



Judge orders Kroger to pay workers unjustly fired for refusing to wear LGBT pride symbols

Description

USA: District Judge Lee Rodofsky of the Central Division of the U.S. District Court for the Eastern District of Arkansas has ordered supermarket chain Kroger to pay two former employees unjustly fired for refusing to wear aprons with the LGBT Pride rainbow on them.

The plaintiffs in the case, Brenda Lawson and Trudy Rickerd, worked in the grocery's Conway, Arkansas location.

Rodofsky, who was appointed by former President Donald Trump in July 2019, ordered the supermarket chain to pay \$180,000 to the two plaintiffs and "provide reasonable accommodations to employees who have sincere religious objections to Kroger's dress code." Rodofsky also ordered Kroger to create a religious accommodation policy and new employee training.

The magistrate noted in his ruling that both Rickerd and Lawson "have sincerely held religious beliefs that homosexuality is a sin and that they cannot support or promote it."

The *Equal Employment Opportunity Commission* (EEOC) confirmed the settlement [in an Oct. 27 press release](#). The EEOC filed a religious discrimination lawsuit against the grocery chain on behalf of the two plaintiffs in September 2020 following their termination.

The lawsuit accused Kroger of "religious discrimination when it disciplined and ultimately fired [the plaintiffs] for refusing to wear an apron with the company's 'Our Promise' symbol, because they believed it represented support for the LGBT community."

Moreover, the complaint said Kroger "refused to consider Lawson's request for a religious accommodation for her sincerely held religious belief."

The complaint sought backpay and punitive damages for the two plaintiffs, alongside a demand for Kroger to "institute and carry out policies, practices, and programs which provide equal employment

opportunities.”

Pro-liberty judges siding with plaintiffs who hold sincere religious beliefs

Prior to the EEOC filing a lawsuit, the parties first attempted “to reach a voluntary pre-litigation settlement through its conciliation process.” When this fell through, the commission decided to push forward with the complaint.

“The parties decided to resolve the case with a consent decree to avoid additional costs and uncertainties of future litigation,” the press release noted.

Faye A. Williams, regional attorney of the EEOC’s Memphis District Office, lauded the outcome of the suit. Her office has jurisdiction over Arkansas, Tennessee and certain parts of Mississippi.

“The EEOC commends Kroger on its decision to create a policy describing the process for requesting a religious accommodation,” she said. “This policy will provide guidelines for requesting religious accommodation. The parties in this case worked in good faith to resolve this matter, and the [EEOC] is pleased with the resolution.”

Rodofsky’s decision to side with the plaintiffs who hold sincere religious beliefs mirrored a similar scenario in Virginia. Back in June 2021, another magistrate ordered the reinstatement of a teacher who was fired for refusing to call students by their “preferred pronouns.”

Judge James E. Plowman Jr. of the 20th District Court of Virginia ruled in favor of Byron “Tanner” Cross and granted an injunction he sought through a June 8 decision. The Loudoun County School Board terminated Cross and banned him from visiting school property after he made comments that refused to affirm transgenderism. He then challenged this in court, arguing that the school board was penalizing him for exercising his First Amendment rights.

Noting that the plaintiff’s rights to free speech and religious freedom played a key role in the case, Plowman wrote that Cross’ remarks are protected under the First Amendment because he spoke “as a citizen” on a “matter of public concern.” Moreover, the magistrate noted that the school board failed to prove that the comments made by Cross caused any significant disruption to school operations.

Watch former Utah police officer Eric Moutsos recount his termination for refusing to participate in the 2014 Utah Pride Parade on “The Sheriff Mack Show.”

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