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Helen Holden Discusses Impact of Supreme Court Ruling on Job Transfers in Phoenix Business Journal

Spencer Fane attorney Helen Holden was recently featured in the *Phoenix Business Journal* for her article, "My View: How Supreme Court Ruling on Job Transfers Impacts Your Business."

In her examination of *Muldrow v. City of St. Louis, Missouri*, Helen explains how the case set a new precedent for employment discrimination lawsuits by the Court's ruling that employees only need to show "some" rather than "significant, serious, or material" harm.

For context, Helen provides that Sergeant Jatonya Clayborn Muldrow worked for several years as a plainclothes officer in the St. Louis Police Department's Intelligence Division, which included work as a task force officer with the U.S. Federal Bureau of Investigation. She was then transferred to a uniformed position by a new supervisor, who placed a male officer in her former position. Helen elaborates, "While Muldrow received the same rank and pay in the new position, her responsibilities and some other aspects of her position did not remain the same."

Muldrow contended her lateral job transfer was on the basis of sex in violation of Title VII. Despite the city's argument that regardless of sex, Muldrow's lateral shift did not yield changes significant enough to invoke anti-discrimination laws, the Court unanimously disagreed, stating there was no "significant harm" requirement within the statute.

Because of this pivotal decision, Helen highlighted key takeaways for employers to consider under the new standard, including supporting transfers with substantial business rationale, thorough documentation, and consultation with human resources.

This article was originally published on the Spencer Fane blog under the title, "Supreme Court Rejects 'Significant Harm' Requirement for Lateral Job Transfer Cases."

At the firm, Helen helps businesses successfully navigate federal and state employment laws to positively impact company culture. Her diverse industry experience spans construction, real estate, manufacturing, technology, health care, distribution, and the retail and service sectors.

Learn more about the Court's precedential ruling here.