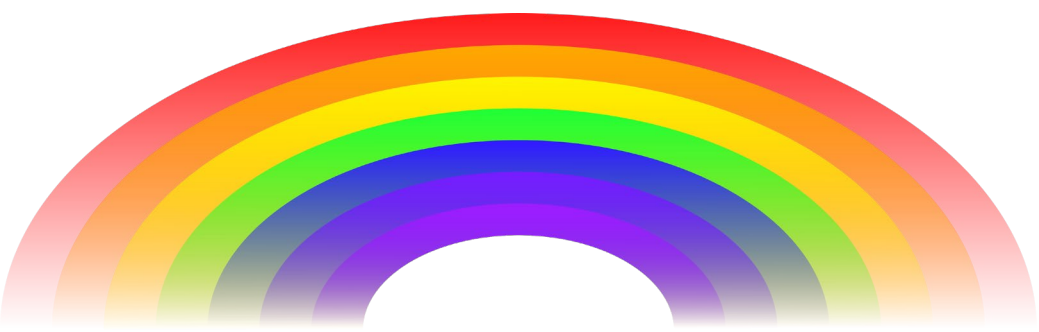




# **SOGI Discrimination**

It's a new day...

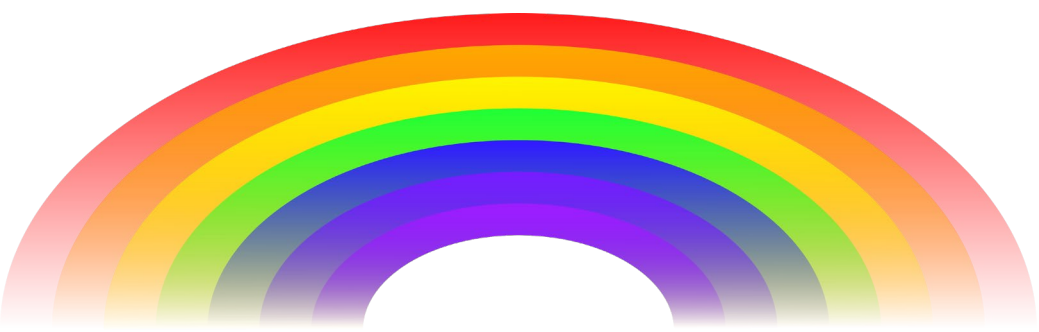
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# SOGI Discrimination

- **Sexual Orientation**
- **Gender Identity**

**= SOGI**



# SOGL Discrimination

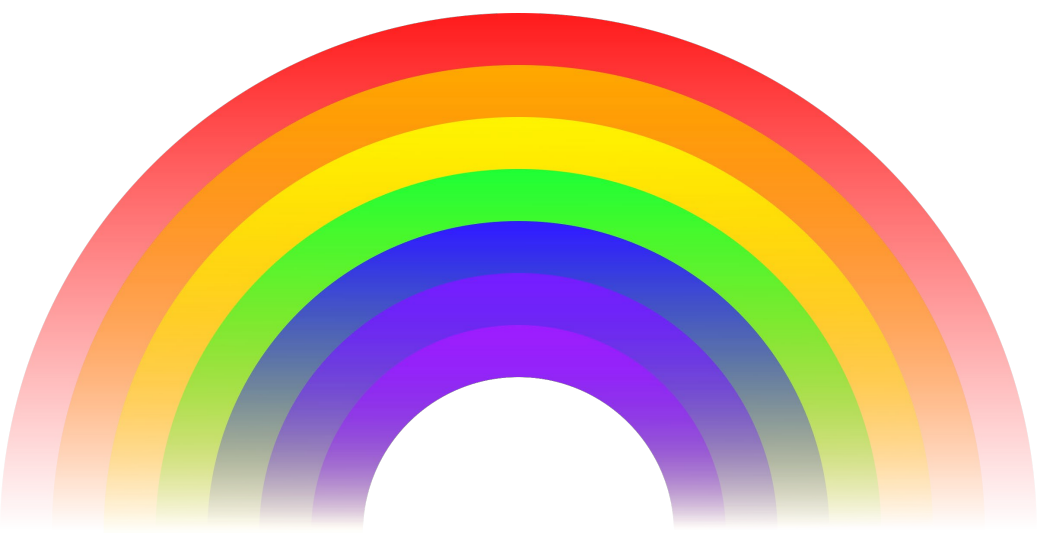
## What is Title VII and why should I care?

