

WALMART SETTLES SAME SEX BENEFIT DISPUTE

Hodgson Russ Newsletter
January 31, 2017

Practices & Industries

Employee Benefits

Walmart recently settled a class action lawsuit claiming the company unlawfully discriminated against current and former gay and lesbian employees by not offering medical benefits to same sex spouses from 2011 through 2013. The proposed settlement is for \$7.5 million and must be approved by a federal judge. The class action claimed that Walmart violated Title VII of the Civil Rights Act, the Equal Pay Act, and the Massachusetts Fair Employment Practices Law. The complaint alleged that Walmart violated these federal and state laws because its prior policy constituted a sex-based classification, sex-based stereotyping, and sex-based associational discrimination. Walmart began offering same sex spousal coverage in 2014. *Cote v. Walmart Stores, Inc. (D. Mass.) proposed settlement.*