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DFEH Settles Religious Discrimination Case Against a Wingstop Franchise in San Diego County

Job Applicant Denied Employment Because of Her Religious Dress Practice

Sacramento – The California Department of Fair Employment and Housing (DFEH) has reached a settlement in a religious discrimination case with Paradise Wings, LLC doing business as Wingstop Restaurant (Paradise Wings) involving a job applicant who was denied employment because of her religious dress practice.

The Complainant, a Muslim woman, filed a complaint with DFEH on March 29, 2017, alleging that she applied for a job as a cashier at Paradise Wings and asked whether she would be allowed to wear a headscarf and skirt as part of her religious practice. She alleged that a manager told her that wearing headscarves was against company policy and that wearing jeans was part of the workplace uniform. The complainant offered to make a headscarf that matched the workplace uniform and wear a skirt made out of denim. A manager told complainant that she would respond after contacting the corporate office, but Paradise Wings never contacted the complainant again.

DFEH found cause to believe a violation of the Fair Employment and Housing Act had occurred and filed a civil complaint in San Diego Superior Court (DFEH v. Paradise Wings dba WingStop Restaurant, San Diego County Superior Court 37-2018-00016106).

“California law explicitly requires employers to make reasonable accommodations for religious dress and grooming practices,” said DFEH Director Kevin Kish. “For most employers and most jobs, it is not a burden to modify workplace dress policies in order to accommodate employees who wear skirts, headscarves, or other clothing worn for religious purposes.”

As part of the settlement, the franchisee will pay the complainant \$5,000 and send employees involved in the hiring process to a training provided by the Council on American-Islamic Relations (CAIR) regarding religious discrimination.

Staff Counsel Francisco V. Balderrama represented DFEH in this proceeding.

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The DFEH is the state agency charged with enforcing California's civil rights laws. The mission of the DFEH is to protect the people of California from unlawful discrimination in employment, housing and public accommodations and from hate violence and human trafficking. For more information, visit the DFEH's web site at www.dfeh.ca.gov.

