ACLJ
AMERICAN CENTER
for LAW & JUSTICE

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September 12, 2025

VIA E-MAIL & FED-EX

Hansal Patel
Executive Vice President, General Counsel & Secretary
The Timken Company
[redacted]

Re: Timken's Illegal Retaliation

Dear Mr. Patel:

The American Center for Law & Justice (ACLJ) represents John T. Artz, a former employee of The Timken Company at the Springfield, MO plant, regarding his wrongful termination by Timken on September 11, 2025—a mere three (3) days after September 8, 2025, when Mr. Michael Leftwich discussed with him our demand letter concerning religious discrimination and the violation of Mr. Artz's Title VII rights. The timing of Mr. Artz's termination constitutes clear and unmistakable retaliation in violation of federal law. We request that Timken promptly engage in discussions toward a severance agreement to resolve his legal claims.

Summary of Facts

The ACLJ's first demand letter to Mr. Michael Leftwich, dated September 2, 2025, laid out the key facts regarding our client's right to express his faith by wearing a cross necklace, reading his Bible during his personal time, and his right to keep said Bible on his desk. Mr. Artz was reprimanded by two supervisors at your company for keeping his Bible in a visible place where other employees and clients could see it because it was not "inclusive."

Mr. Artz was an employee of The Timken Company for approximately the past year and a half, serving as an HR Manager for the Springfield, MO plant. Mr. Artz is also a Christian and has been a Christan for the entirety of his employment with Timken. Several months ago, Mr. Artz decided to keep his Bible on his desk to glance at it throughout the day. Mr. Artz often did not leave his desk and practiced stress-management through private Bible reading. The Bible sat behind Mr. Artz on his desk and was not visible to the average passerby. Mr. Artz also visibly wears a cross-necklace as a sign of his faith. Neither his Bible nor his cross necklace impeded his work duties and capabilities. Critically, Timken's "Associate Handbook 2022" does not address either personal items on desks or the wearing of personal jewelry. Thus, Mr. Artz was not in violation of any known policy.

Beginning on August 7, 2025, Mr. Artz was called into several meetings with either Ms. Danielle Harvey, an HR manager, or Mr. Gus Psihountas, Manager of the Springfield Plant. In those meetings, Mr. Artz was "guided" to remove his Bible from his desk and cease wearing his cross necklace because the items made him "not inclusive" and "unapproachable." Mr. Psihountas—under express guidance from Ms. Harvey—told Mr. Artz that he was not inclusive because he was viewed as part of a "clique" due to his signs of faith and socializing with other known Christians also employed by Timken. Ms. Harvey relayed that "guidance from corporate" was that his expression of faith was not appropriate in a "neutral" work environment that was "respectful to others" and "the leaders in our business are who is setting the tone for work culture and that we need to make ourselves available to any and all…" Ms. Harvey asserted that Mr. Artz's expression of personal faith would present a bias. Mr. Artz was instructed to hide his cross necklace under his shirt and to put his Bible away when he is not reading it. Mr. Psihountas told Mr. Artz that his cross necklace was unprofessional and that "people don't wear [cross necklaces] out in the business place," and that being a Christian is about "wear[ing] it in your heart." Mr. Psihountas also questioned why Mr. Artz felt the need to wear a cross necklace as a sign of sincere expression of faith.

