

Former Postal Carrier Who Lost Job After USPS Refused Religious Accommodation Appeals to Third Circuit

First Liberty attorneys ask court to reverse lower court decision that upheld USPS denial of religious accommodation to practice Sunday Sabbath

Philadelphia, PA—Today, First Liberty Institute, Baker Botts LLP, the Church State Council, the Cornerstone Law Firm, and the Independence Law Center filed an opening brief at the U.S. Court of Appeals for the Third Circuit urging the court to reverse a lower court decision that allowed the United States Postal Service (“USPS”) to force an employee, Gerald Groff, to work on Sundays. Groff lost his job as a postal carrier after the USPS refused to grant him an accommodation for Sunday Sabbath.

You can read the brief [here](#).

“It is unlawful for employers to discriminate against employees on the basis of religion,” said Hiram Sasser, Executive General Counsel at First Liberty. “The USPS should have recognized Gerald’s sincerely held belief that he must observe the Sunday Sabbath and granted him a religious exemption. We must protect the rights of every American to practice their faith without fear of losing their job.”

Gerald Groff was employed by the USPS beginning in 2012 at the Quarryville Post Office in Lancaster County, Pennsylvania, where he eventually became a Rural Carrier Associate. Groff believes he must “[r]emember the Sabbath day, to keep it holy,” and asked for a religious accommodation to observe Sunday Sabbath, which his supervisor initially granted. But when a conflict later arose between Groff’s duties as a mail carrier for USPS and his observance of the Sunday Sabbath, USPS offered only proposals that would still require Groff to work on Sundays and thereby violate his conscience. After losing his job, Groff sued. The district court sided with the USPS, concluding that a reasonable accommodation need not eliminate the conflict between work and religion and that accommodating Groff would pose an undue hardship on USPS.

In its brief, attorneys for Groff, including Aaron Streett of Baker Botts, Alan Reinach of the Church State Council, Randall Wenger of the Independence Law Center, and David Crossett of Cornerstone Law Firm argue, “Title VII required USPS to provide Groff a reasonable accommodation for his observance of the Sunday Sabbath, unless doing so would impose an undue hardship on USPS. In holding that a reasonable accommodation need not eliminate the conflict between work and religion, the district court embraced the wrong side of a circuit split that this Court has not yet considered. Properly understood, Title VII requires that an accommodation eliminate the conflict between work and religion. This conclusion flows from the plain meaning of the word “accommodate,” which conveys the need for effectiveness. A proposed “accommodation” that leaves the religious conflict festering is no accommodation at all.”

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About First Liberty Institute

[First Liberty Institute](#) is a non-profit public interest law firm and the largest legal organization in the nation dedicated exclusively to defending religious freedom for all Americans.

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