



Dear SHRM Member:

This morning, the Supreme Court of the United States issued rulings on two highly anticipated court cases that impact work, workers and workplaces. To ensure you are fully informed, the SHRM Government Affairs team has prepared a summary of each of these rulings for members of the SHRM Advocacy Team.

Students for Fair Admissions, Inc. v. University of North Carolina & Students for Fair Admissions Inc. v. President & Fellows of Harvard College

By a vote of 6-3, the Court held that Harvard’s and UNC’s admissions programs violate the Equal Protection Clause of the Fourteenth Amendment. This was one of the most high-profile cases of the session as the Court discussed the constitutionality of race-conscious admissions practices at institutions of higher learning – both private and public.

The majority stated that the race-conscious admissions practices employed were not operated in a manner that was “ sufficiently measurable to permit judicial [review]’ under the rubric of strict scrutiny,” which is the highest level of Constitutional review.

The Court also held that the Universities had not articulated “a meaningful connection between the means they employ and the goals they pursue.” The Court reasoned the stated interest of the universities to create diverse classrooms where future leaders are trained and where everyone benefits from diverse perspectives are “commendable goals,” but “are not sufficiently coherent for purposes” of surviving such a heightened standard of Constitutional review.

SHRM respects the rule of law. Whether or not one agrees with the Court’s ruling, we must all turn to the critical task of supporting higher education human resource professionals as their employers both comply with today’s ruling and develop innovative approaches to build better workplaces for an increasingly diverse workforce. SHRM will always be a part of finding solutions that deliver for organizations and the people they serve.

Groff v. DeJoy

In a unanimous vote of 9-0, the Court [ruled](#) that the standard for evaluating accommodations based on a worker's sincerely held religious belief has been clarified.

The court held that Title VII requires an employer that denies religious accommodation to show that the burden of granting an accommodation would result in substantially increased costs in relation to the conduct of its business. The court is not changing the current standard of "more than a de minimus cost," but instead is providing more clarification based on judicial and regulatory precedence.

The opinion stated that "A good deal of the EEOC's guidance in this area is sensible and will, likely, be unaffected by the Court's clarifying decision. But it would not be prudent to ratify in toto (as a whole) a body of EEOC interpretation that has not had the benefit of the clarification the Court adopts today."

SHRM looks forward to working with the EEOC in providing additional guidance based on the Court's opinion.

Stay tuned for more critical updates on these workplace issues.

Sincerely,

Emily M. Dickens, J.D.
Chief of Staff & Head of Public Affairs



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