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# Examples of Discrimination

- Failure to hire because applicant is a transgender
- Firing because employee made transgender decision
- Denying equal access to common restroom corresponding to employee's gender identity
- Denying promotion due to sexual orientation
- Discriminating in terms, conditions or privileges of employment
- Harassment due to sexual orientation



# SOGL Discrimination

Case Law that changes us...

*Hively v. Ivy Tech Community College*

*Zarda v. Altitude Express*

*R.G. & G.R. Harris Funeral Homes, Inc. v. EEOC*





# SOGI Discrimination

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## AND THEN THERE WAS BOSTOCK...



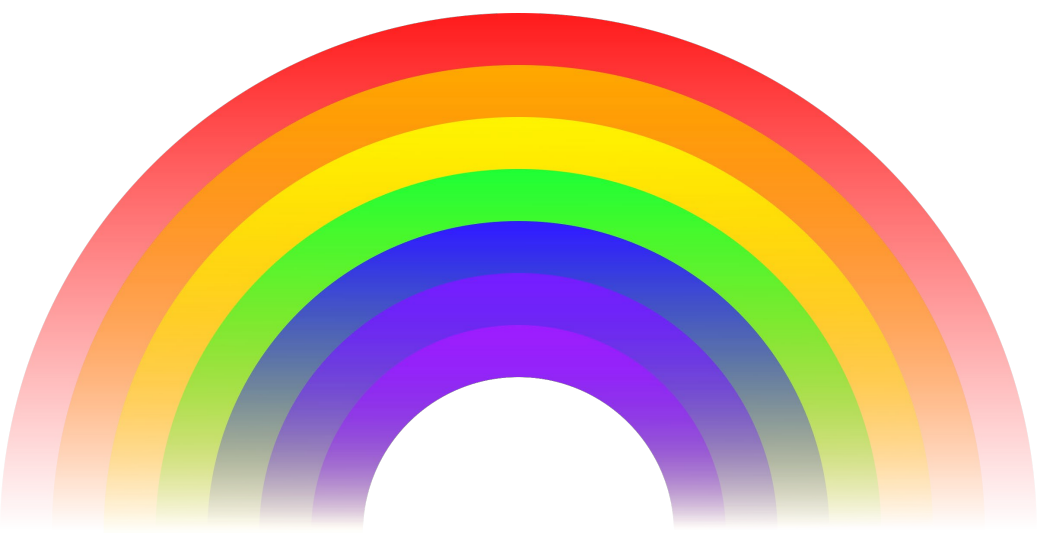


# **SOGL Discrimination**

**BOSTOCK**

**V. CLAYTON COUNTY, GEORGIA**

*What happened?*



# **SOGL Discrimination**

## **THE IMPORTANCE OF THE BOSTOCK DECISION**



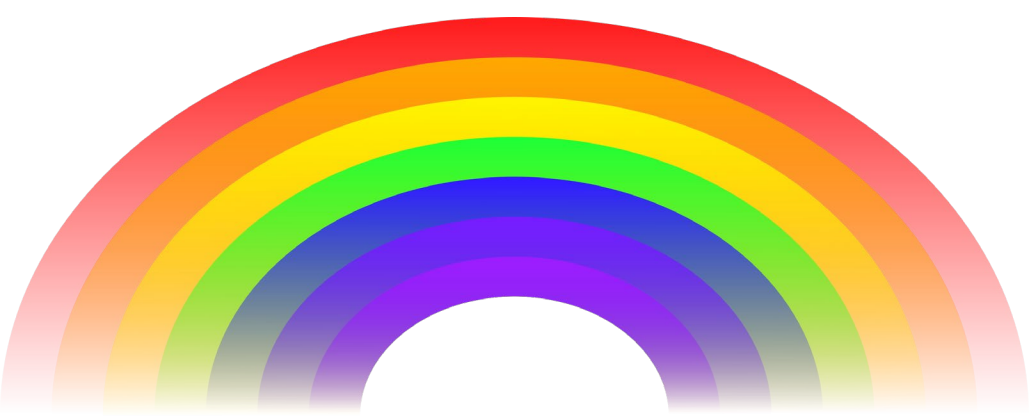


# **SOGI Discrimination**

**GENDER STEREOTYPING**

**IS THIS SOMETHING NEW????**

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# SOGI Discrimination

Bathroom Rights

Conduct in workplace v. personal beliefs

As always, definitions...



# **SOGI Discrimination**

**Complaints of discrimination**

Where do they belong?

Where else?

Argument?

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# **SOGI Discrimination**

## **Transgender Accommodations in the Workplace**

What are we required to do?

