

FedEx Employee Vindicated in Religious Discrimination Suit

Eric Weathers was just trying to answer a few of his coworker's questions about the Bible. But the Chicago FedEx employee's boss told him that discussions about religion and politics were "forbidden in the workplace."

When the boss refused to tell Weathers why, the Christian employee asked a human resources representative for an explanation. The response: His speech was an "act detrimental to the company"—a designation given to sexual harassment, possession of illegal drugs or weapons in the workplace, theft, workplace violence and other egregious acts.

Then, in a reported act of hypocrisy, Weathers' boss engaged in **religious speech** two weeks after she banned him from discussing the Bible. The supervisor first ordered him to define the term *atheism* and later sent him an email stating, "The man upstairs is watching..." The e-mail included a picture of a Baptist church marquee that stated, "God has seen your [business report] numbers. You're going to hell!"

In response to the **workplace persecution**, the Alliance Defense Fund (ADF) filed a case against FedEx on Weathers' behalf. Weathers won the case.

U.S. District Judge Edmond E. Chang denied FedEx's motion for summary judgment in January after finding "enough evidence ... for a reasonable jury to find that Weathers suffered the requisite significant negative alteration in the workplace" to constitute an "adverse employment action" as a result of FedEx's failure to accommodate his religion.

"Weathers' superiors told him that he could not discuss religion, even if asked, and he was told that he must affirmatively misrepresent his college degree," wrote Judge

Chang. Weathers holds a bachelor's degree in Bible and youth ministry from The Master's College, and is pursuing his Master's of Divinity from The Master's Seminary.

"FedEx supervisors tied Weathers' hands (more precisely, his tongue) on a topic of great importance to him, and did not bother to respond to his request for an accommodation," Chang wrote. "Title VII's definitional section provides that a failure to accommodate a religious practice is indeed a form of discrimination based on religion."