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HR BRIEF

Provided by Baldwin Krystyn Sherman

SCOTUS to Consider whether Civil Rights Act Protects LGBTQ Workers

The U.S. Supreme Court heard oral arguments recently regarding the discrimination of LGBTQ individuals under Title VII of the Civil Rights Act.

The plaintiffs for two separate cases—one concerning a transgender woman, the other involving two gay men—argued that they were unlawfully discriminated against when they were fired based on their sexual orientation.

They claimed they wouldn't have been fired had they been of another sex or if they were heterosexual, arguing Title VII protects against discrimination based on sex.

It's unclear how the court will rule in this situation. As Justice Ginsberg pointed out, Title VII was written at a time (1964) when homosexuality was

considered a mental illness by medical professionals—muddying interpretations of the law's intent.

On the other hand, Justice Kagan observed that, on its face, this situation seems like it would not have occurred had the plaintiffs been women who loved men, not men who loved men—a seemingly obvious example of discrimination based on sex.

Employer Takeaway

The court expects a decision between February and June of 2020.

If the court rules in favor of Title VII protections for LGBTQ individuals, employers will need to update their discrimination policies and train current employees on how to comply with the new policies. If the court rules LGBTQ employees are not covered by Title VII, expect things to remain essentially unchanged.

Baldwin Krystyn Sherman Partners will keep you apprised of new case developments.

6 Steps for a Sublime Seasonal Shindig

Planning a holiday party can be a logistical nightmare, especially when you don't know where to begin. Luckily, we have a few steps to make it easier.

1. Set a Budget

A good party doesn't need to cost more—a buffet can delight as much as a five-course meal. Consider how you want to spend your money (e.g., DJs, food, fancy venue or decor).

2. Outline the Basics

You'll need to determine the theme, venue, time and a rough estimate of guests before you can do anything else.

3. Get a Team Together

Instead of doing it all yourself, consider forming a party planning team to help

with logistics, like booking a venue.

4. Think About Activities

What will people do at your party? Will they eat, dance, exchange gifts, receive awards, play games or something different? Think about what your employees will enjoy the most.

5. Set Expectations

Prior to the event, communicate appropriate conduct and dress codes. If there will be alcohol, define limits and appropriate etiquette.

6. Raise the Hype

Ensure employees are excited for the party by hyping it up at work. Keep it top of mind in internal communications by mentioning it frequently as the date approaches.

If you do it right, you'll have a party that employees won't stop talking about for months!

