

# New IHRA Amendment on Religious Accommodations: What Does It Mean for Illinois Employers?

August 31, 2017

A recent amendment (Public Act 100-0100) to the Illinois Human Rights Act (IHRA) makes clear that employers in Illinois may have dress codes or grooming policies for the purposes of maintaining workplace safety or food sanitation.

A [recent amendment \(Public Act 100-0100\)](#) to the Illinois Human Rights Act (IHRA) makes clear that employers in Illinois may have dress codes or grooming policies for the purposes of maintaining workplace safety or food sanitation. The law also specifies that an employer must reasonably accommodate an employee's or applicant's "sincerely held religious belief, practice, or observance" including "the wearing of any attire, clothing, or facial hair in accordance with the requirements of his or her religion."

Though Public Act 100-0100 is known as the "Religious Garb Law" and specifically addresses the wearing of religious attire, it does not appear to impose any new obligations on employers. Both the IHRA and Title VII of the Civil Rights Act of 1964 already require employers to reasonably accommodate employees' sincerely held religious beliefs—which include clothing and grooming practices that employees follow in accordance with the requirements of their religions—unless doing so would impose an undue hardship on the employers' businesses. The amendment is also consistent with the U.S. Equal Employment Opportunity Commission's [view](#) that "safety, security, or health may justify denying [an] accommodation . . . only if the accommodation would actually pose an undue hardship."

This amendment further clarifies for employers the IHRA's protections for religious practices. To mitigate the risk of discrimination claims, and to foster diversity and inclusion in the workplace, employers may want to review dress codes and grooming policies to make sure they are up-to-date and narrowly tailored to serve permitted purposes, including workplace safety and food sanitation, and to ensure compliant and effective practices for addressing requests for religious accommodation.

## TOPICS

Employment Law, Illinois, Leaves of Absence, State Developments