On September 2, 2025, we sent a demand letter to Mr. Michael Leftwich, Employee Relations Manager, requesting written assurances that Mr. Artz would be permitted to exercise his protected religious rights without further interference. On September 8, 2025, Mr. Leftwich, also an attorney, met with our client, despite our client's repeated and express requests that Mr. Leftwich communicate directly with Mr. Artz's counsel. Despite his insistence, Mr. Leftwich told Mr. Artz that he was under no legal obligation to talk to Mr. Artz's counsel, despite knowing that he was represented by counsel in a matter of religious discrimination against Timken. Nonetheless, Mr. Leftwich gave him assurances that he would be able to wear his cross and have his Bible under the absurd qualification that Mr. Artz assess the comfort level for an open Bible with any visitor to his office. When our client resumed wearing his cross, he immediately witnessed overt expressions of hostility and religious animus by his superiors, namely Danielle Harvey and Richard Dauch. Then, exactly three days later, despite the assurances previously made, Timken chose to terminate Mr. Artz's employment on September 11, 2025. This termination occurred without any legitimate business justification and represents a clear pattern of escalation and religious retaliation against Mr. Artz. The reason given for Mr. Artz's firing serves only as an unlawful pretext for Timken's systematic religious animus against Mr. Arts for asserting his federally protected rights. Furthermore, the timing of this unjustified termination alone constitutes substantial evidence of retaliation.

Each conversation referenced in these facts, where our client was discriminated by his

supervisors because of his faith and witnessed his supervisors' express hostility and dismissiveness towards his religion, was legally recorded by Mr. Artz [1] and is in our possession.

Statement of Law

Title VII makes it unlawful for an employer to discharge or otherwise discriminate against an employee because of their religion. *See EEOC v. Abercrombie & Fitch Stores, Inc.*, 575 U.S. 768, 771 (2015) (citing 42 U.S.C. § 2000e-2(a)). "'[R]eligion' is defined to 'includ[e] all aspects of religious observance and practice, as well as belief, unless an employer demonstrates that he is unable to reasonably accommodate to' a 'religious observance or practice without undue hardship on the conduct of the employer's business.'" *Id.* at 771–72 (quoting § 2000e(j)). The purpose of Title VII is to ensure a workplace free of discrimination. *Ricci v. DeStefano*, 557 U.S. 557 (2009).

Title VII's anti-retaliation provision, 42 U.S.C. § 2000e-3(a), makes it unlawful for an employer to discriminate against an employee "because he has opposed any practice made an unlawful employment practice by this subchapter, or because he has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this subchapter." The elements for a retaliation claim under Title VII are: "a plaintiff must prove (1) he engaged in statutorily protected activity, (2) suffered an adverse employment action, and (3) that the engagement in a protected activity is the but-for cause of the adverse employment action." *Warren v. Kemp*, 79 F.4th 967, 973 (8th Cir. 2023).

Here, all three elements are clearly established:

1. **Protected Activity**: Mr. Artz engaged in protected activity by opposing discriminatory practices when he refused to comply with unlawful instructions to hide his religious symbols and sought legal representation to assert his rights.
2. **Adverse Employment Action**: Termination is the ultimate adverse employment action.
3. **Causal Connection**: The temporal proximity between our demand letter (September 2, 2025), Timken's communication with Mr. Artz about the demand letter (September 8, 2025), and Mr. Artz's termination (September 11, 2025) establish a clear causal connection. Courts routinely find that such close temporal proximity creates a strong inference of retaliation. *See Clark County Sch. Dist. v. Breeden*, 532 U.S. 268, 273 (2001).

The Eight Circuit has held that in certain circumstances, "the timing of one incident of adverse employment action following protected activity sufficed to establish causal connection." *Smith v. Allen Health Sys.*, 302 F.3d 827, 832 (8th Cir. 2007); *O'Bryan v. KTIV Television*, 64 F.3d 1188, 1193–94 (8th Cir. 1995) (three months between filing administrative complaints and firing established causal connection); *Foster v. Time Warner Entm't Co.*, 250 F.3d 1189, 1196 (8th Cir. 2001) ("Foster established a temporal connection between her requests for accommodating Terry's disability and her termination, permitting an inference of retaliation."); *see also Sprenger v. Home Loan Bank Bd.*, 253 F.3d 1106, 1113–14 (8th Cir. 2001) (A proximity of a "matter of weeks" between disclosure of a potentially disabling condition and adverse employment action was sufficient to complete a prima facie case of discrimination.); *see also Jalil v. Avdel*

[1] Mr. Artz's actions were legal as Missouri as a one-party consent recording state. §§ 542.402.2(2), .2(3) R.S.Mo. (2016).

