

## Jason Habinsky Discusses Upcoming SCOTUS Job Discrimination Cases

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April 24, 2019 Jason Habinsky

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Haynes Boone Partner [Jason Habinsky](#) was featured in widespread media coverage about the landmark U.S. Supreme Court decision to hear cases related to whether Title VII of the Civil Rights Act prohibits employment discrimination against lesbian, gay, bisexual and transgender (LGBT) employees.

Here is an excerpt from *CNBC.com*:

The cases come as federal courts as well as independent agencies within the Trump administration remain divided over whether Title VII of the Civil Rights Act, which says that employers may not discriminate based on “sex,” prohibits discrimination based on sexual orientation and gender identity.

There is no national law that explicitly bars discrimination on those grounds. State and local laws barring such discrimination do exist. About half of the country’s LGBT population lives in states that allow employment discrimination based on sexual orientation or gender identity, according to MAP, an LGBT advocacy think tank.

Jason Habinsky, a partner in the Labor and Employment Practice Group in the New York office of Haynes Boone, said that a ruling granting protection to LGBT employees would not affect many companies that already have policies in place shielding them from discrimination. For other companies, he said, it could be a wake-up call.

“This could serve as an alarm bell for certain employers who are not yet protecting those rights, and who fall in those pockets of the country where there are no laws and no protections,” Habinsky said.

Habinsky also spoke with *HR Dive*: “There are many states and local legislatures who have implemented their own protections on discrimination on these bases. But you also have gaps throughout the country where there are no protections,” he said. “This is really the opportunity for the Supreme Court to essentially declare what the law is nationwide.”

To read the full *CNBC.com* article, [click here](#). To read the *HR Dive* article, [click here](#).

In addition, these publications also quoted Habinsky about the upcoming cases:

[Bloomberg Big Law Business](#)

[Human Resources Executive](#)

[Law360](#) (Subscription required)

[XpertHR](#)