



For Immediate Release

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BOLI issues Final Order on Sweet Cakes discrimination case
Respondents may now file an appeal with the Oregon Court of Appeals

Portland, OR—A Gresham bakery that denied service to a same-sex couple must pay \$135,000 in damages, the Bureau of Labor and Industries has ruled.

Under Oregon law, businesses cannot discriminate or refuse service based on sexual orientation, just as they cannot turn customers away because of race, sex, disability, age or religion.

Respondents may now file an appeal with the Oregon Court of Appeal.

The Oregon Equality Act of 2007 includes an exemption for religious organizations and schools, but does not allow private business owners to deny service and unlawfully discriminate against potential customers.

From the Final Order:

“This case is not about a wedding cake or a marriage. It is about a business’s refusal to serve someone because of their sexual orientation. Under Oregon law, that is illegal.

Within Oregon’s public accommodations law is the basic principle of human decency that every person, regardless of their sexual orientation, has the freedom to fully participate in society. The ability to enter public places, to shop, to dine, to move about unfettered by bigotry.”

The BOLI Final Order awards \$60,000 in damages to Laurel Bowman-Cryer and \$75,000 in damages to Rachel Bowman-Cryer for emotional suffering stemming directly from unlawful discrimination. The amounts are damages related to the harm suffered by the Complainants, not fines or civil penalties which are punitive in nature.

The Final Order notes that the non-economic damages are consistent with the agency’s previous orders, such as an earlier ruling against a Bend dentist [In the Matter of Andrew W. Engle](#). In that case, BOLI awarded a Christian employee \$325,000 in damages for physical, mental and emotion suffering due to religious discrimination and harassment.

In public accommodation cases, “the duration of the discrimination does not determine either the degree or duration of the effects of discrimination”, as seen [In the Matter of Westwind Group of Oregon](#), a 1998 case in which a southeast Portland Burger King denied service to a customer based on race.

Copies of the Final Order can be found on the [agency’s website](#).

Complaints under the Oregon Equality Act of 2007 are rare. In fact, the agency has found substantial evidence of violations in only seven investigations of Equality Act accommodations complaints in the seven years since the law took effect.

In each civil rights investigation, the Bureau of Labor and Industries approaches the complaint not with a bias for or against the Complainant, but with a duty to determine the unique set of facts. In the vast majority of all employment, housing and public accommodations complaints filed under the Oregon Equality Act of 2007, BOLI investigators have found that no substantial evidence exists to support charges of discrimination based on sexual orientation or gender identity.

Any Oregon employer seeking to navigate the Oregon Equality Act or other civil rights protections can contact BOLI's Technical Assistance for Employers with questions at (971) 673-0824.

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