

3339

From: Ed Miller
To: [HR, PHRC Regs Public Comment](#)
Subject: [External] Regulation#52-13: Protected Classes Under the PHRA and PFOA
Date: Thursday, May 5, 2022 10:44:58 AM

ATTENTION: This email message is from an external sender. Do not open links or attachments from unknown sources. To report suspicious email, forward the message as an attachment to CWOPA_SPAM@pa.gov.

To the Pennsylvania Human Relations Commission:

I am writing to state my strong support for the Pennsylvania Human Relations Commission's proposed amendment to 16 Pa. Code Chapter 41 to create a Subchapter D to define the terms used in the Pennsylvania Human Relations Act (PHRA) and the Pennsylvania Fair Educational Opportunities Act (PFOEA). Defining sex to include "sex assigned at birth, gender identity/expression, differences in sex development, and affectional/sexual orientation" will add greater clarity to the Commonwealth's current non-discrimination laws and will strengthen the non-discrimination protections afforded to LGBTQ Pennsylvanians.

These updates will make Pennsylvania law more consistent with the landmark 2020 decision in the Supreme Court case of *Bostock v. Clayton County*, in which the majority opinion stated that "it is impossible to discriminate against a person for being homosexual or transgender without discriminating against that individual based on sex."

The proposed changes are also consistent with public attitudes towards issues of LGBTQ non-discrimination protections. A 2022 report from the Public Religion Research Institute (PRRI) found that 80% of people in Pennsylvania favor laws that would protect gay, lesbian, bisexual, and transgender people against discrimination in jobs, public accommodations, and housing. Nationally, a majority of Democrats (89%), Independents (82%), and Republicans (65%) surveyed supported these non-discrimination provisions for LGBT people.

As an advocate for LGBTQ older adults, I see the utmost importance of protecting older Pennsylvanians from all forms of discrimination. No older adult should face the prospect of being harassed, marginalized, or mistreated by homecare aides, medical providers, senior housing administrators, long-term care personnel, nursing homes staff, or social services professionals because of their identity. LGBTQ older adults are statistically more likely than their straight and cisgender counterparts to be single, childless, and to live alone, and are thus more likely to have to rely on professional supports and services available through the aging services network and the long-term care system. It is essential that these services are fully accessible to members of our LGBTQ older adult communities without the threat of discrimination.

I thank the Pennsylvania Human Relations Commission for your action on this matter and your commitment to protecting LGBTQ elders from discrimination.

Sincerely,

Ed Miller

RECEIVED

MAY 11 2022

Independent Regulatory
Review Commission

1810 S. Rittenhouse Square
#1401
Philadelphia, PA 19103