

Attorneys React To High Court's EEOC v. Abercrombie Ruling

News

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Andrew Hoag was quoted in the *Law360* on June 2, 2015. The article “Attorneys React To High Court's EEOC v. Abercrombie Ruling” provided attorneys' reaction to the Supreme Court's decision announced Monday in favor of a job applicant rejected by Abercrombie & Fitch Co.

Andrew was quoted on the significance of this decision.

“The court’s decision provides a self-proclaimed 'straightforward' rule — 'An employer may not make an applicant’s religious practice, confirmed or otherwise, a factor in employment decisions' — the practical application of which is anything but straightforward. Since an applicant need only show that his or her religion was a motivating factor in an employer’s decision not to hire him or her, employers face a practical paradox: Employers may face liability for failure to accommodate a religious practice — even if they do not have knowledge of the religious practice — but employers are prohibited from inquiring about religious practices. So even where an employer has no knowledge that an employee had a religious practice, failure to hire her might be motivated by her religious practice? Yes.”

To read the full article, please visit [Law360](#).

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Andrew J. Hoag
Partner
213.330.4451
[Email](#)