

UPS' Employment Policies Come Under Scrutiny, Again

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Last week, the Equal Employment Opportunity Commission (EEOC) filed a class action lawsuit against the United Parcel Service (UPS), claiming that the company had repeatedly failed to accommodate certain religious beliefs. Specifically, the complaint alleges that since 2004, UPS has refused to hire or promote certain individuals whose religious practices conflicted with the company's dress code. Under UPS' dress policy, male employees who either have a supervisory position or who have customer contact are not allowed wear beards or grow their hair below their collars. The EEOC asserts that this policy resulted in individuals who grew their hair or beards long for religious purposes being passed over for jobs and promotions. One example of this practice, according to the EEOC, involved a Muslim man who wore a beard in observance of his religion. When the man applied to work as a UPS driver helper, it was expressed to him that he either needed to shave his beard or apply for a lower paying position. The man was also purportedly told that "God would understand" if he shaved his beard to get a job. In its complaint, the EEOC claims that UPS' policies violated Title VII of the Civil Right Act of 1964. Title VII not only precludes discrimination against employees for their religious beliefs, but it also requires employers to reasonably accommodate such beliefs unless doing so would impose an undue hardship. The EEOC claims that UPS would not have faced an undue hardship by exempting individuals who wore long hair or beards for religious purposes from the company's dress policies. The EEOC now seeks modification of UPS' policies and practices. In addition, it seeks lost wages, as well as compensatory and punitive damages. This lawsuit is entitled *EEOC v. United Parcel Service*; Civil Action No. 1:15-cv-04141.

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