights, and remedies available under state law, except any reinstatement remedy prohibited by federal law, are available to all individuals regardless of immigration status** who have applied for employment, or who are or who have been employed, in this state.

(b) For purposes of enforcing state labor, employment, civil rights, consumer protection, and housing laws, a person's immigration status is irrelevant to the issue of liability, and in proceedings or discovery undertaken to enforce those state laws no inquiry shall be permitted into a person's immigration status unless the person seeking to make this inquiry has shown by clear and convincing evidence that the inquiry is necessary in order to comply with federal immigration law.

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Yadi

Pasadena Legislative Policy Committee Meeting

October 7, 2025

2. Anti-Discrimination Policy

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2 [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201720180AB699](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB699)

3 [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=90.2&lawCode=LAB](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=90.2&lawCode=LAB)

4 [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=LAB&sectionNum=98.6](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=LAB&sectionNum=98.6)

5 [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=LAB&sectionNum=244](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=LAB&sectionNum=244)

6 [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=LAB&sectionNum=1019](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=LAB&sectionNum=1019)

7 [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=LAB&sectionNum=1019](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=LAB&sectionNum=1019)

8 [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=LAB&sectionNum=1019](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=LAB&sectionNum=1019)

9 [https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=LAB&division=2.&title=&part=3.&chapter=3.6.&article=](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=LAB&division=2.&title=&part=3.&chapter=3.6.&article=)

10 [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=LAB&sectionNum=1171.5](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=LAB&sectionNum=1171.5)

# CALIFORNIA PROTECTS THE CIVIL RIGHTS OF IMMIGRANTS

## FACT SHEET



Civil Rights  
Department  
STATE OF CALIFORNIA

CRD is committed to ensuring that all Californians, regardless of immigration status, can live free from discrimination.

## EMPLOYMENT

You are protected from being fired from your job, harassed at work, treated worse than co-workers with the same job, and other forms of discrimination, because of your race, ethnicity, ancestry, national origin, sex, sexual orientation, gender identity, disability, religion, age (40 and over), and certain other characteristics. In addition, there are certain protections related to immigration status, citizenship, and language.

### EXAMPLES OF UNLAWFUL DISCRIMINATION:

- **National Origin/Ancestry.** “My employer treats employees from a particular country (or a particular ancestry) worse than employees originally from the United States, even though we do the same job and have more experience.”
- **Harassment.** “My co-workers regularly say derogatory things about immigrants and people originally from the country where I was born. My employer refuses to do anything to stop it.”
- **English Only.** “My employer told me I have to speak English at work, even when I’m on break and even though there is no business reason for this rule.”
- **Accent.** “My employer treats me unfairly because I speak English with an accent, even though my co-workers and our customers understand me perfectly.”

- **Retaliation.** “My employer threatened to call immigration authorities on me because I complained about harassment on the job.”
- **Immigration Inquiries.** An employer may not look into an applicant’s or employee’s immigration status, unless the employer must do so to comply with federal immigration law.
- **Citizenship Requirements.** Generally, requiring someone to be a United States citizen as a condition for employment is illegal if the requirement impacts employees or people applying for the job based on national origin or ancestry.
- For more information about immigration, citizenship, and language issues in employment, see California Code of Regulations, Title 2, Section 11028.

If you have been the subject of unlawful employment discrimination, you may be entitled to back pay, front pay, reinstatement, and other remedies.

For more information, visit:  
[www.calcivilrights.ca.gov/employment/](http://www.calcivilrights.ca.gov/employment/)

## BUSINESSES

You are protected from discrimination by businesses of every kind, such as retail stores, restaurants, hospitals, and health care providers.

All immigrants are protected against discrimination because of their race, ethnicity, ancestry, national origin, sex, sexual orientation, gender identity, disability, religion, and certain other characteristics, as well as primary language, immigration status, and citizenship.

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### EXAMPLES OF UNLAWFUL DISCRIMINATION:

- “A hardware shop would not rent machinery to me if I could not prove I have legal permission to live in this country.”
- “A restaurant denied service to me and my family because we are not from the United States.”
- “A hospital made me wait much longer than every other patient because they were not sure I had legal permission to live in the United States.”

If you have been the subject of unlawful discrimination by a business, your remedies could include damages of no less than \$4,000.

For more information, visit:  
[www.calcivilrights.ca.gov/unruh/](http://www.calcivilrights.ca.gov/unruh/)

## HOUSING

You are protected from actions such as being evicted, denied an apartment, charged higher rent, or denied repairs in your rental home, if the actions are based on your race, where you are from, your culture, your primary language, sex, sexual orientation, gender identity, disability, religion, source of income, or other characteristics. You are also protected from discrimination based on your citizenship or immigration status unless you are living in some types of affordable housing, such as public or USDA rural housing.

California law also prohibits housing providers from asking about your immigration status unless you are applying for affordable housing funded by the federal government. Additionally, housing providers cannot harass or intimidate you by threatening or sharing information about your immigration status to ICE, law enforcement, or other government agencies.

### EXAMPLES OF UNLAWFUL DISCRIMINATION

- “The management company that runs the apartment complex I live in threatened to tell immigration authorities that I do not have legal permission to live in the United States if I don’t move out of my apartment.”

- “A landlord wanted to charge me a higher rent than advertised, because I wasn’t originally from the United States”
- “A new condominium complex is selling units and refused to provide me with an application because I am not a United States citizen.”
- “A realtor’s office refused to show me properties because I do not speak English.”

