



AI Flashpoints In the Workplace:

Navigating Religious Accommodation Requests and Legal Risk

Seyfarth Shaw LLP

"Seyfarth" refers to Seyfarth Shaw LLP (an Illinois limited liability partnership).

©2026 Seyfarth Shaw LLP. All rights reserved. Private and Confidential



Legal Disclaimer

This presentation has been prepared by Seyfarth Shaw LLP for informational purposes only. The material discussed during this webinar should not be construed as legal advice or a legal opinion on any specific facts or circumstances. The content is intended for general information purposes only, and you are urged to consult a lawyer concerning your own situation and any specific legal questions you may have.

Seyfarth Shaw LLP

"Seyfarth" refers to Seyfarth Shaw LLP (an Illinois limited liability partnership).

©2026 Seyfarth Shaw LLP. All rights reserved. Private and Confidential

Today's Presenters



Dawn Solowey
Seyfarth Shaw
Partner
Boston



Michael Steinberg
Seyfarth Shaw
Partner
Boston



Angelina Evans
Seyfarth Shaw
Partner
Los Angeles



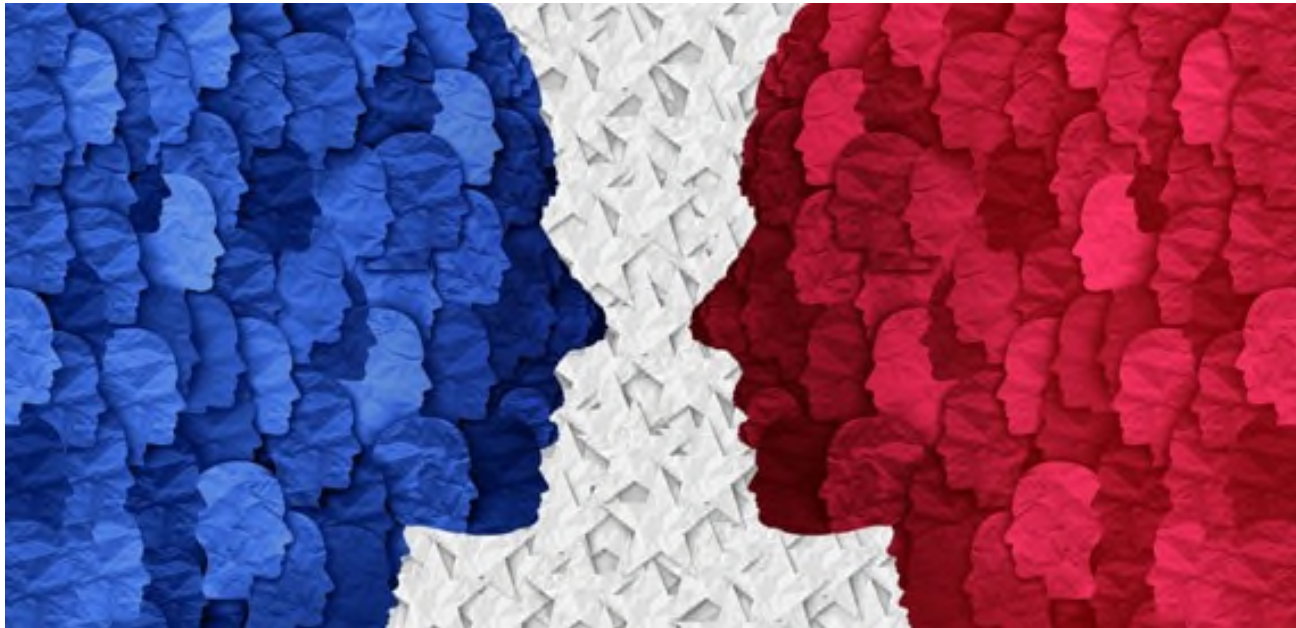
Agenda

- 1 | What Do We Mean by Cultural Flashpoints?
- 2 | Employee Religious (and Secular) Objections to AI
- 3 | The Legal Framework
- 4 | Practical Guidance for Considering Requests for Exemption from AI
- 5 | Aligning with Compliance with State Laws
- 6 | Takeaways and Recommendations – & How We Can Help



