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## United States Senate

COMMITTEE ON HEALTH, EDUCATION,  
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

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July 13, 2023

### VIA ELECTRONIC TRANSMISSION

The Honorable Charlotte A. Burrows  
Chair  
Equal Employment Opportunity Commission

Dear Chair Burrows:

On June 29, 2023, the United States Supreme Court unanimously ruled in *Groff v. DeJoy* that, for a religious accommodation to pose an undue burden under Title VII of the Civil Rights Act of 1964 (“Title VII”), an employer must demonstrate the accommodation would impose “substantial increased costs in relation to the conduct of its particular business.”<sup>1</sup> Though an employer is already prohibited from discriminating on the basis of religion, the Court’s ruling will extend greater legal protections to employees requesting religious accommodations in the workplace.

The Equal Employment Opportunity Commission (EEOC)’s duties, in addition to enforcing Title VII, include providing guidance so that employers and stakeholders can comply with their nondiscrimination obligations. As such, it is the responsibility of the EEOC to ensure employers are afforded clear guidance and a thorough understanding of their legal obligations when addressing requests from employees for religious accommodations.

Therefore, I request that you provide answers to the following questions, on a question-by-question basis, by **July 27, 2023**.

1. In light of this decision, does the EEOC plan to issue updated technical assistance, policy guidance, or other types of memoranda for employers?
  - a) If so, please produce copies of any and all such documents to the Committee.
  - b) Will these be subject to a vote by EEOC commissioners?
  - c) If not, why not? If so, when does the EEOC plan to schedule this vote?
2. How does the EEOC plan to comply with the standard in regards to pending or future cases regarding religious accommodation?

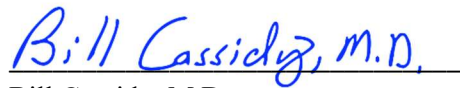
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<sup>1</sup> [https://www.supremecourt.gov/opinions/22pdf/22-174\\_k536.pdf](https://www.supremecourt.gov/opinions/22pdf/22-174_k536.pdf)

3. When will the Commission be updating its public facing Section 12 document, entitled “Religious Discrimination” and “Questions and Answers: Religious Discrimination in the Workplace”?<sup>2,3</sup>
4. How does the EEOC plan to equally enforce this ruling and ensure employees requesting religious accommodations are protected?

Thank you for your prompt attention to this important matter.

Sincerely,

A handwritten signature in blue ink that reads "Bill Cassidy, M.D." with a horizontal line underneath.

Bill Cassidy, M.D.  
Ranking Member  
Senate HELP Committee

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<sup>2</sup> <https://www.eeoc.gov/laws/guidance/section-12-religious-discrimination>

<sup>3</sup> <https://www.eeoc.gov/laws/guidance/questions-and-answers-religious-discrimination-workplace>