If you have been the subject of unlawful housing discrimination, you may be entitled to access the housing that was denied to you, out-of-pocket expenses, and other remedies.

For more information, visit:  
[www.calcivilrights.ca.gov/housing/](http://www.calcivilrights.ca.gov/housing/)

## BIAS-MOTIVATED VIOLENCE

You are protected from violence or threats of violence against you, your family, and your property. Violence and threats of violence that are motivated by your race, ethnicity, ancestry, national origin, sex, sexual orientation, gender identity, disability, religion, citizenship, primary language, immigration status, and certain other characteristics are considered “hate violence” or “bias-motivated violence.”

### EXAMPLES OF BIAS-MOTIVATED VIOLENCE

- “A stranger spit on me and yelled at me to go back to where I came from.”
- “My co-worker keyed my car because I don’t speak English very well.”
- “My neighbor tried to punch me while screaming racial slurs.”

If you have been the victim of bias-motivated violence, you can contact CRD’s California vs. Hate Resource Line and Network at 833-8-NO-HATE or <https://stophate.calcivilrights.ca.gov/> to learn more about your options and get connected with resources that respect your unique needs. For example, you have the option to go to the police. You also have the option to file a civil complaint with CRD, and your remedies could include a restraining order and money to compensate you for the harms you suffered.

For more information, visit:  
[www.calcivilrights.ca.gov/hateviolence/](http://www.calcivilrights.ca.gov/hateviolence/)

# CALIFORNIA PROTECTS THE CIVIL RIGHTS OF IMMIGRANTS

## FACT SHEET



## PROGRAMS AND SERVICES ADMINISTERED OR FUNDED BY CALIFORNIA

Any program or service that is run by California or receives government funding must obey certain civil rights laws. While some of these programs and services may not be available to all immigrants, none may discriminate against applicants and beneficiaries on the basis of race, ethnicity, ancestry, national origin, sex, sexual orientation, gender identity, disability, religion, or certain other characteristics.

### EXAMPLES OF UNLAWFUL DISCRIMINATION

- “Even though I’m eligible for a program for young mothers and families in need, the organization that runs the program turned me away because of my ethnicity. The program is funded by state money.”
- “The public school where my children go to school would not let my children play extracurricular sports because of our ancestry.”
- “A hospital that takes Medi-Cal treated me unfairly because I am originally from another country.”

Any state-funded program or activity that unlawfully discriminates could lose some or all of its state funding, and the victim of the discrimination may be entitled to other remedies.

*For more information, visit:*  
[www.cacivilrights.ca.gov/statefundedprograms/](http://www.cacivilrights.ca.gov/statefundedprograms/)

## HUMAN TRAFFICKING

California law protects everyone, regardless of immigration status, from human trafficking. Human trafficking is the exploitation of human beings through force, fraud, or coercion for the purposes of commercial sex or forced labor - in other words, it is making someone do work for

money when they do not want to. It is illegal for an employer or other covered entity to use force, fraud, or coercion to compel a person to work on the basis of national origin. It is also illegal to treat employees or job applicants adversely based on national origin.

In addition, if you are the victim of human trafficking or many other crimes, you may qualify for a U or T visa if you cooperate with law enforcement to prosecute those crimes.

*For more information, visit:*  
[www.cacivilrights.ca.gov/humantrafficking/](http://www.cacivilrights.ca.gov/humantrafficking/)

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**If you think you have been a victim of discrimination, please contact CRD.**

## TO FILE A COMPLAINT

**Civil Rights Department**  
[cacivilrights.ca.gov/complaintprocess](http://cacivilrights.ca.gov/complaintprocess)  
Toll Free: 800.884.1684  
TTY: 800.700.2320

If you have a disability that requires a reasonable accommodation, CRD can assist you with your complaint. Contact us through any method above or, for individuals who are deaf or hard of hearing or have speech disabilities, through the California Relay Service (711).

*For additional translations of this guidance, visit:*  
[www.cacivilrights.ca.gov/posters/General](http://www.cacivilrights.ca.gov/posters/General)

**McMillan, Acquanette (Netta)**

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**From:** David W  
**Sent:** Monday, December 15, 2025 12:09 PM  
**To:** PublicComment-AutoResponse; Rivas, Jessica  
**Subject:** Agenda Item #17: Adoption of Anti-,,, Discrimination Policy

[ ! ] **CAUTION:** This email was delivered from the Internet. Do not click links or open attachments unless you **know** the content is safe. Report phish using the Phish Alert Button. For more information about the Phish Alert Button view article "KB0011474" on the DoIT portal.

Good morning, Mayor Gordo and City Council Member.

Thank you so much for addressing this excellent Anti-Discrimination Policy!! It's very comprehensive in terms of protections. However, I wonder if it might benefit from the following additional wording at its beginning:

*"No person, **business, organization, public agency, or City of Pasadena government department** shall discriminate against another person in private employment, housing, education or commerce, because of that person's actual or perceived: race; color; ethnicity; creed; age; national origin; religion; citizenship or immigration status; gender; gender identity or expression; sexual orientation; visible or non-visible disability; medical condition; genetic information; marital status; partnership status; pregnancy and/or reproductive health choice(s); employment status; housing status; source of income; military status; veteran status; or primary language or any other characteristic protected by law."*

Many thanks for your time and consideration of my comment.

- David Whitehead  
Pasadena District #5 resident