



October 12, 2017

---

## ATTORNEY GENERAL MADIGAN FILES BRIEF TO PROTECT LGBTQ WORKERS FROM DISCRIMINATION

### ***Madigan & 17 Other AGs Argue Sexual Orientation Discrimination Violates Title VII***

**Chicago** – Attorney General Lisa Madigan, along with 17 other attorneys general, today filed an amicus brief with the U.S. Supreme Court arguing that employment discrimination on the basis of sexual orientation violates Title VII of the Civil Rights Act.

The case, *Evans v. Georgia Regional Hospital*, involves Jameka Evans, a security guard at a Savannah hospital who was harassed at work and forced out of her job because she is a lesbian. The Eleventh Circuit Court of Appeals ruled that employment discrimination on the basis of sexual orientation does not violate Title VII. This is inconsistent with a ruling by the Seventh Circuit Court of Appeals. Evans has asked the Supreme Court to take her case, seeking a nationwide ruling that discrimination on the basis of sexual orientation violates Title VII.

Madigan and the other attorneys general support Evans' request that the Supreme Court take the case and rule in her favor on this issue. They argue that their states have strong interests in protecting their citizens against employment discrimination on the basis of sexual orientation. The lack of nationwide recognition that Title VII bars such discrimination blocks the full protection of LGBTQ workers – particularly given divisions between the Equal Employment Opportunity Commission (which takes the position that Title VII protects workers from sexual orientation) and the federal Department of Justice (which has taken the opposite position).

The brief was filed late yesterday, on National Coming Out Day.

In part, the attorneys general write:

*"Employment discrimination against gay, lesbian, and bisexual workers not only deprives them of important economic opportunities—it also stigmatizes their most intimate relationships and thus 'diminish[es] their personhood.'*

*Even in States like Illinois that have laws barring sexual-orientation discrimination in the workplace, Title VII plays a crucial complementary role by covering individuals not subject to the State's laws—for instance, federal employees or residents who work in another State—and by making available both the federal courts and a federal enforcer, the Equal Employment Opportunity Commission (EEOC), to police invidious discrimination based on sexual orientation."*

Joining Madigan in filing the brief were the attorneys general from; California, Connecticut, Delaware, Hawaii, Iowa, Massachusetts, Maryland, Minnesota, New Mexico, Oregon, Pennsylvania, Rhode Island, Virginia, Vermont, Washington and the District of Columbia.

A copy of the brief can be found [here](#).

-30-

[Return to October 2017 Press Releases](#)

