

PARTNER JAY WALLACE QUOTED ON BLOOMBERG LAW REGARDING IMPACT ON EMPLOYERS OF SUPREME COURT LGBTQ+ WORKPLACE RIGHTS RULING IN BOSTOCK

June 25, 2020

Partner Jay M. Wallace is quoted in the *Bloomberg Law* article “LGBT Ruling Paves Way for Bathroom, Religious Battles at Work.” The piece explores the implications for employers and employees of the U.S. Supreme Court’s recent ruling in a trio of cases (*Bostock v. Clayton County*, 17-1618; *Altitude Express v. Zarda*, 17-1623; and *R.G. and G.R. Harris Funeral Homes v. Equal Employment Opportunity Commission*, 18-107) involving workplace protections for LGBTQ+ individuals. The court specifically addressed the question of whether federal anti-discrimination protections apply to LGBTQ+ persons and whether a suit against an employer is allowed under Title VII of the 1964 Civil Rights Act that prohibits bias based on sex.

Justice Neil Gorsuch, writing for the 6-3 majority offered this clarity: “Congress adopted broad language making it illegal for an employer to rely on an employee’s sex when deciding to fire that employee. We do not hesitate to recognize today a necessary consequence of that legislative choice: An employer who fires an individual merely for being gay or transgender defies the law.”

Wallace commented that suits involving sexual orientation and discrimination are a “nuanced area” of the law and a challenging one for employers to navigate – likening the difficulty to that posed by pregnancy and religious discrimination claims, both instances where the protected characteristic may not be readily knowable.

To read the full article, please click [here](#).

Related Practices

Labor and Employment

Practice Area Contact

Jay M. Wallace