

Electronic Alert

Volume 26, Issue 25

June 30, 2023

U.S. Supreme Court Sets New Standard for Evaluating Religious Accommodations

By Chris Morgan & Hannah LaChance

Yesterday, the United States Supreme Court set new standards for the evaluation of religious accommodations in the workplace. Title VII of the Civil Rights Act of 1964 provides that employers must accommodate the “religious observance and practice” of employees and prospective employees unless the employer shows that such accommodation would cause “undue hardship on the conduct of the employer’s business.”

Under the previous standard, an undue hardship was interpreted simply as anything that presented “more than de minimis cost” to the employer. Yesterday’s ruling in *Groff v. DeJoy* set a higher bar. According to the Court, an employer must now provide a religious accommodation unless they can show that doing so would result in “substantial increased costs in relation to the conduct of [the employer’s] business.”

In determining whether an undue hardship exists under the circumstances, the U.S. Supreme Court directs that, from here forward, courts should evaluate “all relevant factors in the case at hand, including the particular accommodations at issue and their practical impact in light of the nature, ‘size, and operating cost of [an] employer.’”

Employers should be aware of this new standard and amend their policies accordingly for purposes of evaluating employee requests for religious accommodations under the ADA.

For questions on religious accommodations or for any other employment matters, contact Chris Morgan at 503-276-2144 or cmorgan@barran.com.