

Wiley Rein Files *Amicus* Briefs on Behalf of LGBTQ Employees Suffering from Employment Discrimination

July 3, 2019

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Washington, DC – On behalf of numerous advocacy groups, including the American Medical Association (AMA), the American College of Physicians (ACP), The Trevor Project, PFLAG, and Family Equality, Wiley Rein today submitted two *amicus curiae* briefs to the U.S. Supreme Court, urging the Justices to protect the civil rights of LGBTQ individuals in the workplace. The briefs were filed in three historic cases the Supreme Court plans to take up next term: *Altitude Express, Inc. v. Zarda*; *Bostock v. Clayton County, Georgia*; and *R.G. & G.R. Harris Funeral Homes v. EEOC*.

Representing two groups of *amici* on a pro bono basis, Wiley Rein argues in the briefs that Title VII of the Civil Rights Act – which prohibits employment discrimination because of race, color, religion, sex, or national origin – protects LGBTQ workers from employment discrimination.

Wiley Rein attorneys Scott B. Wilkens and Tatiana Sainati filed an *amicus* brief on behalf of the AMA, the ACP, and 14 other national medical and health care groups. The brief notes that the international consensus among health care professionals regarding treatment for gender dysphoria – a condition experienced by many transgender individuals – is to assist the patient to live in accordance with the patient’s gender identity. “Employment discrimination against

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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 Rein said on behalf of the medical and health care groups. “Additionally, employment discrimination directly interferes with medical treatment of gender dysphoria when it results in transgender individuals losing income or health insurance.”

Wiley Rein attorneys Richard W. Smith – co-chair of the firm’s Litigation Practice – and Douglas C. Dreier filed an *amicus* brief on behalf of The Trevor Project, PFLAG, and Family Equality. Each of these organizations has worked for decades to protect the LGBTQ community. They have heard their stories, listened to their struggles, comforted them in the face of discrimination, and worked to ensure their legal and lived equality. The brief provides 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. As the brief explains, “[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.”

The *amicus* brief filed for the health care organizations can be found [here](#). The *amicus* brief filed on behalf of The Trevor Project, PFLAG, and Family Equality can be found [here](#).

Wiley Rein 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. For the past four consecutive years, the firm has earned a perfect score of 100% on Human Rights Campaign Foundation’s 2019 Corporate Equality Index (CEI), a national benchmarking survey on corporate policies and practices related to LGBTQ workplace equality.