

Lawyers React To High Court Ruling On Retaliation Suits

News

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Darin Mackender, a partner in the Denver office, commented on an important Supreme Court ruling regarding employee retaliation claims in the *Law360* article “Lawyers React To High Court Ruling On Retaliation Suits.”

The Supreme Court ruled on June 24 that workers pursuing Title VII retaliation claims must show that their employer would not have taken action against them if the employee had not complained of unlawful discrimination.

Darin noted that the Supreme Court decision is a significant victory for employers since retaliation claims are being filed with increasing frequency.

He said: “The Court’s adoption of a but-for causation standard will make it easier for employers to dispose of questionable claims.

More generally, at a time when the reach of Title VII and other discrimination laws seems to be ever-expanding, the Supreme Court delivered a message, albeit far from unanimous, that limits exist.

Employers should be mindful, however, of the dissent’s parting prediction that the decision ‘should prompt yet another Civil Rights Restoration Act.’”

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