Corporation, 873 F.2d 701 (3d Cir. 1989) (reversing the grant of summary judgment in favor of the defendant because the plaintiff had established causation for the purposes of his prima facie case merely by showing that his discharge occurred only two days after his employer had received notice of Jalil's EEOC claim and emphasizing, "He demonstrated the causal link between the two by the circumstance that the discharge followed rapidly, only two days later, upon Avdel's receipt of notice of Jalil's EEOC claim.").

There is also substantial, direct evidence in this case of religious discrimination. In meetings with several Timken supervisors, those supervisors told a Christian employee his cross necklace was "non-inclusive" and "unprofessional," ordered him to hide his Bible, and lectured him about what makes a "good" Christian. This isn't workplace neutrality—it's religious animus. An employer's instruction to remove religious material from public view is direct evidence of religious discrimination. *See Altman v. Minn. Dep't of Corr.*, 251 F.3d 1199, 1203 (8th Cir. 2001) (focusing on the fact that employees were disciplined for Bible reading but employees who engaged in nonreligious personal activity at the same time were not); *Dixon v. Hallmark Cos.*, 627 F.3d 849, 855 (11th Cir. 2010) (finding instruction to remove a cross from the wall because the employee was "too religious" was blatant evidence of discrimination).

Mr. Artz was instructed to remove religious symbols from his person and his office when no Timken policy exists prohibiting employees from wearing personal jewelry or from keeping personal items on desks in the office. Timken's assertions that Mr. Artz was being "non-inclusive" or creating a "clique" because of the wearing of a cross necklace, the presence of a Bible on his desk, and socializing on non-work time with other known Christians also employed by Timken is blatant evidence of discrimination as it was in *Dixon*. *See id.* Rather than creating a "neutral" workplace, Timken has created a hostile workplace for Mr. Artz and anyone else espousing religious beliefs. Mr. Psihountas' assessment of Mr. Artz's religious faith in telling him what makes a "good" Christian and assertion that Mr. Artz should hide his faith "in [his] heart" because he considered it "unprofessional" is further evidence of discrimination. These comments were made by Mr. Artz's supervisors. Courts have held that "[f]or statements of discriminatory intent to constitute direct evidence of discrimination, they must be made by a person involved in the challenged decision." *Trotter v. Board of Trustees of Univ. of Ala.*, 91 F.3d 1449, 1453–54 (11th Cir. 1996). Those supervisors are the very ones making those derogatory statements here.

The sequence of events could not be clearer: Mr. Artz was discriminated against for his religious beliefs, he sought legal protection of his rights, and Timken retaliated by terminating his employment with an obvious pretext for exercising First Amendment rights. This conduct violates multiple federal laws and exposes Timken to federal liability including back pay, front pay, compensatory damages, punitive damages, and attorney fees—not to mention the reputational damage of being branded a company that fires employees for their Christian faith.

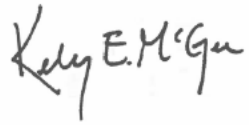
Conclusion

In light of the foregoing violations of federal law, Mr. Artz has valid and well-supported claims against Timken. However, our goal in writing is not to escalate this matter unnecessarily but to provide Timken with an opportunity to resolve this dispute efficiently and fairly through good-faith settlement discussions. We invite you to contact us at your earliest convenience to explore an amicable resolution.

This offer to resolve this matter without litigation will remain open until September 19, 2025, at 5:00 PM CDT. Should we not receive a substantive response by this date, we will proceed with seeking any and all appropriate legal remedies, including punitive damages under 42 U.S.C. § 1981a(b)(1).

We trust that Timken will recognize the strength of our client's claims and the wisdom of resolving this matter without the expense and negative publicity of protracted litigation. Should you wish to discuss this matter further or have any other questions in this regard, please feel contact me directly at [redacted], or by email at [redacted]

Sincerely,



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