

Plaintiffs Need Not Show “Significant Harm” in Employment Discrimination Cases

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On April 17, 2024, the U.S. Supreme Court unanimously ruled that Title VII of the Civil Rights Act of 1964 (“Title VII”) does not require plaintiffs to prove they experienced a “significant harm” to succeed in an employment discrimination case. Under the new federal standard, Title VII plaintiffs must show only that they were treated worse because of a protected status.

In this case, a female St. Louis police officer alleged that she was transferred to a less desirable assignment and replaced by a male officer. Although her rank, pay, and promotional opportunities did not change, she was moved from a plainclothes job in a prestigious specialized division to a uniformed job supervising patrol officers and performing primarily administrative work. She no longer had substantial responsibility over priority investigations or a take-home vehicle, and often had to work weekends. The District Court granted summary judgment for the City of St. Louis on the basis that the lawsuit did not allege a “significant” change in working conditions causing “material employment disadvantage.” The Eighth Circuit Court of Appeals affirmed this judgment.

The Supreme Court, recognizing a circuit split over the level of harm a Title VII plaintiff must show, ruled that the plain language of Title VII requires only that plaintiffs demonstrate an adverse change to the terms and conditions of employment. Under the new federal standard, plaintiffs are not required to show that the adverse change is “significant,” “serious,” or “substantial.”

The Supreme Court’s decision in *Muldrow v. City of St. Louis, Missouri, et al.* can be found [here](#).

If you have any questions, please contact **Rebecca Green**, **Katherine Read**, or any member of our **Labor and Employment Department**.

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