

News & Insights

Elaine Turner in BenefitsPRO - Civil Rights Win for LGBTQ Employees: Implications for Employers

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BenefitsPRO

<https://www.benefitspro.com/2020/06/16/civil-rights-win-for-lgbtq-employees-implications-for-employers/?slreturn=20200516163228>

Stay out of court

"In the last several years, lower federal courts have differed on whether the prohibition of sex discrimination in Title VII prohibited discrimination based on sexual orientation and transgender status. To make the issue even more complicated, the Equal Employment Opportunity Commission, the federal agency that enforces Title VII, has interpreted and enforced Title VII as forbidding any employment discrimination based on gender identity or sexual orientation.

"Today's opinion will have a long term impact on employers who are subject to Title VII – those having 15 or more employees. Regardless of contrary state laws, such employers may not discriminate against individuals in employment decisions because they are gay or transgender. Those that do violate Title VII and are subject to legal actions against them that could be very costly. There will no doubt be cases for the next several years addressing religious liberty issues that will be raised by some employers in defense of such Title VII claims. Employers with less than 15 employees will continue to be governed by applicable state and local anti-discrimination laws."

–Elaine Turner, shareholder/partner at the national law firm Hall Estill

Attorneys

- Elaine R. Turner

Practices

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