

Law360 Quotes Partner Barbara E. Hoey on the Supreme Court's EEOC v. Abercrombie Ruling

June 1, 2015

Partner [Barbara E. Hoey](#) provided comments to *Law360* in response to the U.S. Supreme Court's ruling in *EEOC v. Abercrombie & Fitch Stores Inc.* The court found that a job applicant only has to show that his or her need for a religious accommodation was a motivating factor in a challenged employment decision – not that the employer had knowledge of the need – in order for a disparate treatment claim to prevail. Ms. Hoey says:

“'Motive matters' is today's motto. The Supreme Court once again reiterated that employees' religious practices are entitled to 'favored' treatment, and an employer must accommodate those practices — whether 'confirmed or otherwise' — when making employment decisions. In other words, whether based on actual request or 'suspicion,' an employer cannot be motivated by a desire not to accommodate a religious practice when it makes a hiring decision. This does not make new law, but given the millions of people in this country who practice various religions, it does confirm that this is an obligation which employers must take seriously.”

To read the full article, please click [here](#). Access may require subscription.