Cultural Flashpoints – AI and Religion

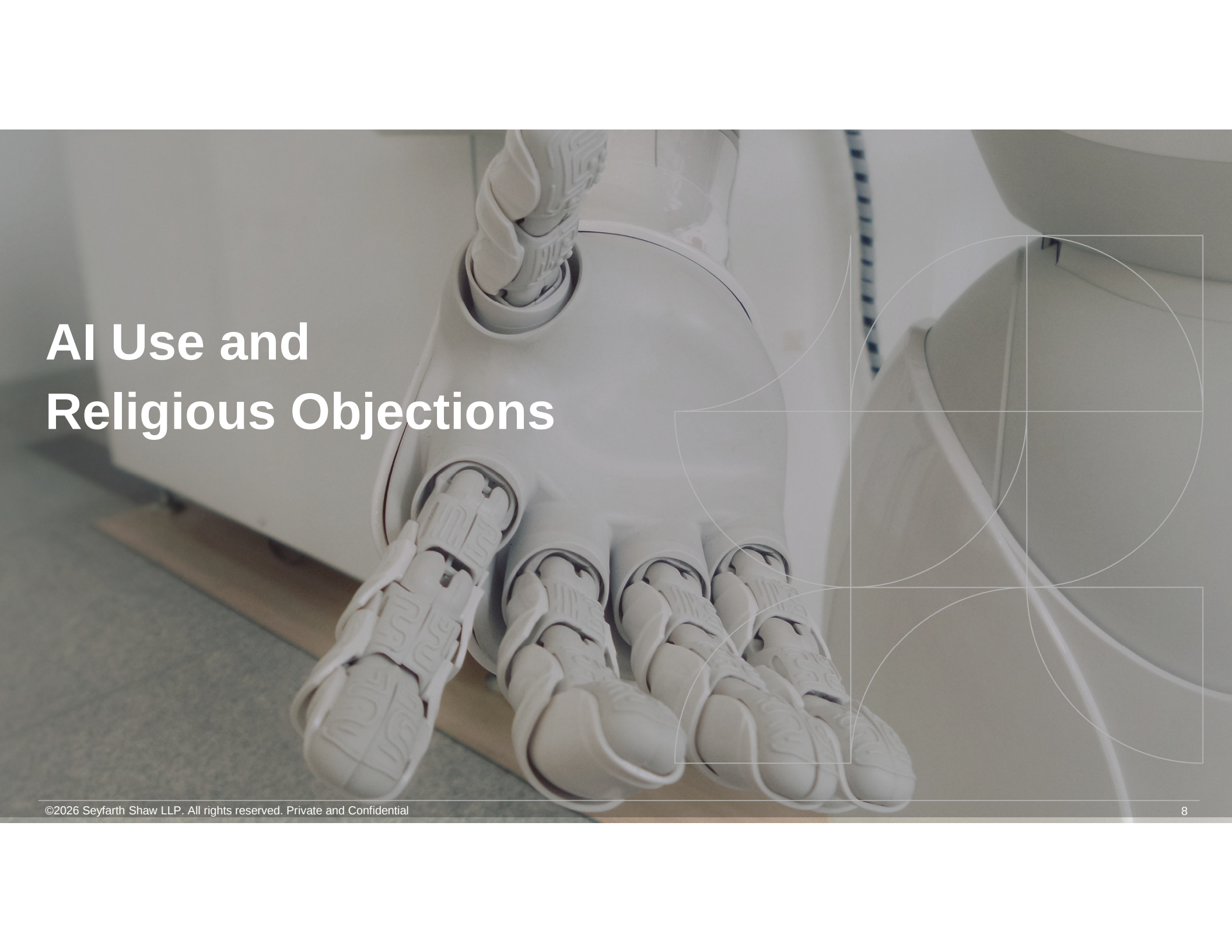
Debates about AI Will Only Increase with Midterms



A note about this webinar

- Even talking about cultural flashpoints can be tricky
- Please know that we approach these issues today as neutral legal advisors and business partners in order to help our clients
- The viewpoints we discuss today are examples only and not those of Seyfarth Shaw or the presenters





AI Use and Religious Objections

Statistics Relating to AI Use and Impact in Employment



15.1% of U.S. employment (23.2 million jobs) is at least 50% automated.



The share of employment that is at least 50% automated varies significantly by industry.



7.8% of U.S. employment (12 million jobs) is at least 50% done using generative AI.



The share of employment that is at least 50% done using generative AI varies significantly by industry.



A significant majority of employment faces nontechnical barriers to automation displacement.



Among employment with nontechnical barriers to automation displacement, client preferences are the most common issue.



6% of U.S. employment (9.2 million jobs) is at least 50% automated and has no definitive nontechnical barriers to automation displacement.

Source: SHRM Data Brief, "Automation & Generative AI: Job Displacement Risk in U.S.," September 2025

A close-up photograph of a person's hand wearing a black smartwatch, pointing their index finger towards a laptop screen. The laptop is silver and its keyboard is visible. The background is blurred, showing what appears to be a wooden shelf or cabinet.

How Are Employers Using AI Now?

