



e-Alert

06.29.20

Supreme Court Rules on Job Protections for LGBT Employees

Background

Up until now, job protection for LGBT employees has been an issue decided by the laws of individual states rather than federal law. While many states have passed legislation offering these protections, over half do not offer comprehensive job protection for LGBT employees.

On Monday, June 15, the US Supreme Court issued a landmark ruling stating that Title VII of the 1964 Civil Rights Act implicitly protects LGBT employees from discrimination. This decision extends job protections to these employees under federal law, taking the issue out of the hands of individual states. The full text of the Supreme Court decision can be found [here](#), and you can read our summary below.

Summary

On June 15, the US Supreme Court ruled 6 – 3 in favor of the plaintiffs in the case of *Bostock v. Clayton County Georgia*, together with two other related cases. In each of these cases, the

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employee sued after being fired by their employers for being gay or transgender.

In his majority opinion, Justice Neil Gorsuch wrote that any employer that fires or otherwise discriminates against an employee simply for being gay or transgender is in violation of Title VII of the 1964 Civil Rights Act, which bans employers from discriminating based on an individual's race, color, religion, sex, or national origin. Under this ruling, job discrimination against LGBT employees must be considered a form of discrimination on the basis of sex, making it illegal under federal law.

Employer Next Steps

- If you are an employer in a state that previously did not offer job protection for LGBT employees, you should update the language in your antidiscrimination policies to reflect this change.
- Be sure to train all your managers on this matter to ensure that no illegal discrimination occurs in the workplace.
- If you are a Full-Service or Virtual HR client and would like our assistance with updating your policies, please [email us](#).

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