

“Because of Sex”: The Supreme Court, Federal Sex Discrimination Law, and Best Practices for Protecting LGBTQ Workers

Live Webcast

April 26, 2021

9:00 am – 10:15 am (Pacific Time)

Why You Should Attend

The Supreme Court held last year in *Bostock v. Clayton County* that discrimination because a person is LGBTQ is discrimination “because of sex” under Title VII, the federal law prohibiting employment discrimination. In this session, you will learn about the *Bostock* decision and its impact on other areas of federal sex discrimination law, including recent developments and emerging issues. The session will also provide an overview of best practices for employers for protecting the rights of LGBTQ employees.

What You Will Learn

- Background to and key takeaways from the Supreme Court’s decision in *Bostock*
- The impact of *Bostock* on other areas of federal sex discrimination law, including recent developments and emerging issues
- Best practices for protecting the rights of LGBTQ employees

Who Should Attend

Attorneys, employers, and other professionals looking to expand their knowledge of federal sex discrimination law and who want to implement best practices for protecting LGBTQ employees.

AGENDA

9:00

Opening Remarks

James D. Esseks

9:05

“Because of Sex”: The Supreme Court, Federal Sex Discrimination Law, and Best Practices for Protecting LGBTQ Workers

I. The Supreme Court’s Decision in *Bostock*

- Background on discrimination against LGBTQ people
- *Bostock v. Clayton County* – the Supreme Court’s three LGBTQ Title VII cases and key takeaways from the decision

II. Implications of *Bostock* on Other Areas of Federal Sex Discrimination Law

- Impact of *Bostock* on federal sex discrimination law, including in education, health care, housing, and other areas
- Recent litigation and policy developments, including the Biden Administration’s Executive Order
- Emerging issues

III. Best Practices for Protecting the Rights of LGBTQ Employees

- Policy drafting and implementation – non-discrimination policies, employee benefits, sex-segregated facilities, names and pronouns
- Federal, state, and local law considerations
- Q&A

James D. Esseks, Nonnie L. Shivers, Julie Wilensky

10:15 Adjourn

Faculty:

Co-Chairs:

James D. Esseks

Director

ACLU Lesbian, Gay, Bisexual, Transgender & HIV Project
New York, New York

Nonnie L. Shivers

Shareholder

Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
Phoenix, Arizona

Julie Wilensky

Senior Staff Attorney

National Center for Lesbian Rights
San Francisco, California

Senior Pro Bono Program Attorney: Christina Thompson