



The Supreme Court Ruling and its Impact on the Workplace

News

6.26.15

Courtney Leyes was quoted in the *Memphis Business Journal* on June 26, 2015. The article “The Supreme Court Ruling and its Impact on the Workplace” discussed how in light of the Supreme Court’s legalization of gay marriage across the U.S., businesses will now need to make updates to its benefits policies.

Courtney explained what this groundbreaking ruling will look like in the workplace. Her answers are below.

Memphis Business Journal: What does this Supreme Court ruling mean for businesses?

Courtney Leyes: This decision ultimately impacts employers from a benefits standpoint. If an employer offers certain benefits like life insurance policies, medical insurance, etc. to heterosexual married couples now, businesses will be required to extend those same benefits to same-sex married couples. Additionally, if an employer is covered under the federal Family Medical Leave Act (FMLA), an employer may be required to provide job-protected leave to someone who needs to care for his or her same-sex spouse.

MBJ: Will businesses have a timeframe by which they need to update their policies? Or is it effective immediately?

CL: The Supreme Court’s decision is effective immediately, so employers should be looking at their policies and procedures now to determine which ones should be extended to same-sex married couples.

MBJ: Will businesses now be required by law to update policies?

CL: Employers covered by the FMLA are required, by law, to provide job-protected leave to its employees who need to leave to care for a same-sex spouse, who has a serious health condition and/or needs to take military caregiver leave for a same-sex spouse who has a serious health condition.

MBJ: What will the repercussions be for businesses that refuse to make the policy changes?

CL: Assuming both the employer and employee are covered under the FMLA, if an employer fails to provide FMLA leave to those who qualify and request it, employers can be subject to FMLA discrimination lawsuits, in which an employee can sue his or her employer for monetary damages related to the employer's failure to provide leave.

MBJ: Any additional comments?

CL: This decision is a sign of what's to come from the Supreme Court. In the near future, I believe the Court will re-examine whether sexual orientation and preference are encompassed within the meaning of "sex" under Title VII.

To read the full article, please visit [Memphis Business Journal](#).

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