- Many employers are already using AI or automated decision tools to support various HR functions. Key areas include:
 - Sourcing (passive searches, skills/jobs matching)
 - Evaluating resumes
 - Interviewing candidates
 - Assessments, including gamification tools
 - Communications via chatbots
 - Communicating with applicants
 - Assessing skills gaps
 - Performance management techniques
 - Predicting drivers of turnover
 - Predicting absences and workflow issues

SHRM Survey Responses

How HR Uses Artificial Intelligence

**Question was select all that apply. Among those who indicated their organization uses AI to support HR-related activities.*

TOP 3



64%

Recruiting, interviewing
and/or hiring



43%

Learning and development



25%

Performance management



10%

Productivity monitoring



6%

Succession planning



1%

Layoff and/or firing decisions



1%

Promotion decisions



"Other" areas HR uses AI

- "Administrative tasks"
- "Policy writing and communications"
- "General communication (announcements, social media posts, company emails, etc.)"
- "Forms and resource writing"
- "Drafting documents, communications, messages, and tasks lists"
- "Internal communications, policy and procedure drafting"
- "Content generation for documents, presentations, and awards."
- "Answering FAQs"

Source: SHRM 2024 "Talent Trends" survey

The Pope's Encyclical on AI



Other Religious Groups Weigh In



What are the Religious Objections to AI?

- Beliefs about the role of humanity in creation
- Impermissible idolatry
- Mark of the Beast





Secular Objections To AI

- Effect on creative thinking
- Impact on relationships
- Implications for education
- Taking away jobs
- Degrading the environment

Intersecting Religious & Political Beliefs



SUBSCRIBE

EXCLUSIVE

ARTIFICIAL INTELLIGENCE

Voters of both parties want tighter AI regulation, poll finds

A new survey from the AI Policy Institute finds bipartisan support for legislation that targets powerful AI systems.

Listen to this article with a [free profile](#)

00:00

06:46

1x

— OpenAI CEO Sam Altman and President Donald Trump in Evian-les-Bains, France, on June 17.

Anna Moneymaker / Getty Images

ARTIFICIAL INTELLIGENCE

Poll: Majority of voters say risks of AI outweigh the benefits

In new NBC News polling, the only topics that were less popular than AI were the Democratic Party and Iran.

Listen to this article with a [free profile](#)

00:00

00:00

— Meta CEO Mark Zuckerberg, President Donald Trump, first lady Melania Trump and Microsoft co-founder Bill Gates at a dinner with tech leaders at the White House last year.

Will Oliver / EPA / Bloomberg via Getty Images file

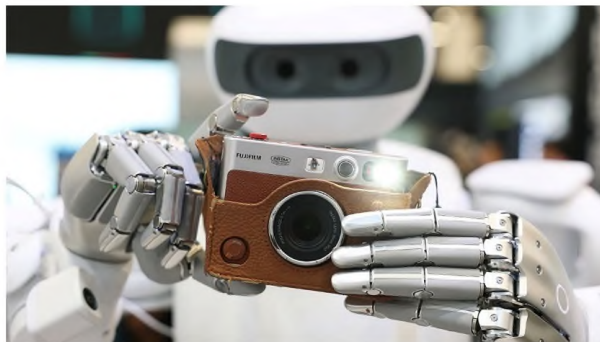
17

SHORT READS | MARCH 12, 2026

Key findings about how Americans view artificial intelligence

🔄 📧 Add Us On Google

BY MICHELLE FAVERIO AND EMMA KIKUCHI



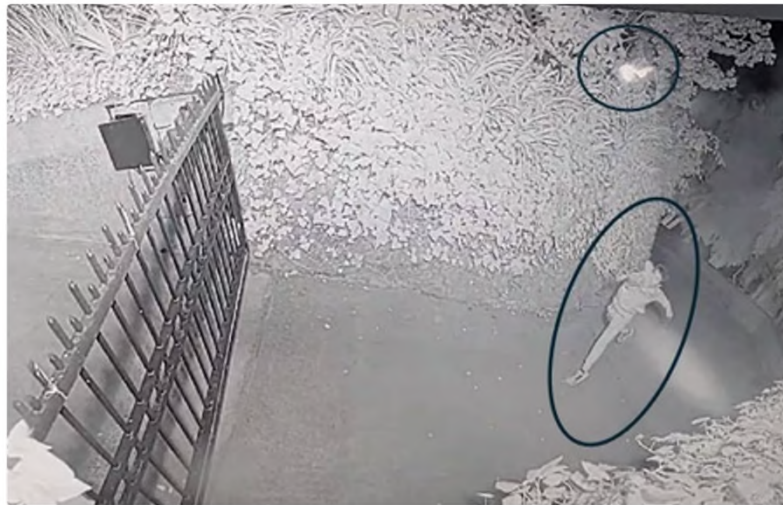
A full-body Sharpa robot takes a photograph with a Fujifilm camera during the 2026 Consumer Electronics Show in Las Vegas, Nevada, on Jan. 6. (Patrick Fallon/AFP via Getty Images)

Artificial intelligence (AI) has become part of everyday life for many Americans – [at work](#), [at school](#), [in health care](#) and beyond. As AI spreads, the public remains cautious, but somewhat open to its potential benefits.

