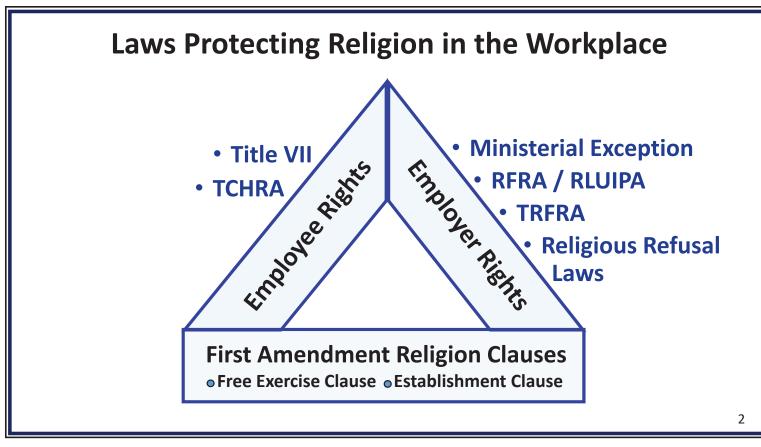
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| | Religi | ous Freedom in the Workplace |
| | Balar | ncing Employee and Employer Rights and Duties |
| | | University of Texas School of Law 26 th Annual Labor and Employment Law Conference May 9-10, 2019 |
| | | B. Lee Crawford Jr. City of Austin Law Department |
| EEOC Charges – Religious Discrimination 1998-2018 | | |
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I. Constitutional Foundations of Religious Protection The Free Exercise Clause – Key Supreme Court Cases Sherbert v. Verner (1963) [p.2] A law that burdens an individual's religion must (1) further a compelling state interest, (2) in the least restrictive manner possible Employment Div. v. Smith (1990) [p.3] Free Exercise Clause creates no right to exemption from "neutral and generally applicable" laws Church of the Lukumi Babalu v. City of Hialeah (1993) [p.4] Local ordinances that applied only to a specific religious practice – not "generally applicable"

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