

# HRW CLIENT ALERT

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## **Supreme Court Rules that Workplace Discrimination on the Basis of Sexual Orientation and Gender Identity is Illegal Under Title VII**

On June 15, the Supreme Court [issued its much anticipated decision](#) in three related cases, ruling (6-3) that Title VII of the Civil Rights Act of 1964 prohibits workplace discrimination on the basis of sexual orientation and gender identity. This interpretation of existing federal law, building off the longstanding prohibition against “sex” discrimination, was not a foregone conclusion given recent conservative appointments to the Court. Justice Gorsuch penned the majority decision, writing:

“An employer who fires an individual for being homosexual or transgender fires that person for traits or actions it would not have questioned in members of a different sex. Sex plays a necessary and undisguisable role in the decision, exactly what Title VII forbids.”

The decision will have broad impact nationally, as approximately half the U.S. states do not have their own separate laws prohibiting discrimination on the basis of sexual orientation and gender identity. Even in states like Massachusetts, which already prohibited workplace discrimination based on sexual orientation or gender identity, the Supreme Court’s decision is being hailed as a landmark ruling affirming the importance of workplace protections for LGBTQ workers. For questions or more information, please contact any HRW attorney.