EXCLUSIVE

The AI Backlash Has Tech Executives Fearing for Their Lives

Violent threats against AI companies are rising and spilling over into real-world security incidents



A surveillance image showing the attempted firebombing in April of OpenAI CEO Sam Altman's home. JUSTICE DEPARTMENT

By Lindsay Ellis, Zusha Elinson and Tina Li

Updated July 15, 2026 9:03 pm EDT

Law of Religious Accommodation

When an employee advises an employer of a **sincere religious belief** that conflicts with a job requirement, the employer must:

- engage in an **interactive process** with the employee to explore reasonable accommodations;
- either provide a **reasonable accommodation** or be able to show that it cannot do so without **undue hardship** to its business;
- avoid discriminating against the employee based on religion or retaliating against the employee for requesting an accommodation.

Sincere Religious Conflict

Sincere

- Generally, sincerity is presumed or easily established
 - Unless objective evidence to the contrary (*get legal advice*)

Religious

- Need not be an organized religion
- Can be idiosyncratic to the individual
- Can be unfamiliar
- Can change over time; be newly adopted
- Purely secular, political beliefs are not protected
- Mixed religious / secular *may* be protected

Conflict

- Does the religious belief, observance or practice conflict with an employment requirement

Interactive Process

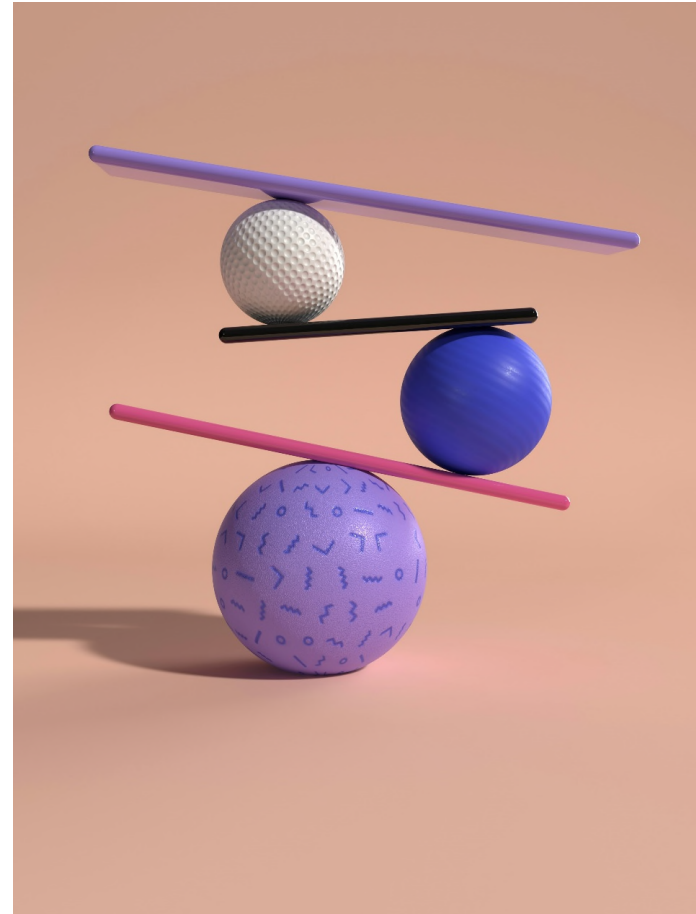
- **Both the employer and the employee have roles to play** in resolving an accommodation request.
- In addition to placing the employer on notice of the need for accommodation, **the employee should cooperate** with the employer's efforts to determine whether a reasonable accommodation can be granted.
- Once the employer becomes aware of the employee's religious conflict, the employer should obtain **promptly** whatever additional information is needed to determine whether a reasonable accommodation is available without posing an undue hardship on the operation of the employer's business.

Interactive Process

- This typically involves the employer and employee **mutually sharing** information necessary to process the accommodation request.
- Employer-employee **cooperation and flexibility** are key to the search for a reasonable accommodation.
- If the accommodation solution is not immediately apparent, **the employer should discuss the request with the employee** to determine what accommodations might be effective.
- If the employer requests **additional information** reasonably needed to evaluate the request, the employee should provide it.

Employer Must Provide a *Reasonable* Accommodation

Not necessarily the employee's *preferred* accommodation.

