

# JUSTICE FOR ALL

**Expanded Protections. Stronger Civil Rights. A More Inclusive America.**

Since the enactment of the landmark Civil Rights Act of 1964, civil rights activists and their allies in government have made strides towards eliminating discrimination from American society. We have expanded voting rights, outlawed disparate treatment in housing and employment, and established protections for students in our schools. Unfortunately, these efforts have often been denied and diluted by conservative federal courts, and now a far-right Supreme Court is taking aim at our most cherished rights.

Despite Congress prohibiting discrimination on the basis of sex, courts have condoned discriminatory actions on the basis of sex-related traits, such as sexual orientation and gender identity. Despite Congress prohibiting discrimination on the basis of race, courts have allowed discriminatory racial profiling that resulted in disparate impact absent specific intent. Despite Congress prohibiting discrimination in employment, courts have fashioned defenses for employers to escape liability for retaliatory behavior out of thin air. Despite Congress authorizing private rights of action for civil rights violations, courts have approved fine-print compelled arbitration clauses in contracts, leaving the American people with little to no recourse for violations of their civil rights.

**Congresswoman Rashida Tlaib's Justice for All (JFA) Act of 2023** aims to push back against decades of court rulings and restore the original intent of our civil rights laws since 1964, primarily through re-affirming the availability of discrimination claims based on disparate impact. JFA includes a private right of action and a prohibition on forced arbitration, both essential to allowing victims of discrimination to vindicate their rights, enjoin discriminatory behavior and/or receive an award of damages and attorneys' fees. In developing the language necessary to do so, we have leaned on local attorneys fighting for the people of Michigan, national civil rights groups, and members of the United States House of Representatives and the United States Senate.

***Expanded Protections:*** JFA broadens the civil rights of protected classes by providing tools to combat intentional and unintentional discrimination against people based on (actual or perceived) race, color, religion, sex, disability, age, or national origin. JFA amends the Civil Rights Act, Fair Housing Act, Age Discrimination Act, and Title XI educational protections to prohibit actions which have a discriminatory effect, regardless of any discriminatory intent.

***Stronger Civil Rights:*** JFA protects citizens from discrimination in all aspects of life, including housing, schooling, public accommodations, employment, government facilities, privatized government functions, federally funded programs, and any commercial establishment (online or physical). JFA prohibits the use of compelled arbitration contracts, eliminates qualified immunity for government employees that allows them to escape responsibility for their actions, holds employers accountable for the actions of all employees, and gives victims of disparate impact discrimination the compensation they deserve.

***A More Inclusive America:*** JFA makes our civil rights laws more inclusive by clarifying the definition of "sex" to explicitly include sexual orientation, pregnancy, gender identity, sex stereotypes, or any sex-related traits. No matter how you identify, our civil rights laws must protect you.

Justice for All is endorsed by the **National Lawyers Guild**, the oldest and most extensive network of public interest and human rights activists working within the legal system in the U.S, and **Defending Rights and Dissent**, which works to strengthen our participatory democracy by protecting the right to political expression.