Does this fall under Title VII?

What??? The Americans with Disabilities Act?



# **SOGI Discrimination**

## **The Intersection of Transgender Accommodation and the ADA**

How is this a disability?

How is it not?

What could be a possible accommodation?



# **SOGI Discrimination**

**The Intersection of Transgender  
Accommodation and the ADA  
Have the courts addressed this?**

*Blatt's v. Cabela's*

*Doe v. Mass. Dept of Correction*

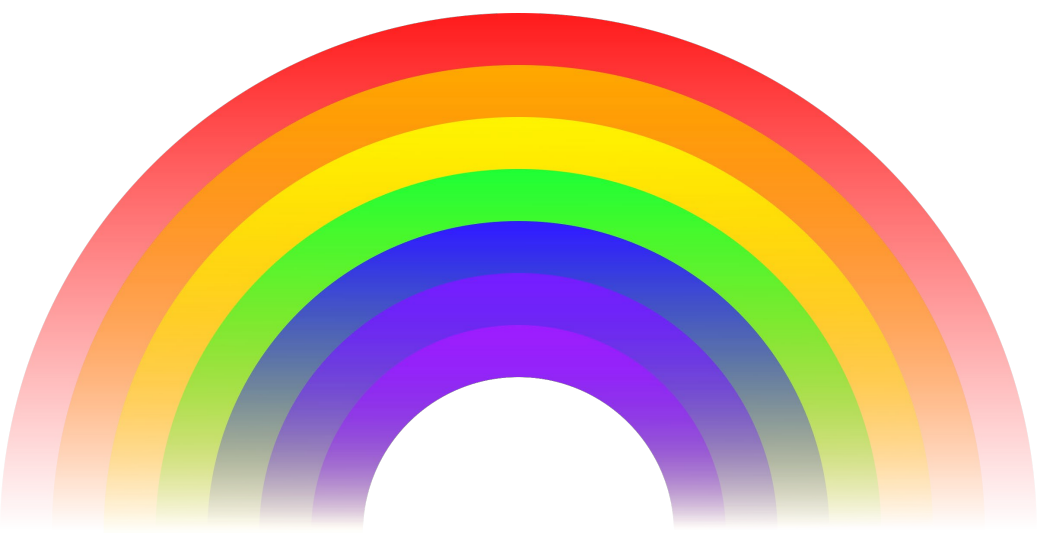
*Shorter v. Barr*

*Iglesias v. True*



# SOGI Discrimination

- ✓ So what constitutes reasonable accommodation?
- ✓ So what constitutes due diligence?
- ✓ So what constitutes discrimination????
- ✓ YIKES!!!!!!!!!!!!!!!!!!!!!!



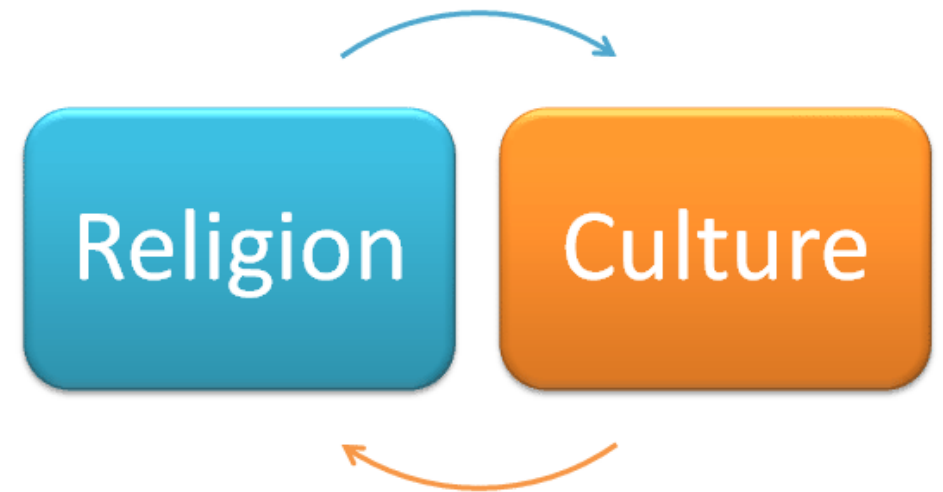
# SOGI Discrimination

So what is law at this point?

So what is prudent at this point?

What if I have a religious objection to the whole concept?

And...tell me again, what do I need to do with the bathroom...?







# SOGI Discrimination



Did I tell you about 'Pat'?

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# **SOGI Discrimination**

*QUESTIONS?????*

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