



COMMUNIQUE

LGBTQ COMMUNITY

Gets Huge Win During PRIDE MONTH With Supreme Court Ruling

In a win for the LGBTQ community on June 15, the United States Supreme Court ruled that an employer who fires a worker for being gay or transgender violates Title VII of the Civil Rights Act.

Until mid-June, legal equality for LGBTQ people did not extend to the workplace because 29 states still allowed employers to legally fire employees for being gay or transgender. The surprise ruling came during Pride Month, which occurs in the U.S. to commemorate the Stonewall riots that happened in NYC at the end of June 1969.

While the ruling itself is shocking enough, it's the margin in the 6-3 decision and the author of the opinion that are far more astounding—and probably history-making. Justice Neil Gorsuch, a conservative Trump appointee, wrote that the ban on sex-based discrimination in Title VII of the 1964 Civil Rights Act protects employees from discrimination based on sexual orientation or gender identity. He was joined in his opinion by Chief Justice John G. Roberts Jr. and Justices Ruth Bader Ginsburg, Sonia Sotomayor, Elena Kagan, and Stephen G. Breyer.

Gorsuch was President Trump's first nominee to the Supreme Court, and has often been described as a "predictably socially conservative judge." Up until now, he had established himself as one of the court's most conservative justices and a reliable vote for Trump-administration initiatives that reached the highest court, such as the travel ban on anyone arriving from predominantly Muslim countries, placing a citizenship question on the census form, and banning transgender service members in the military.

The justice that "conservatives hoped for and liberals feared" made a decision in this case that has left many conservative supporters stymied.

His reasoning, however, has changed how more than 7 million LGBTQ individuals will now be able to work and live in this country, having already been granted the legal right to marry in 2015.

"It's always good when legal protections expand," said Local 1180 Staff Representative Lena Solow, also Co-Chair of the Union's Pride Committee. "This is a welcome win for LGBTQ workers. We should remember, however, that in a country with at-will employment, the best job protections always come from a union."

The Supreme Court case stems from three lower court cases. In one, a Clayton County, Georgia employee was fired from his job as a child welfare advocate for conduct "unbecoming" a county employee soon after he

joined a gay softball league. In another, a New York skydiving instructor was fired days after mentioning he was gay; and in the third, a Michigan funeral home worker was fired after she told her employer she would be identifying as a woman six years into her employment.

In all three cases, the employers admitted they fired the workers for being gay or transgender, but argued it did not violate Title VII. The Trump administration argued that Title VII barring discrimination based on sex did not extend to claims of gender identity and sexual orientation. During his time as president, Trump has worked to eradicate protections for LGBTQ Americans wherever he could, including military service and coverage under the Affordable Care Act. Just prior to this Supreme Court decision, his administration undid President Barack Obama's policy that prevented health-care providers from discriminating against transgender patients.

"I feel like I'm more safe at my job now than I was 16 and a half years ago," said Vera Jordan, Co-Chair of the Local 1180 Pride Committee. "This was something else that was voted against so many times. It's a sense of relief because now we don't have to explain ourselves."

PRIDE MONTH

On a hot summer's night in New York on June 28, 1969, police raided the Stonewall Inn, a gay club in Greenwich Village, which resulted in bar patrons, staff, and neighborhood residents rioting outside onto Christopher Street. Among the many leaders of the riots was Black trans, woman Marsha P. Johnson, leading the movement that lasted six days with protests and clashes. The message was clear: protestors demanded the establishment of places where LGBTQ people could go and be open about their sexual orientation without fear of arrest.

Pride Month is largely credited as being started by bisexual activist Brenda Howard, known as "The Mother of Pride." A year after the Stonewall Riots, Brenda organized Gay Pride Week and the Christopher Street Liberation Day Parade, which eventually morphed into what is now known as the New York City Pride March.

Although this year's Pride Parade was canceled due to the coronavirus pandemic, 15,000 people crowded together in Brooklyn for the Black Trans Lives Matter Rally to commemorate Black trans people who have been killed in recent months.

In her own words: Vera Jordan on the Pride Committee

"I wanted to start the Pride Committee to provide a safe space for our members who identify as LGBTQ and also include the allies. I have always been a big union supporter and participated in many committees, but felt I didn't have a space where I knew I could celebrate this part of myself," Jordan said.

"Being able to resurrect the Local 1180 Pride Committee was the best thing ever. We had a strategic plan to lead our members right into Pride 2020. However, on March 18, COVID-19 changed the world. We were placed on PAUSE due to rapid spread of the COVID-19 pandemic that unfortunately placed the CWA Local 1180 Pride Committee on PAUSE, too. Then months later comes another nationwide problem; we lost another African-American male, George Floyd, at the hands of a disruptive cop.

A sad moment for the world. His death led to the world coming together to voice again 'BLACK LIVES MATTER.' I also want to commemorate Tony McDade, a Black trans man who was killed by police.

"Being an African-American educated woman, single mother, grandmother of three, union member, and someone who identifies as a lesbian, I must say, our lives matter. During this time, I know the CWA 1180 Committee was to walk in the Pride parade. Instead, we will be virtual, what is now called the new norm. Looking out from the inside, we are all one and no matter what, we will conquer. LBGTQ LIVES MATTER. Happy 2020 PRIDE." ■