

Mining Giant Newmont Corporation Sued in CO for Religious Discrimination

Suit Alleges Newmont Discriminated against Director by Denying his Request for a Religious Accommodation to its Vaccine Mandate and then Firing Him

DENVER, COLO, USA, November 15, 2023 /EINPresswire.com/ -- A lawsuit filed this week charges Newmont Corporation, a massive mineral mining corporation, with religious discrimination in violation of Title VII of the Civil Rights Act of 1964.

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This follows a lawsuit in which 10 former employees at Newmont’s mine near Victor, CO allege religious discrimination by terminating their employment when they did not receive the vaccine.”

Attorney Steven Murray

Newmont denied Tavis Rogers, a former Project Director, his lawful request for a religious accommodation to its Newmont’s COVID-19 vaccine mandate and then terminated his employment when he did not receive the vaccine, according to his lawsuit filed on November 7, 2023, in the U.S. District Court for the District of Colorado.

The lawsuit, filed by Denver-based attorney Steven Murray,

[1:23-cv-02950], alleges Newmont also unlawfully discriminated against Rogers by repeatedly probing the details of his sincerely held religious faith and denied his request for a reasonable accommodation without showing it would suffer an undue burden.

Rogers’ lawsuit follows a pending religious discrimination lawsuit [1:23-cv-00890-RM-MDB], filed by Murray in April of 2023, against Newmont in the U.S. District Court for the District of Colorado in which ten former employees working at Newmont’s mine near Victor, Colorado, allege Newmont engaged in religious discrimination by denying their requests for accommodations and then terminating their employment when they did not receive the vaccine.

According to Rogers’ lawsuit, Newmont announced its vaccine mandate on November 2, 2021, requiring all employees to be fully vaccinated by January 1, 2022. Rogers filed his lawful request for a religious accommodation to the vaccine requirement and repeatedly explained that his bona fide, sincerely held religious beliefs prohibited him from taking the vaccine.

Newmont denied Roger’s accommodation request on January 2, 2022, and terminated his employment effective on January 31, 2022.

The lawsuit alleges Newmont would have suffered no undue burden if it had granted the accommodation because Rogers would have continued working in the same manner as before he requested the vaccine - he was working remotely before the vaccine mandate and performing his duties successfully, and he would have worked under the same conditions if he had been granted the accommodation.

Newmont did not offer Rogers any alternatives to taking the vaccine, including wearing a mask, self-monitoring for symptoms, voluntary reporting of potential symptoms, reasonable testing requirements, and scanning for temperature at the worksite.

Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on religion. Unlawful discrimination includes an employer's refusal to accommodate an employee's sincerely held religious beliefs unless the accommodation would impose an undue hardship.

"Title VII broadly defines religion as protecting sincerely held religious beliefs, practices, and observances. The law does not require an employee's religious beliefs to receive an employer's approval in considering their accommodation requests," said Steven Murray, Rogers' attorney.

Murray explained a recent unanimous decision by the Supreme Court of the United States supports Rogers' claims because the Court increased the employer's burden to deny an accommodation under Title VII. Now, an employer must show that the burden of granting an accommodation would result in substantially increased costs in relation to the conduct of its particular business. The case is *Groff v. DeJoy*, issued on June 29, 2023.

Rogers requests a jury trial and seeks back pay, compensatory damages, punitive damages, and other relief.

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