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Tracey Wallace Talks Creating Neutral Policies to Prevent Discrimination Claims for HR.com

Spencer Fane attorney Tracey Wallace recently authored an article, published in an HR.com digital publication, the October issue of *HR Legal & Compliance*, on a case out of the Fifth Circuit Court of Appeals that overturned 30 years of Fifth Circuit precedent.

In her article, Evolving Title VII Standards: What Lies Ahead?, Tracey outlines *Hamilton v. Dallas County*, which overturned 30 years of Fifth Circuit precedent limiting disparate treatment lawsuits under Title VII to those who suffered an "ultimate employment decision," such as hiring, granting leave, discharging, promoting, or granting compensation.

"In the interim, based upon this expansive new standard, employers should review their policies to make sure they are neutrally applied, and, if there are any discrepancies, either correct those discrepancies or clearly outline a legitimate, non-discriminatory reason," Tracey states in the article. "For example, if there are some employees who are allowed to remotely work and some who are not, the reasoning for such decisions should be based upon a legitimate, non-discriminatory reason."

At Spencer Fane, Tracey helps clients proactively address critical labor and employment legal issues through preventive advice and counseling, allowing employers to minimize the risk of costly regulatory and compliance issues or litigious claims. With a broad range of experience in private practice, Tracey represents an array of state, national, and international clients in the full spectrum of employment- and discrimination-related matters.

Read the full article here. Please note, a subscription may be required.