

The Workplace Religious Freedom Act (WRFA)

- Since 1964, the Civil Rights Act has required employers to provide a reasonable accommodation for their employees' religious beliefs, practices, or observances unless it would pose an "undue hardship."
- The Workplace Religious Freedom Act (WRFA) is necessary because ***the exception has swallowed the rule***. The Supreme Court held in 1977 that "more than a de minimis cost...is an undue hardship" and courts have since said that even the "mere possibility of an adverse impact...is sufficient to constitute an undue burden."
- Human resources experts advise employers that this standard is very easy to meet and is much lower than the reasonable accommodation standard under the Americans with Disabilities Act (ADA).
- This means that ***for more than 30 years, Americans have often had to choose between practicing their religion and keeping their jobs***.
- Senators Kerry and Hatch are introducing WRFA to begin restoring protection for religious freedom in the workplace. This first step addresses the three most common workplace religious freedom issues – scheduling, apparel, and grooming.
- The bill defines an undue hardship as significant difficulty or expense in light of the factors outlined in the ADA. This standard strikes a more appropriate balance between employees and employers and between the Civil Rights Act and the ADA.
- Senators Kerry and Hatch see this as a first step toward comprehensive protection of workplace religious freedom. The bill's findings state that its focus on scheduling, apparel, and grooming "does not represent a determination that other religious accommodation requests do not deserve similar attention and future resolution by Congress. ***This is the beginning, not the end.***"
- A broad coalition of religious, workplace, and civil rights organizations support this bill. Senators Kerry and Hatch hope that you will join them in taking this important step for religious freedom in the workplace.
- If you have any questions, please contact Alex Nunez on Senator Kerry's staff at alexandra_nunez@kerry.senate.gov or 202-224-2742 or Tom Jipping on Senator Hatch's staff at tom_jipping@judiciary-rep.senate.gov or 202-224-5251.

Organizations Supporting the Workplace Religious Freedom Act

- Agudath Israel of America
- American Civil Liberties Union
- American Islamic Congress
- American Jewish Committee
- American Jewish Congress
- American Values Network
- Americans United for the Separation of Church and State
- Anti-Defamation League
- Baptist Joint Committee for Religious Liberty
- B'nai B'rith International
- Center for Islamic Pluralism
- Central Conference of American Rabbis
- Church of Scientology International
- Disciples of Christ
- General Board of Church and Society of The United Methodist Church
- General Conference of Seventh-day Adventists
- Hindu American Foundation
- Human Rights Campaign
- Institute on Religion and Public Policy
- Interfaith Alliance
- Jewish Council for Public Affairs
- NA'AMAT USA
- National Council of Jewish Women
- National Jewish Democratic Council
- North American Religious Liberty Association
- Rabbinic Assembly
- Rabbinical Council of America
- Religious Action Center of Reform Judaism
- Religious Society of Friends
- Sikh American Legal Defense Education Fund
- Sikh Coalition
- Sikh Council on Religion and Education
- South Asian Americans Leading Together (SAALT)
- Union of Orthodox Jewish Congregations
- Union for Reform Judaism
- Unitarian Universalists
- United Synagogue of Conservative Judaism
- United Sikhs