

July 3, 2019

ATTORNEY GENERAL RAOUL FILES SUPREME COURT BRIEF TO PROTECT LGBTQ EMPLOYEES FROM DISCRIMINATION

Raoul & 21 AGs File Brief in Cases Involving Discrimination Based on Sexual Orientation & Gender Identity

Chicago — On the heels of Pride Month and the 50th anniversary of the Stonewall riots that began the modern gay rights movement, Attorney General Kwame Raoul and New York Attorney General Letitia James, along with a coalition of 20 attorneys general, are today filing an amicus brief with the U.S. Supreme Court arguing that federal anti-discrimination laws protect LGBTQ+ employees. The coalition will be filing the brief in three cases pending before the court that involve workers being fired based on sexual orientation or gender identity.

The brief is being filed in the Supreme Court cases of *Altitude Express v. Zarda*; *Bostock v. Clayton County, Georgia*; and *R.G. & G.R. Harris Funeral Homes v. EEOC*, which are being considered together by the court. In their brief, Raoul and the coalition argue that Title VII of the Civil Rights Act of 1964 prohibits employment discrimination against transgender people or on the basis of sexual orientation.

"No employer has the right to fire an employee based on who they love or who they are," Raoul said. "I am committed to standing with my fellow attorneys general to fight workplace discrimination by ensuring that all employers are made to follow federal anti-discrimination laws."

Two of the cases, *Altitude Express v. Zarda* and *Bostock v. Clayton County, Georgia*, involve employees who were terminated from their jobs after their employers learned they were gay. Raoul and the attorneys general argue in their brief that Title VII's prohibition on discrimination based on sex encompasses discrimination based on an individual's sexual orientation. The third case, *R.G. & G.R. Harris Funeral Homes v. EEOC*, involves a transgender woman who was fired by the funeral home where she worked when she asked her employer for permission to dress in accordance with her gender identity. In the brief, Raoul and the coalition state that Title VII prohibits discrimination against transgender people based on sex stereotyping or their gender identity.

The coalition argues that employment discrimination based on sexual orientation and gender identity increases the already high rates of prejudice LGBTQ+ people experience at work. It also contributes to increased harassment of LGBTQ+ employees in the workplace, which ranges from denial of jobs and promotions to physical and sexual assault.

In the brief, Raoul and the attorneys general also argue that discrimination against LGBTQ+ employees impedes states' ability to promote equality and protect residents' dignity, economic security and mental health. Furthermore, the coalition argues that discrimination against LGBTQ+ workers has an economic impact on states because when LGBTQ+ residents are denied the ability to support themselves, many are forced to rely on public assistance programs. Discrimination against LGBTQ+ workers also decreases business productivity and increases health costs, which inhibits states' economic growth.

Joining Attorneys General Raoul and James in filing the amicus brief are the attorneys general of California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, and Washington.