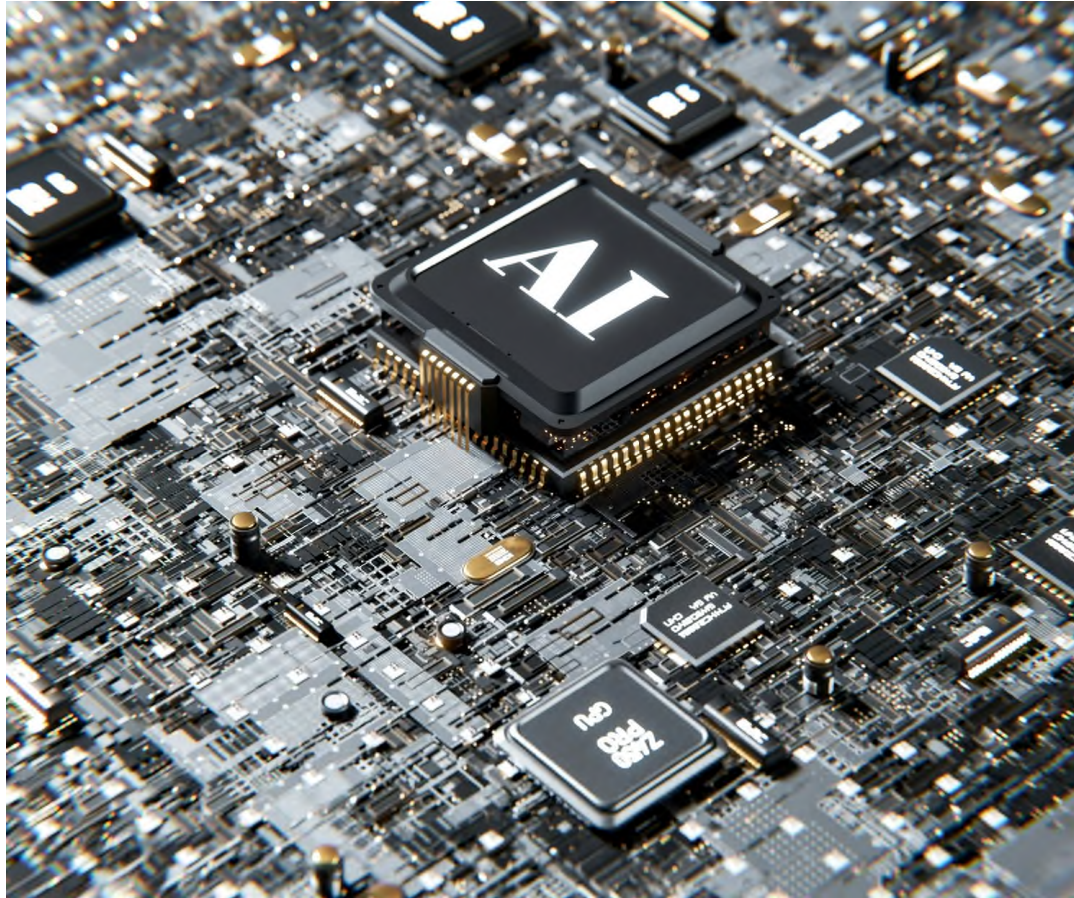


Supreme Court Clarifies The “Undue Hardship” Standard

The employer must show that the burden of granting an accommodation would result in **“substantial increased costs in relation to the conduct of its particular business.”**



Is a Request to Avoid AI a (i) Sincere (ii) Religious (iii) Conflict?



