

Religion in the Workplace Under the Trump EEOC

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On September 15, 2025, the U.S. Equal Employment Opportunity Commission (EEOC) entered into a settlement with P. F. Chang's following a former job applicant's claim that he was not hired due to a religious accommodation request that he be exempted from working Sunday shifts, in violation of Title VII. The settlement includes, among other things, that P. F. Chang's will pay the applicant \$80,000, update its employment policies, and provide required training to staff and managers.

What does this settlement mean, not just for P. F. Chang's, but for other employers with weekend and Sunday operations?

The EEOC settlement comes at a time when the Trump administration and Supreme Court continue to promote religious freedom, with a particular focus on "eradicating anti-Christian bias[.]" See [President Donald Trump's Action Eradicating Anti-Christian Bias](#). This article discusses the reaction by the courts and the Trump administration to claims for religious accommodations, and the administration's enforcement of those obligations going forward.

Groff v. DeJoy

In June 2023 the Supreme Court issued its ruling in *Groff v. DeJoy*, which modified the legal standard courts must use to determine whether an employer has to grant a religious accommodation. Previously, courts applied a "de minimis cost" standard in deciding whether an employer's refusal to grant a religious accommodation violated federal law. In *Groff*, the court rejected the "de minimis cost" standard in favor of a much higher "undue hardship" standard. Employers are now required to demonstrate that a religious accommodation is a substantial burden in the overall context of the employer's business to deny the accommodation request.

For more information about the *Groff* decision and immediate recommendations for employers, please see our previous article [here](#).

Judicial Response to *Groff*

Since the Supreme Court's decision in *Groff*, the new religious accommodation standard has been cited by state and federal courts nearly 500 times. Lower courts have been tasked with analyzing whether a religious accommodation constitutes an "undue burden" in various contexts, including vaccine mandates, religious speech, and different exemptions from work duties, with mixed results. We have outlined some of the results from different circuit courts:

- **In the vaccine context**, three recent circuit court decisions upheld denials of religious accommodations for overlapping reasons. The Second Circuit found that violating state law to accommodate a religious request constituted an undue hardship. *Braccia v. Northwell Health Sys.*, 2025 U.S. App. LEXIS 23365 (2d Cir. 2025). The Sixth Circuit found that health and safety as well as time spent away from work constituted undue hardship. *Henry v. S. Ohio Med. Ctr.*, 2025 U.S. App. LEXIS 23487 (6th Cir. 2025). The Ninth Circuit found that a combination of a

variety of factors to accommodate a religious request constituted an undue hardship, including risk to health and safety, risk to business operation and costs, and risk of future liability. *Petersen v. Snohomish Reg'l Fire & Rescue*, 2025 U.S. App. LEXIS 22477 (9th Cir. 2025).

- **In the context of religious speech outside of the workplace**, the Eight Circuit allowed a religious accommodation claim to proceed to trial where a jail administrator posted online about a religious war that the “Muslim people would perpetrate against Christian and Jewish people[.]” The court said a genuine issue of material fact existed whether continuing to employ the administrator constituted an undue hardship. *Naylor v. Cnty. of Muscatine*, 2025 U.S. App. LEXIS 21088 (8th Cir. 2025).
- **In the context of religious speech inside the workplace**, the Seventh Circuit permitted a teacher’s religious accommodation claim to proceed where the teacher requested an accommodation to call students by their last names because he found identifying a transgender student by a name contrary to their biological sex a sin. The court denied the school’s motion for summary judgment that the teacher’s accommodation request constituted an undue hardship. *Kluge v. Brownsburg Cmty. Sch. Corp.*, 2025 U.S. App. LEXIS 19662 (7th Cir. 2025).

The fallout from *Groff* is still being tested in courts throughout the country. However, the sheer number of cases in the last two years demonstrates that issues surrounding religious discrimination and accommodations in the workplace are not going away anytime soon.

The EEOC and P. F. Chang’s

In addition to the increase in litigation, the EEOC has increased its pursuit and enforcement of claims regarding discrimination because of religion.

In the P. F. Chang’s matter, a job applicant interviewed at one of P. F. Chang’s locations in Birmingham, Alabama, and asked during the interview that he be exempted from work on Sundays due to his religion. When the applicant found out he was not hired for the job, he suspected it was his Sunday-off request, and filed a charge with the EEOC claiming that P. F. Chang’s failure to provide a religious accommodation violated Title VII. The EEOC investigated the applicant’s claim and concluded that the business’ failure to accommodate the applicant did violate his rights.

The EEOC and P. F. Chang’s entered into a pursuit conciliation deal after the agency’s investigation. Without admitting liability, the restaurant chain did agree to a number of concessions. First, the amount of money (\$80,000) is significant for a waiter position. Also, in addition to the money, the settlement included requirements to revise workplace policies surrounding religious accommodations, provide training to employees about their rights to receive religious accommodations and the business’ obligations to grant religious accommodations, and post notices regarding the resolution of this matter and laws enforced by the EEOC.

In other words, P. F. Chang’s now has to tell all of their staff that they too can request a Sunday accommodation, if they follow a religion which recognizes Sunday as the Sabbath. This could clearly present a challenge for the business, as it tries to juggle future accommodation requests, but still provide sufficient staff on Sunday.

Other EEOC Enforcement

The P. F. Chang’s resolution is just one of several religious discrimination matters that the EEOC has published. Consistent with the purported goals of the Trump administration, since August, the EEOC has issued six press releases about discrimination charges or resolutions related to religious

discrimination.

In addition to the P. F. Chang's settlement, the EEOC has promoted:

- An August 1 charge of discrimination against an Illinois hospital for the failure to provide reasonable religious accommodations for employees who requested to be exempt from receiving the COVID vaccine.
- An August 4 settlement with a dental company in North Carolina where an employee claimed her religious accommodation to wear scrub skirts instead of scrub pants was unlawfully denied.
- An August 13 settlement with a health care system operating hospital in Illinois and Wisconsin relating to a vaccine mandate issue for more than \$1 million in monetary relief.
- An August 20 settlement with a Washington-based staffing and recruiting agency for over \$200,000 where the agency denied a religious accommodation request to attend Friday prayer.
- An August 25 settlement with Buffalo Wild Wings over the refusal to hire a candidate after the candidate requested to wear different clothing due to the candidate's religious beliefs.

Significance and Recommendations for Businesses

The executive and judicial scrutiny over religious accommodations in employment pose substantial risks for employers. Even if a settlement is reached, such as the EEOC settlement with P. F. Chang's, the EEOC maintains its independent authority to investigate and pursue actions against systemic discrimination because of religion.

Employers must review and update any policies regarding religious accommodations and processes for reviewing requests for religious accommodations. Other recommendations include:

- Thoroughly document religious accommodation requests;
- Detail the impact related to the particular business or industry;
- Lay out reason(s) for acceptance or denial of religious accommodation requests; and
- Consider including your accounting or finance department, where applicable, to document the specific costs associated with each request.

Indeed, while accommodation requests must be reasonable, if a request is denied – especially if this denial results in discipline or denial of a job – the employer should be very careful to note why the request was going to cause it substantial harm in costs or to its operations.

If you have any questions concerning religious accommodations under federal, state, or local law, please contact your usual counsel at Kelley Drye, or a member of our Labor and Employment team.