

Mining Giant Newmont Corp Sued by Former VP For Religious Discrimination

Sr. Executive Alleges Discrimination by Denying his Request for a Religious Accommodation to Vaccine Mandate, Requiring Him to Support Mandate, and Firing Him

DENVER, CO, UNITED STATES, December 29, 2023 /EINPresswire.com/ -- A federal lawsuit charges

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Title VII is clear: an employer is prohibited from retaliating against an employee who opposes workplace requirements that he believes are discriminatory.”

Steven Murray, Janney's attorney

Newmont Corporation, a massive mineral mining corporation based in Colorado, with religious discrimination and retaliation in violation of Title VII of the Civil Rights Act of 1964.

Newmont denied Dan Janney, the former Vice President for North America, his lawful request for a religious accommodation to its COVID-19 vaccine mandate and then terminated his employment when he did not receive the vaccine, according to his lawsuit filed on December 21, 2023, in the U.S. District Court for the District of Colorado.

The lawsuit [1:23-cv-03392], filed by Denver-based attorney Steven Murray, alleges Newmont also unlawfully discriminated against Janney by requiring him to “strongly encourage” other Newmont employees to take the vaccine and strongly express support for the vaccine mandate. When Janney opposed these requirements, Newmont denied his accommodation request and terminated his employment.

Janney asserts claims of unlawful religious discrimination and retaliation.

Janney further alleges Newmont’s denial of his accommodation and ultimate termination were retaliation for his opposition to requirements he viewed as discriminatory: that he strongly encourage other employees to take the vaccine, express support for the vaccine mandate, and take the vaccine.

Janney contends Newmont terminated him just eight months before he would have vested in his pension.

Newmont did not offer Janney 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.

Newmont denied Janney's accommodation request on August 2, 2021, and terminated his employment just two days later August 4, 2021.

Janney was an internationally recognized executive leader in the mining industry. Newmont recognized Janney as among their top fifteen leaders and a member of their senior executive group. In 2021, Janney's total annual compensation was approximately \$1.08 million.

Janney's lawsuit follows two pending religious discrimination lawsuits against Newmont in the U.S. District Court for the District of Colorado filed by Murray.

On November 2, 2023, Tavis Roger, a former Director, sued Newmont for religious discrimination because it denied his request for a religious accommodation to the vaccine and terminated his employment when he did not take the vaccine.

In April of 2023, ten former employees working at Newmont's mine near Victor, Colorado, alleged Newmont engaged in religious discrimination and retaliated by denying their requests for accommodations and then terminating their employment when they did not receive the vaccine.

Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on religion and retaliation because an employee opposes practices that he believes are discriminatory.

"Title VII proves clear protection against religious discrimination: the law requires an employer to reasonably accommodate an employee asserting sincerely held religious beliefs conflicting with a work requirement unless providing the accommodation would create an undue hardship," said Steven Murray, Janney's attorney.

Janney's lawsuit alleges Newmont would have suffered no undue burden if it had granted him the accommodation.

Murray explained that a recent unanimous decision by the Supreme Court of the United States supports Janney and other employees asking for religious accommodations because the Court raised 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*, which was issued on June 29, 2023.

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

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