

JOHN KLINE, MN  
Chairman



ROBERT C. "BOBBY" SCOTT, VA  
Ranking Member

COMMITTEE ON EDUCATION  
AND THE WORKFORCE  
U.S. HOUSE OF REPRESENTATIVES  
2181 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6100

MAJORITY – (202) 225-4527  
FAX – (202) 225-9571

MINORITY – (202) 225-3725  
FAX – (202) 226-5398

January 12, 2015

The Honorable Jenny R. Yang, Chair  
The Honorable Constance S. Barker, Commissioner  
The Honorable Chai R. Feldblum, Commissioner  
The Honorable Victoria A. Lipnic, Commissioner  
U.S. Equal Employment Opportunity Commission  
131 M Street, N.E.  
Washington, DC 20507

Dear Chair Yang and Commissioners Barker, Feldblum, and Lipnic:

On March 6, 2014, the U.S. Equal Employment Opportunity Commission (EEOC) issued a publication entitled "Religious Garb and Grooming in the Workplace: Rights and Responsibilities" and an accompanying fact sheet.<sup>1</sup> Among other things, this enforcement guidance describes employers' obligation to accommodate employees' and potential employees' religious practices.

EEOC relies on such publications in enforcing federal nondiscrimination law. We previously have raised concerns about the agency issuing new enforcement guidance without first allowing the public to submit comments.<sup>2</sup> Input from the public is essential to EEOC in informing its enforcement practices, alerting the commission to potential problems, and enhancing the transparency and credibility of the agency.

Please describe in detail the process that led to the issuance of the enforcement guidance described above, including whether the public was allowed to submit comments and whether the full commission voted on or otherwise approved it. We look forward to your response **by no later than January 26, 2015.**

<sup>1</sup> Press Release, EEOC, EEOC Issues New Publications on Religious Garb and Grooming in the Workplace (Mar. 6, 2014), <http://www.eeoc.gov/eeoc/newsroom/release/3-6-14.cfm>; EEOC, Religious Garb and Grooming in the Workplace: Rights and Responsibilities, [http://www.eeoc.gov/eeoc/publications/qa\\_religious\\_garb\\_grooming.cfm](http://www.eeoc.gov/eeoc/publications/qa_religious_garb_grooming.cfm); EEOC, Fact Sheet on Religious Garb and Grooming in the Workplace: Rights and Responsibilities, [http://www.eeoc.gov/eeoc/publications/fs\\_religious\\_garb\\_grooming.cfm](http://www.eeoc.gov/eeoc/publications/fs_religious_garb_grooming.cfm).

<sup>2</sup> See Letter from John Kline, Chairman, Committee on Education and the Workforce, and Tim Walberg, Chairman, Subcommittee on Workforce Protections, to Jacqueline A. Berrien, Chair, U.S. Equal Employment Opportunity Commission (July 28, 2014) (attached).

Ms. Jenny R. Yang  
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Ms. Victoria A. Lipnic  
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If you have any questions regarding this request, please contact John Martin with the Committee on Education and the Workforce at (202) 225-7101.

Sincerely,



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JOHN KLINE  
Chairman  
Committee on Education and the Workforce



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TIM WALBERG  
Member of Congress

Attachment

Cc: The Honorable David Lopez, General Counsel