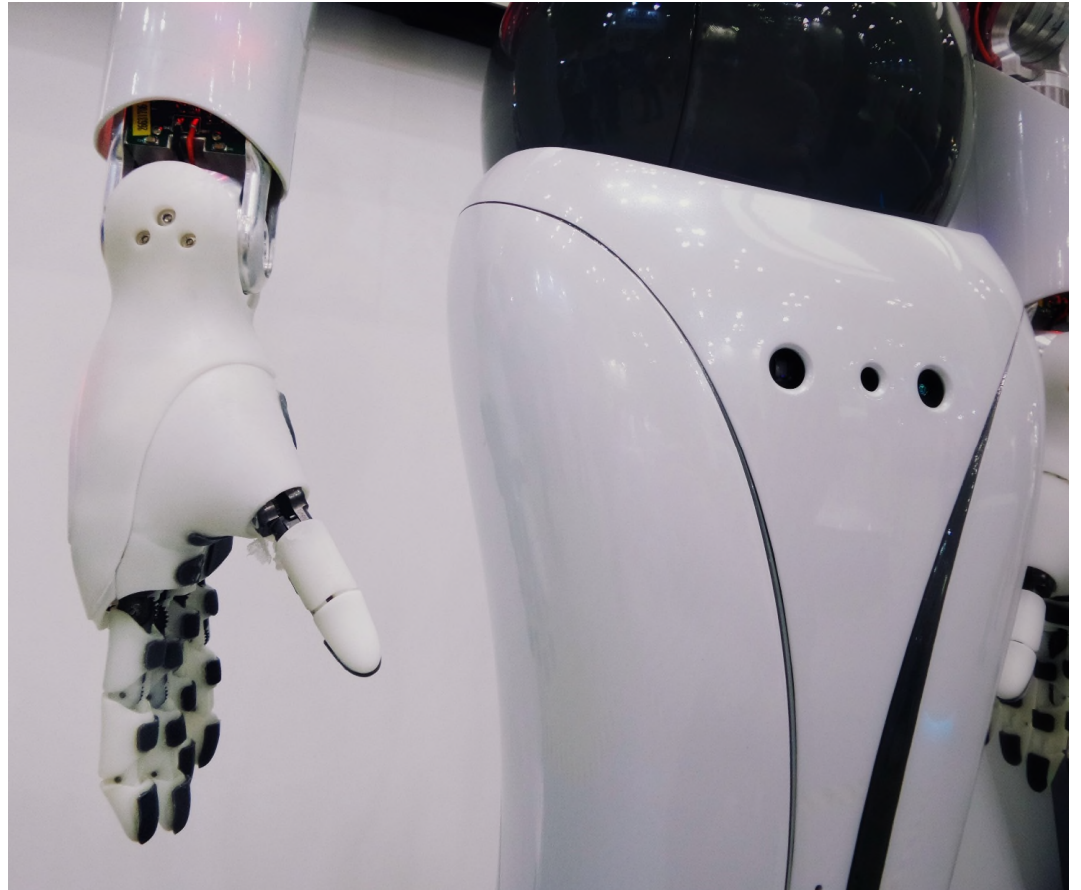
The Scope of The Request

- What specific accommodation is the employee requesting?
 - What is the scope?
 - For what duration?

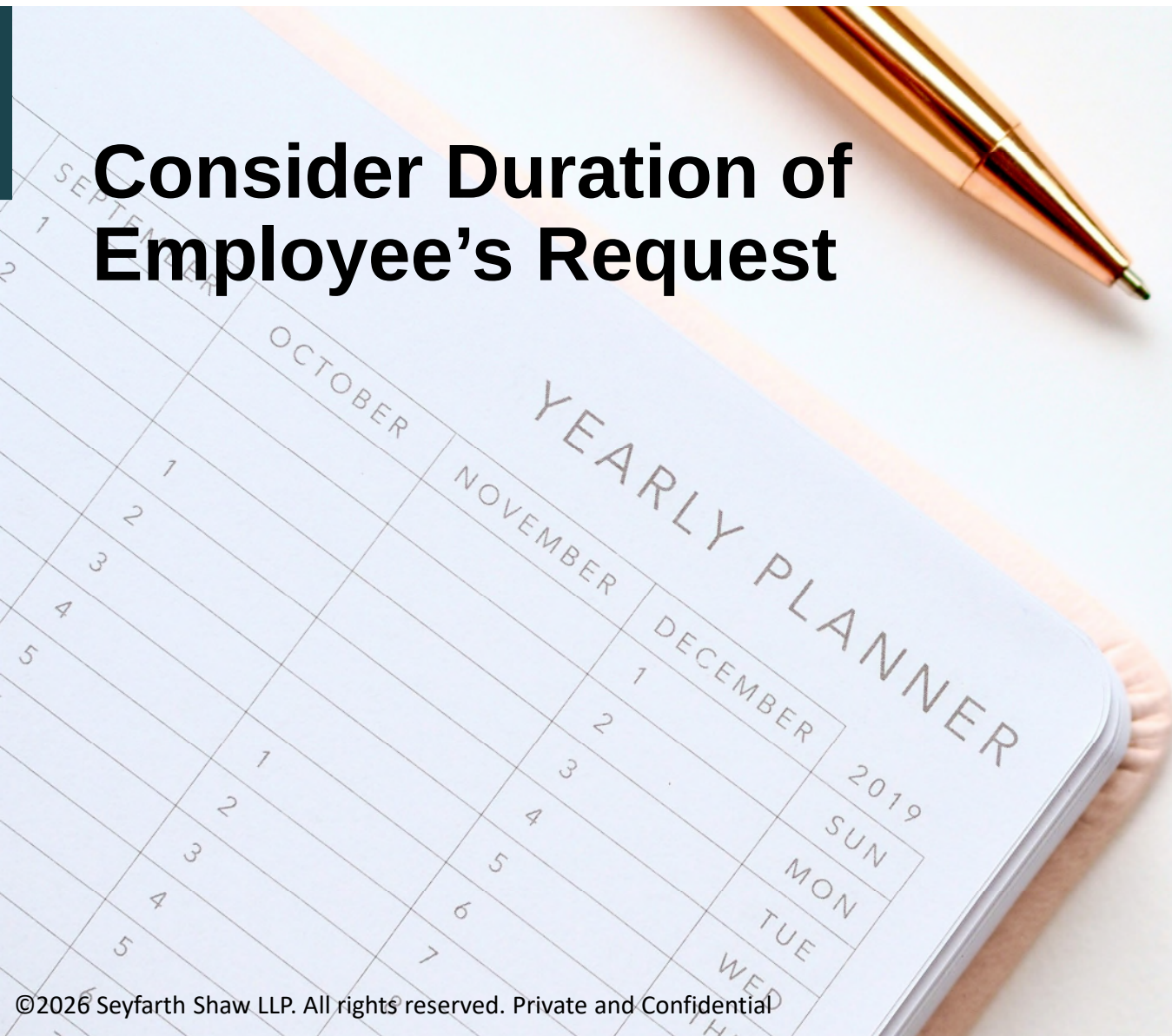


Evaluating a Request to Avoid AI

- Is it a **reasonable** accommodation?
- Is there an **alternative** reasonable accommodation available?
- Is it an **undue hardship**?



