President Biden Issues Executive Order Regarding Workplace Discrimination

January 20, 2021 | Amanda Marie Baer | Articles

That was quick! On his first day in office, President Joseph Biden issued the *Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation*.

With the Executive Order, President Biden instructed each federal agency to "as soon as practicable" revise, suspend, or rescind all existing regulations, orders, guidance documents, policies, programs, and all agency actions that prohibited sex discrimination but did not include gender identity and/or sexual orientation as protected classifications within sex discrimination. The Order further instructs agencies to, as necessary, promulgate new actions necessary to fully implement the inclusion of gender identity and sexual orientation as protected classifications.

These protections have been in place for Massachusetts employees under M.G.L. c. 151B, but the Order instructs federal agencies to bring federal statutes (and potential claims) in line with the same protections provided by our state's law prohibiting discrimination and harassment on the basis of sexual orientation and gender identity.

This is the first in what is expected to be a flurry of quick actions by President Biden which will impact employers. Stay tuned!

Related People

Amanda Marie Baer

©2026 Mirick, O'Connell, DeMallie & Lougee, LLP. All Rights Reserved.