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## Decision Expands Universe of Non-Employees Able to Sue Companies for Discrimination

A recent decision by the Michigan Court of Appeals may dramatically increase the categories of “non-employees” who may bring discrimination claims against employers under Michigan’s Elliott-Larsen Civil Rights Act (ELCRA). *Hall v. Stark Reagan, P.C.*, No. 294647, 2011 WL 4056654 (Mich. App. Sept. 13, 2011). The Court held the ELCRA provides that employers may not “discriminate against an **individual** with respect to employment, compensation, or a term, condition, or privilege of employment . . . .” Because the term “individual” is not limited to the traditional definition of “employee,” the Court reasoned that shareholders in a law firm can sue under the ELCRA, despite not being employees of the law firm. It is unclear whether the rationale in *Hall* will be applied to other “non-employee” classifications such as independent contractors and partners. The employer in *Hall* is in the process of appealing the decision. We will keep you apprised of any further developments.