



## THE CASE FOR INCLUSION

News and Legal Analysis on Issues Related to Diversity and Inclusion

### Wal-Mart Settles Class Action That Alleged Denial of Same-Sex Spousal Benefits Violated Title VII

BY AIVI NGUYEN • DECEMBER 8, 2016

We previously discussed [Cote v. Walmart Stores](#), a class action lawsuit filed in federal court in Massachusetts alleging that by denying same-sex spousal benefits to employees, Wal-Mart discriminated against the plaintiff, Jacqueline Cote, and other similarly situated gay and lesbian employees.

Ms. Cote was a Wal-Mart employee in Swansea, Massachusetts from 2006 through 2012. She was denied spousal benefits for her wife, who had cancer. The couple was forced to pay \$150,000 in medical expenses out-of-pocket.

Last week, the parties settled the lawsuit, with Wal-Mart agreeing to pay \$7.5 million to employees in the US and Puerto Rico who were denied health insurance for their same-sex spouses between January 1, 2011 and December 31, 2013.

Wal-Mart modified its policy as of January 1, 2014, offering spousal health insurance coverage for same-sex spouses and domestic partners. Wal-Mart intends to keep this policy in place irrespective of the settlement.

Sadly, Ms. Cote's wife, Dee, passed away earlier this year.