

Supreme Court Declines to Revisit “Undue Hardship” Standard in Religious Accommodations Cases

On October 5, 2026, the Supreme Court of the United States denied a request by a group of Washington firefighters for further clarification as to whether employers accused of illegally denying religious accommodations pursuant to Title VII of the Civil Rights Act (“Title VII”) must show that the requested workplace adjustments present an actual hardship. *Petersen et al. v. Snohomish Regional Fire & Rescue et al.*, No. 25-1210. The Court’s denial of the petition for *certiorari* signals a vote of confidence from the Justices in their landmark 2023 *Groff v. DeJoy* decision, 600 U.S. 447 (2023), which heightened the previous “*de minimis*” standard for employers’ showing of undue hardship in cases of denied religious accommodations requests.

Religious Accommodations and Undue Hardship

Title VII requires employers to grant an employee’s reasonable accommodation request—that is, a request for a workplace modification that enables him or her to perform the essential function of the job and enjoy equal employment opportunities—on the basis of a sincerely held religious belief so long as:

- The requested or similar accommodation addresses the employee’s need or circumstance;
- The employee would still be able to perform his or her essential job functions;
- The accommodation would not pose an undue hardship on the employer or a direct threat to the employee or others; and
- The employee has provided appropriate documentation.

The Court’s 2023 [opinion](#) in *Groff v. DeJoy*—and decision not to revisit it this year—relate to the standard for an employer’s proof that a religious accommodation request would create an “undue hardship.” In *Groff*, the Court unanimously held that an employer that denies a religious accommodation request must show that the burden of granting the accommodation would result in substantial increased costs in relation to the conduct of its particular business. *Groff* heightened the standard of proof for employers, which previously only required a showing that the denied accommodation would have a more than “*de minimis*,” or minimal, burden on the employer. In so holding, the Court noted that previous cases considering the issue did not present the question of when increased costs amounted to undue hardship. The Court also expressed that the impact of an accommodation on coworkers could be considered in the evaluation of an undue hardship, but not if that “impact” was due to a coworker’s dislike for religion being practiced or expressed in the workplace.

Petersen v. Snohomish Regional Fire and Rescue: A Showing of Actual Hardship?

Even before the *Groff* decision was issued, a group of firefighters in Washington filed suit in November 2022, alleging that Defendant Snohomish Regional Fire and Rescue illegally discriminated against them by denying their religious accommodations requests in connection with an August 2021 COVID-19 vaccination mandate for healthcare workers. The District Court granted summary judgment in favor of Snohomish Regional Fire and Rescue, finding that the requested accommodations would constitute a substantial, and therefore undue, hardship. The [Ninth Circuit affirmed](#), finding that the un rebutted evidence overwhelmingly showed that Defendants would have faced significant costs associated with health and safety risks, as well as operational and financial burdens, if they had exempted Plaintiffs from the vaccination requirement as requested in 2021.

In their petition for *certiorari* to the Supreme Court, Plaintiff firefighters argued that the Ninth Circuit's opinion created a split across circuits on how to evaluate costs. They specifically asserted that the Ninth Circuit had erroneously turned its decision on the fact that that Snohomish Regional Fire and Rescue had a "reasonable basis" for believing a potential accommodation would create an undue hardship. Instead, Plaintiffs suggested that the standard should be whether the requested accommodation "actually imposed" an undue hardship on the employer. Defendants argued that Plaintiffs misinterpreted the Ninth Circuit's decision, which considered objective medical evidence as to the significant costs the exemptions would impose on the employer.

As is customary, the Supreme Court did not issue a decision in connection with its order denying *certiorari* of *Petersen*. Nonetheless, a decision not to reconsider or clarify a recent, notable decision like *Groff v. DeJoy* suggests that the Court views the standard as clearly articulated in its previous opinion.

Key Takeaways

In practice, the Supreme Court's decision not to review the Ninth Circuit's *Petersen* decision merely reinforces the status quo and imposes no "new" or changed obligation on employers, particularly for New York State and New York City employers, who already face heightened compliance standards because of New York State and City Human Rights Laws. The Court's signal nonetheless reaffirms the standard set forth in *Groff v. DeJoy* and reminds employers that their religious accommodations practices should comply with that standard. Employers should revisit internal policies to ensure that:

- Where company policy defines "undue hardship," it should at least be defined as "substantial increased costs in relation to the conduct of its particular business";
- Determinations of "undue hardship" envision evaluation in the context of the employer's particular business and any effects on coworkers and other employees, but not where those effects are due to another employee's dislike for the practice of religion or of a certain religion;
- Any decision to deny a religious accommodations request on the basis of "undue hardship" is adequately documented, including documentation of any and all evidence demonstrating the substantial increased costs to and other burdens on the employer in connection with granting the request.

Please contact the firm if you have specific questions about how the information in this alert may apply to your business operations and workplace policies.

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