

The Faithful Carrier: Restoring Religious Liberty in the Workplace

Lead Counsel for Gerald Groff:

Aaron Streett, Baker Botts, LLP

Other Counsel for Gerald Groff:

Kelly Shackelford, First Liberty Institute
Jeffrey Mateer, First Liberty Institute
Hiram Sasser, First Liberty Institute
David Hacker, First Liberty Institute
Stephanie Taub, First Liberty Institute

J. Mark Little, Baker Botts, LLP
Christopher Tutunjian, Baker Botts, LLP
Alan Reinach, Church State Council
Jonathan Cherne, Church State Council
Randall Wenger, Independence Law Center
Jeremy Samek, Independence Law Center

Facts:

Gerald Groff began working for the United States Postal Service (“USPS”) in 2012 specifically because he could honor the Lord’s Day and have a good career. When Amazon required Sunday delivery for Lancaster County, Pennsylvania in 2015, the USPS gave little choice to its employees. Even though the USPS had been accommodating Gerald’s commitment to honoring the Lord’s Day, Lancaster County’s Quarryville Post Office—located in an area of the country steeped in the religious traditions of the Amish and Mennonites—suddenly ended its accommodation of Gerald’s religious exercise in 2016.

Gerald chose to switch posts, causing him to forfeit all of his seniority and start over at the nearby Holtwood Post Office. But, then that rural Lancaster County post office began to require Sunday delivery. For missing Sundays to honor the Lord’s Day, USPS subjected Gerald to eight separate “pre-disciplinary interviews,” a “Letter of Warning,” and two separate suspensions (totaling 21 days) over the course of two years.

When USPS ended Gerald’s religious accommodation, it subjected him to harsh treatment over his religious beliefs. It assigned more work to Gerald than other carriers, required him to work longer hours on more difficult routes, docked his pay without justification, forced him to deliver mail in severe snowstorms while other carriers stayed at the post office, and mocked him.

After two years of progressive discipline, hostile working conditions, and not knowing if any day was the day he would be terminated, Gerald resigned on January 18, 2019.

Why does this case matter?

- The Supreme Court could restore Title VII’s workplace protections for religious employees to what Congress intended before the Court essentially wrote them out of the statute.
- The way the courts have interpreted Title VII has put those who don’t share a more common religious tradition at a disadvantage. Making sure everyone is treated fairly promotes our nation’s historic commitment to religious diversity.
- Restoring Title VII’s focus on the harm to the business motivates everyone from the boardroom to the mail room to find a solution that works for the business as a whole.
- An America that values religious pluralism should not put religious adherents to the cruel choice of surrendering their religion or their job.

To learn more about Gerald Groff’s case, read legal documents, and access photos/video, please see FaithFulCarrier.com

For media inquiries contact First Liberty Institute at 972-941-4444 or media@firstliberty.org