



Sexual Discrimination and LGBT Coverage

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Title VII of the Civil Rights Act of 1964 does not explicitly include sexual orientation or gender identity in its list of protected classes, but the Commission, consistent with case law from the Supreme Court and other courts, interprets the statute's sex discrimination provision as prohibiting discrimination against employees on the basis of sexual orientation and gender identity. In 2012, the EEOC held that discrimination against an individual because that person is transgender (also known as gender identity discrimination) is discrimination because of sex and therefore is prohibited under Title VII. See *Macy v. Department of Justice*, EEOC Appeal No. 0120120821 (April 20, 2012). The Commission has also held that discrimination against an individual because of that person's sexual orientation is discrimination because of sex and therefore prohibited under Title VII. See *David Baldwin v. Dept. of Transportation*, EEOC Appeal No. 020133080 (July 15, 2015). The EEOC's district, field, area, and local offices will accept and investigate charges from individuals who believe they have been discriminated against because of transgender status (or because of gender identity or gender transition), or because of sexual orientation.

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