

U.S. District Court Strikes Down Indiana's Ban On Same-Sex Marriage

June 27, 2014 | [Employee Health Issues, Labor And Employment](#)



**Mark D.
Scudder**
Of Counsel

On June 25, 2014, U.S. District Judge Richard Young ruled that Indiana's ban on same-sex marriage violated the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution. Judge Young's decision in *Baskin et al v. Hogan et al* can be found [here](#). Indiana Attorney General Greg Zoeller has requested a stay of Judge Young's decision pending an appeal. In the meantime, local Indiana courts have starting issuing marriage licenses to same-sex couples. Unless Judge Young's decision is stayed or overturned on appeal, Indiana employers will likely need to immediately recognize their employees' same-sex marriages. As discussed in our [earlier blog post](#), the U.S. Department of Labor has already issued proposed regulations that would require employers in states that do not recognize same-sex marriages to grant benefits under the FMLA to these couples. Employers with religious objections to this decision will be carefully watching the Supreme Court's decision in the *Hobby Lobby* case, which is expected on June 30. That decision will address whether for-profit businesses can raise religious exemptions to the Patient Protection and the Affordable Care Act's Contraceptive Mandate. If the Court confirms that for-profit businesses have a constitutional right to the free exercise of religion, such employers could assert religious objections to other laws, including those dealing with same-sex marriage.

RELATED PRACTICE AREAS

Affirmative Action/OFCCP Compliance
Disability, Leave and Medical Issues
Labor and Employment
Workers' Compensation

RELATED TOPICS

Equal Protection Clause
Indiana
samesex marriage