

Case Puts Burden on Employers to Accommodate Religious Beliefs

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Michelle Anderson's article "Case Puts Burden on Employers to Accommodate Religious Beliefs" was featured in *New Orleans CityBusiness* on June 10, 2015.

In an 8 to 1 opinion, the U.S. Supreme Court held that Abercrombie & Fitch Stores, Inc. is liable for refusing to hire an applicant who wore a hijab for religious reasons despite the fact that she never informed Abercrombie why she was wearing the head scarf.

In the article, Michelle discusses the Supreme Court of the United States decision in the case of *EEOC vs. Abercrombie & Fitch*.

The Court's opinion establishes that the test now facing employers is straightforward. But while the test itself may be straightforward, its implications on hiring are not. The Court's holding places the onus on employers to speculate whether potentially religious dress or other religious practices are, in fact, religious practices requiring accommodation. Employers must now take second-hand information (or intuition) regarding applicant or employee religious observances and practices into account for fear of running afoul of Title VII. The Court did not provide a bright line test for what constitutes sufficient information regarding a prospective or current employee's religious practices to constitute knowledge sufficient to require accommodation.

Michelle recommends that employers maintain a heightened awareness of potential Title VII claims. She advises that they proactively train their supervisors to recognize potential religious beliefs and observances that might require accommodation.

Please visit [*New Orleans CityBusiness*](#) to read the full article. [subscription required]

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