



Fisher Phillips Attorney Talks to Law 360 about the Upcoming Supreme Court Session

News

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The U.S. Supreme Court is on the brink of igniting the 2018-2019 session and reporters want to know if this year's docket will prove as pivotal as last year's. One case that employment law attorneys are watching is *Altitude Express Inc. and Ray Maynard v. Zarda; Bostock v. Clayton County, Georgia*, which will decide if Title VII protects the LGBTQ community against discrimination.

In an interview with *Law360*, Fisher Phillips attorney, Katherine Sandberg, said given the high court's current conservative tilt, it is likely the justices "would ultimately decide that sexual orientation discrimination is not included in Title VII, and so that wouldn't change the status quo because Title VII doesn't currently call for that protection." But Katherine cautioned that even if Title VII is found not to cover sexual orientation bias, many cities and states have separate laws that include sexual orientation as a protected category. "You have to keep in mind as an employer that ... hypothetically, [if] Title VII doesn't offer that protection, you're still looking out for state law," Katherine said.

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