

PRESS RELEASE

Wiley *Amicus* Briefs Help Persuade Supreme Court to Protect LGBTQ Workers' Civil Rights in Landmark Ruling

June 15, 2020

Washington, DC – Wiley Rein LLP, on behalf of numerous advocacy groups, helped persuade the U.S. Supreme Court that employers may not discriminate against LGBTQ individuals in the workplace. In today's landmark ruling, *Bostock v. Clayton County*, the majority of the Court held that "an employer who fires an individual merely for being gay or transgender violates Title VII" of the Civil Rights Act.

Wiley had submitted two *amicus curiae* briefs to the Supreme Court in July 2019, urging the Justices to protect the civil rights of LGBTQ individuals in the workplace. The briefs were filed in three historic cases including *Bostock v. Clayton County*.

One of the two *amicus* briefs was filed by Wiley attorneys Richard W. Smith, co-chair of the firm's Litigation Practice, and Douglas C. Dreier on behalf of The Trevor Project, PFLAG, and Family Equality – organizations that have worked for decades to protect the LGBTQ community. The brief provided anonymized excerpts of stories of employment discrimination suffered by LGBTQ individuals to show how every instance of employment discrimination against lesbian, gay, or bisexual Americans or transgender Americans is sex discrimination. The brief explained that "[a]ny attempt to treat these types of discrimination as three distinct categories is doomed to fail and wrongly would deprive LGBTQ Americans of the protections against sex discrimination – in all its forms – that Title VII was enacted to provide to all."

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Wiley attorneys Scott B. Wilkens and Tatiana Sainati filed the other *amicus* brief on behalf of the American Medical Association, the American College of Physicians, and 14 other national medical and health care groups. The brief noted that “[e]mployment discrimination against transgender people frustrates the treatment of gender dysphoria by preventing transgender individuals from living openly in accordance with their true gender identity and impeding access to needed medical care.”

Wiley embraces diversity and inclusion as core values. As a law firm with national and international clients, we are committed to a professional workforce that reflects the rich diversity of our client base and our communities. This year, for the fifth consecutive year, the firm earned a perfect score of 100% on Human Rights Campaign Foundation’s Corporate Equality Index (CEI), a national benchmarking survey on corporate policies and practices related to LGBTQ workplace equality.