



Supreme Court Declines to Clarify Law on Sexual Orientation Discrimination, SHRM, ft. Jennifer Sherven

Jennifer Sherven, partner with Kaufman Dolowich & Voluck on Long Island, was quoted in SHRM's article written by Allen Smith, J.D., on the Supreme Court declining right now to resolve a split among the appeals courts over sexual orientation discrimination.

Employers are stuck with uncertainty over whether Title VII of the Civil Rights Act of 1964 prohibits sexual orientation discrimination. That's because the U.S. Supreme Court announced Dec. 11 that it would not yet resolve a split among the appeals courts over this question.

Appellate Court Split

The high court declined to review the 11th Circuit's March decision in *Evans v. Georgia Regional Hospital* that the law does not ban such discrimination...

In April, the 7th Circuit held that Title VII covers sexual orientation discrimination in *Hiveley v. Ivy Tech Community College*, a decision that contradicted every other appeals court.

The Supreme Court is likely to one day hear a case to resolve the circuit split even though it declined to review *Evans*, according to Jennifer Sherven, an attorney with Kaufman Dolowich & Voluck in Woodbury, N.Y.