



Press Release

For Immediate Release

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BOLI finds substantial evidence of unlawful discrimination in bakery civil rights complaint

Sweet Cakes complaint will now move into conciliation to determine whether settlement can be reached

Portland, OR—A Gresham bakery violated the civil rights of a same-sex couple when it denied service based on sexual orientation, a Bureau of Labor and Industries (BOLI) investigation has found.

The couple filed the complaint against Sweet Cakes by Melissa under the Oregon Equality Act of 2007, a law that protects the rights of gays, lesbians, bisexual and transgender Oregonians in employment, housing and public places.

Under Oregon law, Oregonians may not be denied service based on sexual orientation or gender identity. The law provides an exemption for religious organizations and schools, but does not allow private business owners to discriminate based on sexual orientation, just as they cannot legally deny service based on race, sex, age, disability or religion.

The investigation concludes that the bakery is not a religious institution under law and that the business' policy of refusing to make same-sex wedding cakes represents unlawful discrimination based on sexual orientation.

With the substantial evidence determination, the complaint now moves into conciliation to see if the parties can reach a settlement. If the parties cannot reach an agreement, the bureau may bring formal charges and move the issue to BOLI's Administrative Prosecution Unit, responsible for processing contested civil rights division cases pursuant to the Administrative Procedures Act (APA) and BOLI contested case hearing rules.

Oregon businesses seeking guidance on the equality act's religious exemptions or other provisions of the law can contact BOLI's technical assistance for employers program at (971) 673-0824.

Public accommodations complaints under the equality act are rare. In every year since the law's passage, public accommodations complaints based on sexual orientation and gender identity have represented less than one percent of all discrimination complaints received by the agency.

BOLI protects all Oregonians from unlawful discrimination, investigating allegations of civil rights violations in workplaces, career schools, housing and public accommodations.

Copies of the complaint are available upon request. For more information about BOLI's efforts to protect workplaces and support Oregon employers, visit <http://www.oregon.gov/BOLI>.

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