Consider Duration of Employee's Request





Applicable State Laws Regulating Artificial Intelligence

Key Themes in State Legislation (including Proposed Legislation)

Coverage

Risk
Management

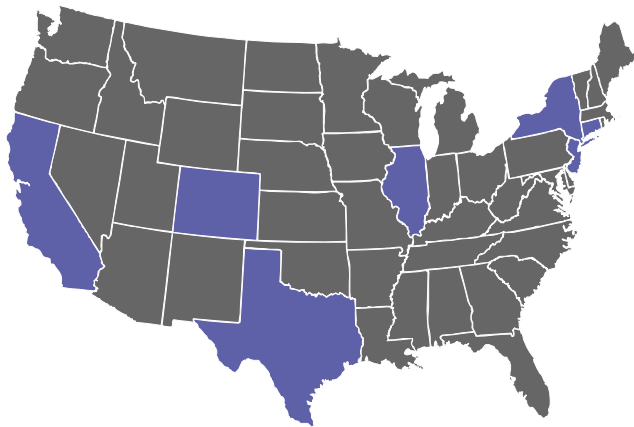
Assessment

Transparency

Accommodation

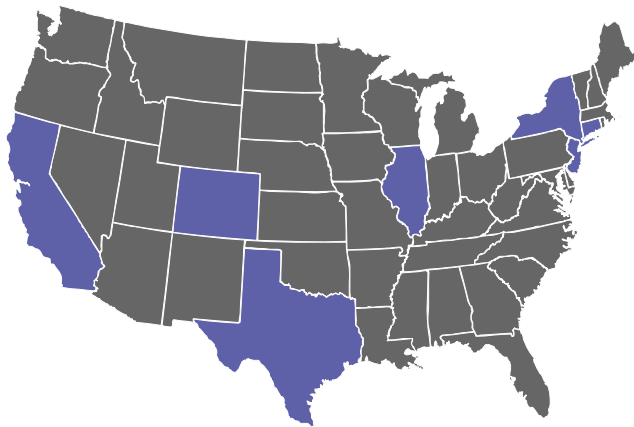
Enforcement

State and Local Developments



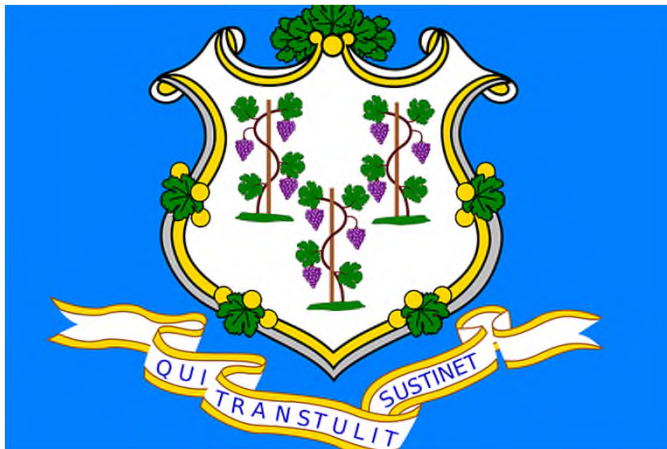
Jurisdiction	Enacted & In Effect (2020-2026)
Illinois AIVIA	Effective Jan 2020 – Applies to employers that ask applicants to record video interviews and use AI analysis of those videos to evaluate applicant fitness for positions based in Illinois.
Maryland HB 1202	Effective Oct 2020 – Applies to employers using a "facial recognition service" to create a "facial template" during an applicant's interview for employment.
NYC Local Law 144	Effective July 2023 – Requires bias audits for Automated Employment Decision Tools (AEDTs); public notice and disclosure obligations.
New Jersey Guidance	Issued Jan 2025 – NJLAD prohibits algorithmic discrimination; covers design flaws, training bias, and deployment misuse; employers remain liable even when using third-party tools.
California FEHA Amendments	Effective Oct 2025 – Clarifies that anti-discrimination laws apply to AI in employment decisions; record retention for 4 years; Pre-offer AI assessments that elicit disability info may constitute unlawful medical inquiry.
Illinois HB 3773	Effective Jan 2026 – Requires notice of AI use in employment decisions; affirms prohibition on discrimination under Illinois Human Rights Act.
Texas (TRAIGA)	Effective Jan 2026 – Intent-based liability standard; safe harbor for compliance with recognized risk frameworks (e.g., NIST AI RMF); enforcement by AG only; cure period for violations.

