

Amendment To The Illinois Human Rights Act's Protects "Religious Garb" In The Workplace

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The Illinois Human Rights Act (IHRA) was recently amended to clarify an employer's obligations to accommodate an employee's sincerely held religious beliefs. The IHRA now limits employers from implementing requirements or prohibitions on clothing or facial hair that interferes with an employee's sincerely held religious beliefs. For example, an employer cannot require an employee to wear a uniform if it would conflict with a religious belief, or an employer cannot require an employee to be clean shaven or limit the length of facial hair if it would conflict with a religious belief, unless to do so would be unreasonable or create an undue hardship on the employer's business. This accommodation requirement is similar to an employer's responsibilities in accommodating disabilities. There are also some exceptions for dress code or grooming policies that are required for safety and food sanitation purposes. Practically speaking, the requirements of this amendment are not all that different from the existing requirements under federal law but they will enable employees in Illinois to bring discrimination claims under Illinois law. As a result, employers should review their dress code and accommodation practices and policies to ensure compliance with both Illinois and federal law.

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