

# origins

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## Supreme Court Rules Federal Law Protects LGBT Workers From Discrimination

### U.S. Supreme Court

In a 6-3 vote June 15, the Supreme Court said LGBT people are protected from job discrimination by Title VII of the Civil Rights Act of 1964. "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," said Justice Neil Gorsuch writing the opinion in the case. He pointed out that when Congress enacted Title VII, it might not have expected "this particular

*"An employer who fires an individual merely for being gay or transgender violates Title VII."*

result." But he also said Congress likely didn't see many interpretations of the federal law coming, including its prohibition against discrimination on the basis of motherhood or its ban on the sexual harassment of male employees. "Only the written word is the law, and all persons are entitled to its benefit," Gorsuch wrote. Dissenting votes were from Justices Samuel Alito, Clarence Thomas and Brett Kavanaugh. The decision was for two consolidated cases about fired gay employees and a separate case concerning a fired transgender worker who had sued for employment discrimination after being fired. At issue in this case is the wording in the Civil Rights Act, which prevents employment discrimination based on race, color, religion, national origin and sex. The court had to determine if discrimination that was not allowed based on sex also applied to sexual orientation and gender identity. The syllabus, or summary, of the court's decision follows. The 172-page majority opinion and dissenting opinions can be found on the Supreme Court's website.

In each of these cases an employer allegedly fired a longtime employee simply for being homosexual or transgender. Clayton County, Georgia, fired Gerald Bostock for conduct "unbecoming" a county employee shortly after he began participating in a gay recreational softball league. Altitude Express fired Donald Zarda days after he mentioned being gay. And R.G. & G.R. Harris Funeral Homes fired Aimee Stephens, who presented as a male when

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