



Employee Who Refused TB Skin Test Pursues Religious Discrimination Lawsuit

Publication

5.31.06

The U.S. District Court of the District of Columbia has allowed a hospital employee who refused to take a tuberculosis (TB) test on religious grounds to proceed with her discrimination claim. Federal law requires reasonable accommodation of "any bona fide religious belief conflicting with an employment requirement, unless doing so would cause the employer undue hardship." Even under the broader protection of federal law, employers are not required to bear more than minimal costs in responding to employees' requests for accommodation of their religious belief. This is not the same level of accommodation that can be required under the Americans with Disabilities Act.

This case illustrates the need to carefully consider such requests; however, taking into account state and local laws, as well as federal law. Among other things, the hospital's analysis should include considering whether a court or the EEOC will even regard the request as grounded in a religious belief or practice. As this case makes clear, giving such requests short shrift can prove very costly.

This article appeared in the May 31, 2006 issue of Louisiana Hospital Association's *Impact Lawbrief*.

Related People



A. Kevin Troutman

Senior Counsel

713.292.5602

Email

