

Balancing Religious Freedom and Workplace Responsibilities: Recent Legal Precedents Shape the Discussion

The law has long struggled navigating workplace requirements, worker rights, and protected religious actions and beliefs. Two recent judicial decisions, *Atkins v. St. Cecila Catholic School* and *Groff v. DeJoy*, have continued that conversation, increasing worker protections. *Atkins* limits the ministerial exception (a constitutional standard used by religious institutions to exercise broad discretion in making employment decisions related to workers performing ministerial functions) and *Groff* raises the bar for a religious accommodation to be considered an undue burden on a company.

***Atkins v. St. Cecila Catholic School*, 90 Cal.App.5th 1328 (2023)**

St. Cecila Catholic School, a school sponsored by the Roman Catholic Church, terminated Frances Atkins, a long-term employee of the school. Atkins claimed that in terminating her, the school illegally discriminated against her based on her age. The key issue was whether Atkins, in her role as an office administrator and art teacher, fell under the ministerial exception—a constitutional doctrine granting religious institutions certain protections when selecting workers who perform vital roles as ministers. One function of the ministerial exception is to bar employment-discrimination suits from workers in ministerial roles because religious organizations have a level of independence concerning “internal management decisions that are essential to the institution’s central mission.”¹ The rationale for the rule is that “members of a religious group put their faith in the hands of their ministers,” so, “requiring a church to accept or retain an unwanted minister, or punishing a church for failing to do so ... deprives the church of control over the selection of those who will personify its beliefs.”²

Here, Atkins, a non-Catholic, nondenominational Christian, had agreed to the school’s policy that she comply with the teachings of the Roman Catholic Church in carrying out her work obligations. The school argued that because the school entrusted Atkins to educate and form students in the Catholic faith, and because she fully embraced that role in her position, the ministerial exception should apply and her employment-discrimination claim should be barred. However, the court found that because her job responsibilities revolved around administrative tasks, and she was not actively engaged in teaching religion or participating in religious services beyond occasional prayers, she was not covered by the ministerial exception and therefore she was permitted to bring her claim for age discrimination against the school. The holding narrowed the scope of the ministerial exception and requires that religious institutions show how the position in question is not “purely secular.”³

***Groff v. DeJoy*, 143 S.Ct. 2279 (2023)**

In *Groff v. DeJoy*, Gerald Groff was a USPS rural carrier associate who, citing his Evangelical Christian beliefs, refused to work on Sundays. USPS policies required workers in Groff’s position to make deliveries on Sundays. While Groff requested a religious accommodation to be

¹¹ *Our Lady of Guadalupe Sch. v. Morrissey-Berru*, 140 S. Ct. 2049, 2060 (2020).

² *Hosanna-Tabor Evangelical Lutheran Church and School v. EEOC* 132 S.Ct. 694 (2012).

³ *Atkins v. St. Cecila Catholic School*, 90 Cal.App.5th 1328 (2023)

free from Sunday work, on many occasions, due to a shortage of carriers, USPS could not cover those shifts, so they rejected his request for accommodation claiming that it would cause an undue hardship for USPS.

Under Title VII of the Civil Rights Act, employers are required to reasonably accommodate employees whose sincerely held religious beliefs or observances conflict with work requirements, unless doing so would create an undue hardship for the employer. In a 1977 case, the Supreme Court held that requiring an employer “to bear more than a de minimis cost in order to give [a religious accommodation] is an undue hardship.”⁴ In *Groff*, rather than overruling this precedent, the U.S. Supreme Court reinterpreted the undue hardship standard. Here, the Court held that undue hardship is shown when a burden is substantial in the overall context of an employer’s business. This is a significant change from the interpretation the U.S. Equal Employment Opportunity Commission and courts have stated, and on which employers have relied, for years and requires a more granular analysis of religious accommodation requests.

The Court emphasized that employers faced with accommodation requests, like Groff’s, must delve deeper into exploring alternatives beyond a simple assessment of inconvenience or additional cost. In Groff’s situation, this might include considering alternatives such as voluntary shift swapping, thereby potentially mitigating the claimed undue hardship.

Religious Protection in the Workplace: A Balancing Act

Both of these cases increase employee rights and protections. They reinforce the need for a nuanced consideration of employee duties, the depth of their involvement in religious activities, and the necessity of providing religious accommodations.

The rulings in these cases serve as guideposts for employers navigating religious accommodation requests and underscore the importance of conducting thorough assessments to determine whether a requested accommodation would cause the employer undue hardship. Additionally, they underline the need to balance the boundaries between an individual’s religious practices and the operational necessities of a business.

The lawyers at Palmer Kazanjian are ready and able to answer your legal questions, recommend best practices, and help your business comply with these new requirements.

⁴ *TWA v. Hardison*, 432 U.S. 63 (1977)