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‘Respect our right to work’: LGBTQ2S rally at Supreme Court

written by Andre Powell
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Washington, D.C. — On the morning of Oct. 8, several hundred LGBTQ2S people and allies defiantly rallied outside the U.S. Supreme Court to demand protections against discrimination in the workplace. The three cases being heard by the Supreme Court seek to extend federal anti-discrimination protections to cover sexual orientation and gender identity.

Lawyers for the plaintiffs assert that LGBTQ2S people should be covered as a protected category under Title VII of the Civil Rights Act of 1964. It bars discrimination on the basis of sex but does not address the question of sexual orientation or gender identity. It was passed years before the Stonewall Rebellion in New York opened up the modern LGBTQ2S civil-rights movement.

The three cases being heard as a group address workers who were fired after it was revealed that they were gay or transgender.

Gerald Bostick, a social worker in Clayton County, Ga., was fired after an article about a local gay softball league revealed that he was gay. Donald Zarda was fired as a skydiving instructor when he revealed that he was gay. Their consolidated cases, *Bostock v. Clayton County, Ga.*, and *Altitude Express v. Zarda*, are being argued together.

The third case, *R.G. and G.R. Harris Funeral Home v. EEOC*, involves transwoman Aimee Stephens, who after years of working at the funeral home was fired when she explained to her employer that she is transgender.

No right to discriminate

As the cases were being heard inside the court, outside, supporters of equality marched a short distance to the steps of the Supreme Court, until they were stopped by police barricades. They listened to speeches and chanted, “Don’t roll back our rights!” Many carried placards or wore t-shirts that read, “Protect LGBTQ workers now” and “No right to discriminate.”

When they arrived at the steps, they found that a small group of anti-trans bigots were standing off to the side. Part of the supporters confronted and drowned out their hate with continuous chants of “Transwomen are women!” The religious bigots were no match for the militant crowd.

After the hearings were over, Bostock and Stephens both came to the podium and thanked the crowd for the strong showing of support. Donald Zarda passed away in 2014, but his lawsuit continues.

As speeches continued on the steps of the court, a large group of nearly 100 activists from ACT-UP and Housing Works in New York marched down the street chanting and sat down while the rally crowd cheered. The activists were all arrested in an act of civil disobedience.

The Trump administration is hell-bent on pushing back against equality for LGBTQ2S people. Donald Trump has already reinstated the ban on transgender people in the military. It is one of the many things he has done to try to turn back progressive gains made under President Barack Obama.

Under the Obama administration, the Equal Employment Opportunity Commission decided in 2015 that it would accept LGBTQ2S charges in its enforcement of Title VII. [The Washington Blade](#), a weekly LGBTQ2S newspaper in Washington, reports that approximately 1,800 charges have been filed each year since alleging anti-LGBTQ2S discrimination. Trump has done his best to erase all the beneficial things that were won for working and poor people under the first African American president.

The tremendous showing for equality outside the Supreme Court demonstrates that the LGBTQ2S community and allies have had enough of these right-wing attacks. The Equality Act, which was [passed by the House of Representatives](#), will have an uphill fight in the Senate in order to get passed out of Congress. If so, Trump will no doubt veto the bill.

However, it takes more than passage of a law to get full equality and respect. It will take a fundamental change in this country to destroy the system of capitalism that promotes anti-LGBTQ2S and anti-immigrant bigotry as well as racism and sexism.

Capitalism must be replaced with a socialist society that values each individual for what they can contribute to the betterment of society, instead of for making the bank accounts of the rich fatter.

SLL photos: Andre Powell

