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HOW THE SUPREME COURT'S EMPLOYMENT DISCRIMINATION CASE IMPACTS YOUR RELIGIOUS LIBERTY RIGHTS AT WORK

Federal law protects you from religious discrimination at work and may entitle you to receive a religious accommodation from your employer. The law, Title VII of the Civil Rights Act, applies to workplaces across the country that have 15 or more employees.

People of faith often need accommodations to be allowed to observe holy days, attend worship services, follow the dress or modesty requirements of their faith, or otherwise not be forced to violate their religious beliefs on the job. Employers are required to give their employees reasonable religious accommodations unless doing so would cause an undue hardship on the business.

In June of 2023, the U.S. Supreme Court unanimously decided a First Liberty case asking the Court to restore religious liberty in the workplace. The Court's decision protected employees of faith.

It explained that the law previously failed to give religious employees the legal protections to which they are entitled: "a bevy of diverse religious organizations has told this Court that the [previous] *de minimis* test has blessed the denial of even minor accommodation in many cases, making it harder for members of minority faiths to enter the job market." The Court struck down the *de minimis* test.

Employers now cannot deny religious accommodations unless they can prove that accommodating their employees would "result in substantial increased costs in relation to the conduct of its particular business."

The Court clarified that courts must take into account the practical impact of the requested accommodation in light of the "size and operating cost" of the employer, meaning that larger businesses will often be required to accommodate employees of faith.

The Court also made clear that an employer may not deny an employee's religious accommodation based on bias or hostility toward the employee's beliefs or religious practices.

Previously, businesses could deny needed accommodations for their religious employees simply by pointing to minor inconveniences or minimal burdens. Today's decision makes it clear that workplaces must provide more meaningful religious accommodations.

Employers across the country should revise their employee handbook and anti-discrimination policies to ensure that they are providing robust protection to their employees of faith in accordance with the Supreme Court's decision.

First Liberty Institute attorneys represented the plaintiff in the Supreme Court case, *Groff v. DeJoy*. Our attorneys are standing by to assist you with questions about protecting religious liberty in the workplace.

First Liberty is your First Call for legal assistance.