

Received



DEC 17 2012

ACLU of Washington

P.O. Box 7888, Internal Box 47
San Francisco, CA 94120
Facsimile: (415) 951-5707

Christine L. Brandt
(415) 951-5755

December 13, 2012

Ms. Margaret Chen
Floyd and Delores Jones Family Fellow
American Civil Liberties Union of Washington
901 Fifth Avenue #630
Seattle, Washington 98164

Re: Response to ACLU letter dated November 16, 2012
Claimant –

Dear Ms. Chen,

We are in receipt of your letter dated November 16, 2012, regarding an incident experienced by Ms. [redacted] at the Macy's store in Lynnwood, WA on or about October 27, 2012. Ms. [redacted] asserts that she was discriminated against because she identifies as a transgender woman and she was prevented from using the women's fitting rooms.

At the outset, please be assured that Macy's embraces customers of all backgrounds and does not condone or tolerate discrimination of any kind. Macy's is very proud of its philosophy of diversity and inclusion, and we make every effort to deliver an enjoyable shopping experience to customers of all backgrounds. As an organization whose primary goal is customer satisfaction and service, Macy's welcomes customers of all races, ethnicities, ages, genders, faith traditions, countries of origins and lifestyle preferences. We strive to ensure that each customer is able to shop in a discrimination-free environment.

We have completed our investigation of the matter you brought to our attention and have taken appropriate action to uphold our corporate policies prohibiting discrimination and fostering diversity, as described more fully below.

December 13, 2012
- 2 -

Macy's considers itself to be at the forefront of efforts to recognize and address workplace issues of gender identity, gender expression, and transgender lifestyles, and this extends to the treatment of our customers. As early as 2007, Macy's rolled out a nationwide, formal corporate policy to make clear that Macy's anti-discrimination policy specifically extends to our customers, associates, and business partners who are members of the LGBT community, including transgendered individuals.

With respect to issues of gender identity, Macy's guiding principles are as follows:

1. We do not permit discrimination or harassment on the basis of an individual's gender identity or gender expression in recruiting, hiring, or the terms and conditions of employment.
2. We treat people with respect at all times, no matter their gender identity or gender expression.
3. We strive to protect the privacy and dignity of all customers, associates and applicants.
4. We have unwavering support for our associates and the values expressed in our policy that reinforce the principles of diversity and inclusion; therefore, no associate should be made to feel intimidated, threatened or harassed because of individual attributes that are irrelevant to the performance of his or her job or for defending those principles on behalf of others.

Macy's has policies, procedures, and training tools to support this commitment to diversity.

As part of new hire orientation, each Macy's associate is required to take a computer-based training course that clearly sets forth Macy's policy on diversity, equal treatment, and discrimination in the workplace.

Further, specifically on the topic of gender identity, transgender, and transsexual issues, Macy's has the following publications, attached hereto for your review, to guide and educate Human Resources managers and our associate population on the issue of gender identity:

- Transgender Quick Reference Guide
- Transgender / Transsexual Policy
- Gender Identity In the Workplace – a 14-page pamphlet designed to provide guidance to Human Resources professionals on how to handle

December 13, 2012

- 3 -

some of the unique issues that accompany gender identity, gender reassignment, or transgender situations in the workplace

- Gender Identity in the Workplace: Associate Guide – a six-panel brochure designed to give guidance to Macy's associates on how to handle gender identity issues they may encounter while working at Macy's

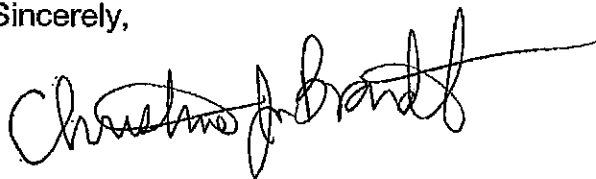
Macy's also conducts periodic training seminars on nondiscrimination, including discussions about ensuring that transgendered customers shopping at Macy's stores are free from discrimination and are treated with respect.

The incident involving Ms. [redacted] took place in the in the Intimate Apparel department of the Lynnwood, WA store. We took this opportunity to provide additional training and coaching to the associates and managers in this location and to make certain that Macy's policy and its implementation was correctly understood.

As we have done for several years, Macy's intends to continue communicating about and enforcing these policies in its Lynnwood, Washington store and at all Macy's stores nationwide.

Thank you for giving me the opportunity to respond. As mentioned during our telephone conversation, Macy's did not receive Ms. [redacted]'s letter dated October 27th, or we would have responded sooner. If I can be of further assistance, please feel free to contact me.

Sincerely,



Christine L. Brandt
Senior Counsel
Macy's, Inc.

Enclosures

cc: Terry J. Lundgren, Chairman, President, and CEO
Dennis J. Broderick, General Counsel and Secretary
William L. Hawthorne, III, Diversity Strategies and Legal Affairs
Toni Douiah, Assistant General Counsel