

How Starbucks Reacts to Gay Bias Allegation Critical, New York Civil Rights Violation Lawyer Says

Sexual orientation discrimination witnessed at a Long Island Starbucks sparks investigation and public apology

NEW YORK, NEW YORK – The way a business handles a [bias allegation in New York](#), or anywhere around the world, has a dramatic effect on the way customers perceive it, said [New York civil rights violation lawyer](#) David Perecman.

Starbucks said it is investigating claims that co-workers harassed an employee because he is gay.

The [gay bias discrimination](#) controversy centered on the alleged firing or alleged forced resignation of a gay employee at a store in Long Island, New York. Following the bias allegation, hundreds of customers went on Starbucks's Facebook page to register their outrage.

“So far Starbucks is handling the incident well by sincerely attending to the bias allegations. [Sexual orientation discrimination](#) charges should never be taken lightly,” said Perecman, a New York [civil rights violation lawyer](#) with experience protecting the rights of employees who have suffered discrimination and harassment.

As reported by the *New York Daily News*, the gay bias incident started after a customer overheard a female manager reprimanding an employee in a “condescending manner” that made it sound like they didn't like his sexual orientation.

The customer, Missy Alison, wrote a letter to Starbucks about the incident and posted it on her family blog. The letter about the discriminatory incident subsequently went viral via Twitter and Facebook and attracted widespread media attention.

According to Alison, three female Starbucks employees told their co-worker, Jeffrey Warren, they “were not interested in his politics or beliefs” and his “thoughts were down right offensive to his co-workers.” They also told him they “did not want to hear about his personal life.”

When Warren pointed out that they “ALL talked about their personal lives,” according to Alison, he was told “his beliefs were not welcome at Starbucks.”

According to the Alison, the “bigoted, intolerant, insensitive” woman kept reminding Warren, “You are not fired but ...” The context was, in Alison's opinion, Warren was not fired but he was not really welcome there anymore.

A Starbucks spokesman Allan Hilowitz said that Alison had got some parts of her account wrong but would not give specific examples. He also said the conversation was a performance evaluation and the employee chose to leave.

Apparently, however, none of their conversation had to do with Warren's performance as an employee.

In a follow up interview, Warren said he felt he was “coerced into abandoning [his] position” and that he had “been continuously passed up for promotions.”

Starbucks also declared that it has "zero tolerance for discrimination of any kind" on Twitter and on its blog.

Federal, New York state laws and New York City laws protect employees by prohibiting [workplace harassment](#) and other discriminatory conduct in the workplace that creates an offensive and [hostile working environment](#).

Title VII of the Civil Rights Act of 1964 doesn't list sexual orientation as a protected class.

However, although federal law does not prohibit [sexual orientation discrimination](#), an increasing number of local and state governments are passing laws and ordinances that protect gays from workplace discrimination and harassment. [Sexual orientation discrimination](#) in New York is illegal.

New York has state laws preventing sexual orientation discrimination in an employment context. New York's Sexual Orientation Non-Discrimination Act (SONDA) prohibits discrimination on the basis of actual or perceived sexual orientation in employment, housing, public accommodations, education, credit, and the exercise of civil rights. In other words, even a discriminatory decision based upon a mistaken belief concerning a person's sexual orientation, is prohibited by law.

Company policy may also forbid [sexual orientation discrimination or harassment](#).

While Starbucks has not said whether anyone will face disciplinary action, the chain released the statement: “At Starbucks, we pride ourselves on being a great place to work. We are deeply dedicated to our core values – to embrace diversity and treat each other with respect and dignity.”

“Intolerance is unfortunate, but no employee can force another to approve of his or her lifestyles. But biased employees need to remember to keep their opinions to themselves and enforce policies against sexual orientation discrimination regardless of their personal beliefs in New York,” civil rights violation lawyer Perelman said. “If not, they may find themselves in a courtroom.”

Individuals who have encountered [employment discrimination](#) based on sexual orientation, race, age, religion, disability or gender, should [contact](#) the experienced New York civil rights violation lawyers at [The Perecman Firm](#). An [experienced New York civil rights violation lawyer](#) can assess the situation and provide legal advice on how to protect civil rights.

About David Perecman and The Perecman Firm, PLLC:

For the past 30 years, the New York sexual harassment, gender discrimination, age discrimination, and civil rights violation lawyers at The Perecman Firm, PLLC have handled all types of cases including civil rights violations. David Perecman, founder of the Firm, is a Board Director and the past Secretary and Treasurer of the New York State Trial Lawyers Association (NYSTLA) and a chair of its Labor Law Committee. Mr. Perecman's achievements have brought him recognition as an Honoree in the National Law Journal's Hall of Fame, in New York Magazine's "The Best Lawyers in America" and The New York Times Magazine "New York Super Lawyers, Metro Edition" for the years 2007-2010.

The Firm has recovered millions of dollars for its clients. Among the more recent victories, Mr. Perecman won a \$15 million verdict* for a construction accident, a \$5.35 million dollar verdict** for an automobile accident, and a and a \$40 million dollar structured settlement for medical malpractice****.

*later settled while on appeal for \$7.940 million

** later settled for \$3.5 million

*** later settled for \$90,000.00

**** total potential payout

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