State and Local Developments



Jurisdiction	Enacted & Effective Late 2026 and 2027
Connecticut SB 5	Effective Oct 2026 (disclosure obligations Oct 2027) – Applies to developers and deployers of automated employment-related decision technology; requires pre-use written notice and disclosure; AI use is not a defense to discrimination; new WARN Act reporting for AI-related layoffs; enforcement by AG.
California CCPA ADMT Amendments	Effective Jan 2027 – Requires pre-use notice to consumers, consumer access to information about use of tool, and risk assessments. Employment decisions exempt from opt-out requirements if certain conditions met.
Colorado SB 26-189	Effective Jan 2027 – Replaces prior AI law; applies to developers and deployers of ADMT in consequential employment decisions; requires pre-use notice, post-adverse action disclosures, and human review process; enforcement by AG.

Connecticut SB 5



- Establishes a new framework governing the use of **automated employment-related decision technology** in employment decisions
- Covers businesses in Connecticut that **develop or deploy** automated technology used as a **substantial factor** in employment decisions
- **Key Obligations:**
 - Provide pre-use written notice disclosing the use of the technology, its purpose, trade name, categories of personal data analyzed, data sources, and employer contact information
 - Disclose when an individual is interacting directly with automated technology
 - Ensure developers provide all information necessary for deployers to fulfill their disclosure duties
 - Disclose whether AI contributed to layoffs in any WARN Act notice filed with the CT Labor Department
 - Document anti-bias testing efforts as proactive testing is admissible as evidence in discrimination proceedings
- Connecticut Attorney General has exclusive enforcement for disclosure violations; violations constitute unfair/deceptive trade practices; 60-day cure period for violations through December 31, 2027; no new private right of action

California CCPA ADMT Amendments



- Establishes a regulatory framework governing the use of **automated decision-making technology** that substantially replaces human decision-making
- Covers businesses that deploy ADMT to make or materially influence significant decisions affecting consumers in California, including decisions related to employment, compensation, hiring, and work assignment
- **Key Obligations:**
 - Provide pre-use notice explaining the technology's purpose, its potential impact on the individual, and their available rights
 - Upon request, disclose the ADMT output, how personal data was processed, and how it informed the decision
 - Offer at least two easy-to-use opt-out methods and honor opt-outs promptly
 - Where opt-out does not apply, individuals retain the right to appeal an ADMT-driven outcome to a qualified human reviewer
- Enforced by California Privacy Protection Agency; risk assessments required for all ADMT systems; no opt-out exception eliminates notice, access, or human review obligations

California Executive Order N- 6-26

On May 21, 2026, California Governor Gavin Newsom Signed Executive Order N-6-26 acknowledging California's leadership in AI innovation while emphasizing the need to proactively manage workforce disruption. It highlights concerns around job displacement, inequitable impacts across demographics, and the concentration of AI development in the private sector.

While it does not immediately impose new legal obligations, it lays the groundwork for potentially significant affecting layoffs, hiring practices, compensation, and workforce strategy



Colorado SB 26-189



- Replaces Colorado's prior AI law (SB 24-205) with a streamlined framework
- Covers businesses in Colorado that **develop or deploy** ADMT that materially influences decisions affecting employees or applicants
- **Key Obligations:**
 - Provide advance notice before using ADMT in employment decisions
 - Issue post-adverse action disclosures within 30 days (e.g., after a rejection)
 - Establish a meaningful human review process
 - Maintain records for at least three years
 - Update vendor contracts to ensure developer compliance
- Colorado Attorney General enforcement; 60-day cure period available until January 1, 2030
- ***AG rulemaking expected before January 1, 2027 which will define key terms and compliance requirements.***

Illinois HB 3773: AI Notice Rulemaking Postponement



- Requires notice to applicants and employees when AI is used in employment decisions; prohibits AI use that results in discrimination or uses zip codes as a proxy for protected classes under the IHRA
- Covers employers, including third-party agents who exercise control over covered employment actions
- **Key Obligations (in effect now):**
 - Provide advance notice to employees, applicants, and bargaining representatives when AI is used in employment decisions
 - Notice obligations apply across the full employment lifecycle — recruitment, hiring, discipline, discharge, and terms and conditions of employment
 - Covers any AI system that influences or facilitates a covered employment decision, including generative AI
- *IDHR issued but temporarily withdrew its proposed rules on June 2, 2026, to allow continued interagency collaboration. No revised timeline has been issued*



Best Practices & Key Takeaways for Leaders

How We Can Help



- Religious Accommodation Request Form
- Accommodation Policy
- Interactive Process Talking Points
- Benchmarking
- Analysis of Reasonable Accommodation and Undue Hardship
- Template approvals / denials



CLE: NEW PROCESS

Please scan the QR code and complete the digital attendance verification form to receive CLE credit for this program.

You will need:

1. **Title:** Navigating Religious Accommodation Requests and Legal Risk
2. **Date Viewed:** July 28, 2026
3. **Attendance Verification Code:** SS_____

State-specific CLE credit information can be found in the form.

thank you

contact information

For more information, please contact:

Dawn Solowey

email: dsolowey@seyfarth.com

Michael Steinberg

email: msteinberg@seyfarth.com

Angelina Evans

email: aevans@seyfarth.com