Syllabus

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

Syllabus

THOMPSON v. NORTH AMERICAN STAINLESS, LP

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

No. 09-291. Argued December 7, 2010—Decided January 24, 2011

After petitioner Thompson's fiancée, Miriam Regalado, filed a sex discrimination charge with the Equal Employment Opportunity Commission (EEOC) against their employer, respondent North American Stainless (NAS), NAS fired Thompson. He filed his own charge and a subsequent suit under Title VII of the Civil Rights Act, claiming that NAS fired him to retaliate against Regalado for filing her charge. The District Court granted NAS summary judgment on the ground that third-party retaliation claims were not permitted by Title VII, which prohibits discrimination against an employee "because he has made a [Title VII] charge," 42 U. S. C. §2000e–3(a), and which permits, *inter alia*, a "person claiming to be aggrieved . . . by [an] alleged employment practice" to file a civil action, §2000e–5(f)(1). The en banc Sixth Circuit affirmed, reasoning that Thompson was not entitled to sue NAS for retaliation because he had not engaged in any activity protected by the statute.

Held:

- 1. If the facts Thompson alleges are true, his firing by NAS constituted unlawful retaliation. Title VII's antiretaliation provision must be construed to cover a broad range of employer conduct. Burlington N. & S. F. R. Co. v. White, 548 U. S. 53. It prohibits any employer action that "'well might have "dissuaded a reasonable worker from making or supporting a [discrimination] charge,"'' id., at 68. That test must be applied in an objective fashion, to "avoi[d] the uncertainties and unfair discrepancies that can plague a judicial effort to determine a plaintiff's unusual subjective feelings." Id., at 68–69. A reasonable worker obviously might be dissuaded from engaging in protected activity if she knew that her fiancé would be fired. Pp. 2–4.
 - 2. Title VII grants Thompson a cause of action. Pp. 4-7.

Syllabus

- (a) For Title VII standing purposes, the term "person aggrieved" must be construed more narrowly than the outer boundaries of Article III. Dictum in Trafficante v. Metropolitan Life Ins. Co., 409 U.S. 205, suggesting that Title VII's aggrievement requirement reaches as far as Article III permits, is too expansive and the Court declines to follow it. At the other extreme, limiting "person aggrieved" to the person who was the subject of unlawful retaliation is an artificially narrow reading. A common usage of the term "person aggrieved" avoids both of these extremes. The Administrative Procedure Act, which authorizes suit to challenge a federal agency by any "person ... adversely affected or aggrieved ... within the meaning of a relevant statute," 5 U. S. C. §702, establishes a regime under which a plaintiff may not sue unless he "falls within the 'zone of interests' sought to be protected by the statutory provision whose violation forms the legal basis for his complaint," Lujan v. National Wildlife Federation, 497 U.S. 871, 883. Title VII's term "aggrieved" incorporates that test, enabling suit by any plaintiff with an interest "'arguably [sought] to be protected' by the statutes," National Credit Union Admin. v. First Nat. Bank & Trust Co., 522 U.S. 479, 495, while excluding plaintiffs who might technically be injured in an Article III sense but whose interests are unrelated to Title VII's statutory prohibitions. Pp. 4-7.
- (b) Applying that test here, Thompson falls within the zone of interests protected by Title VII. He was an employee of NAS, and Title VII's purpose is to protect employees from their employers' unlawful actions. Moreover, accepting the facts as alleged, Thompson is not an accidental victim of the retaliation. Hurting him was the unlawful act by which NAS punished Regalado. Thus, Thompson is a person aggrieved with standing to sue under Title VII. P. 7.

567 F. 3d 804, reversed and remanded.

SCALIA, J., delivered the opinion of the Court, in which all other Members joined, except KAGAN, J., who took no part in the consideration or decision of the case. GINSBURG, J., filed a concurring opinion, in which BREYER, J., joined.