

Press Release

Akerman Defends LGBTQ Worker Protections in Landmark U.S. Supreme Court Civil Rights Decision

June 22, 2020

Firm Partners with the Center for Constitutional Rights and the Transgender Law Center to File Amicus Brief Advocating Anti-Discrimination Protections for LGBTQ Communities

Akerman LLP, a top 100 U.S. law firm serving clients across the Americas, partnered with the Center for Constitutional Rights and the Transgender Law Center to advocate for anti-discrimination protections for LGBTQ communities. The firm filed an amicus brief in *R.G. & G.R. Harris Funeral Homes v. EEOC, et al.*, the landmark U.S. Supreme Court civil rights case that on June 15 secured federal civil rights law protections for LGBTQ workers. The Court held that employers do not have the right to discriminate against LGBTQ people in the workplace, protecting them from discrimination under federal law.

The decision stems from three separate cases argued before the Court in 2019, including *R.G. & G.R. Harris Funeral Homes v. EEOC, et al.* In that case, Aimee Stephens argued she was fired from her job as a funeral home director in 2013, two weeks after she opened up to her supervisor that she was transgender and would be coming to work as a woman. The owners of the funeral home argued that U.S. civil rights laws were not intended to protect gay

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and transgender people. Stephens passed away in May, one month before the landmark decision, after years of battling kidney disease.

An Akerman pro bono team, led by Julia Lissner, partnered with the Center for Constitutional Rights and the Transgender Law Center to file an amicus brief to the U.S. Supreme Court in *R.G. & G.R. Harris Funeral Homes v. EEOC, et al.* on behalf of 46 nonprofit and grassroots organizations dedicated to eradicating discrimination against transgender and gender non-conforming people. Akerman's brief explained how discrimination against transgender people is always discrimination "because of . . . sex" under Title VII of the Civil Rights Act of 1964 by recounting the experiences of more than 30 transgender people who have experienced employment discrimination first-hand. The brief also discussed how transgender people face poverty, criminalization, and hardship when they are turned away from jobs. Akerman's brief further highlighted ways in which racial profiling and other racist elements of the criminal justice system have disproportionately affected Black transgender women and other minorities.

On June 15, the Court held, "[I]n Title VII, Congress outlawed discrimination in the workplace on the basis of race, color, religion, sex, or national origin. Today, we must decide whether an employer can fire someone simply for being homosexual or transgender. The answer is clear. 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. Sex plays a necessary and undisguisable role in the decision, exactly what Title VII forbids."

In addition to Lissner, a litigation partner, the Akerman pro bono team in this case included Partner Megan Kokontis and Associate Melissa Cizmorris, both members of the firm's Labor and Employment Practice Group.

About Akerman

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