



September 2, 2025

VIA E-MAIL & FED-EX



Re: Timken Employee's Religious Liberty Violation

Dear [REDACTED]:

The American Center for Law & Justice (ACLJ)¹ represents [REDACTED], an employee of Timken at the Springfield, MO plant, regarding his constitutional right to express his faith by wearing a cross necklace and reading his Bible during his personal time, as well as his right to keep said Bible on his desk. [REDACTED] was reprimanded by a supervisor in your office for keeping his Bible in a visible place where other employees and clients could see it because it was not “inclusive.” [REDACTED] was given similar instruction regarding his cross necklace because it was “non-inclusive” and “unprofessional.” These “guidances” are discriminatory towards [REDACTED] faith and personal expression of his faith, in violation of the First Amendment and contrary to established law. A summary of the facts and law are set forth below.

¹ By way of introduction, the ACLJ is an organization dedicated to the defense of religious and constitutional freedoms. The ACLJ engages legal, legislative, and cultural issues through advocacy, education, and litigation that includes representation before the Supreme Court of the United States and international tribunals around the globe. See, e.g., *Pleasant Grove v. Summum*, 555 U.S. 460 (2009) (holding that the government is not required to accept counter-monuments when it displays a war memorial or Ten Commandments monument); *McConnell v. FEC*, 540 U.S. 93 (2003) (holding that minors have First Amendment rights); *Lamb's Chapel v. Center Moriches Sch. Dist.*, 508 U.S. 384 (1993) (holding that denying a church access to public school premises to show a film series violated the First Amendment); *Bd. of Educ. v. Mergens*, 496 U.S. 226 (1990) (holding that allowing a student Bible club to meet on a public school's campus did not violate the Establishment Clause); *Bd. of Airport Comm'rs v. Jews for Jesus*, 482 U.S. 569 (1987) (striking down an airport's ban on First Amendment activities).

Summary of Facts

██████ has been an employee of The Timken Company since March of 2024, serving as an HR Manager for the Springfield, MO plant. ██████ is also a Christian and has been a Christian for the entirety of his employment with Timken. Several months ago, ██████ decided to keep his Bible on his desk to glance at it throughout the day. ██████ does not often leave his desk and practices stress-management through private Bible reading. The Bible sits behind ██████ on his desk and is not visible to the average passerby. ██████ also visibly wears a cross-necklace as a sign of his faith. ██████ has not been told by co-workers or others that either of these are a distraction. Neither his Bible nor his cross necklace has impeded his work duties or capabilities. The Timken “Associate Handbook 2022” does not address either personal items on desks or the wearing of personal jewelry.

Beginning on August 7, 2025, ██████ has participated in several meetings with either Ms. Danielle Harvey, an HR manager over ██████, or Mr. Gus Psihountas, Manager of the Springfield Plant, on instruction from Ms. Harvey. In those meetings, ██████ was “guided” to remove his Bible from his desk and cease wearing his cross necklace openly because the items made him “not inclusive” and “unapproachable.” Mr. Psihountas relayed that Ms. Harvey directed him to tell ██████ that he was not inclusive because he was viewed as part of a “clique” due to his signs of faith. Ms. Harvey instructed that “guidance from corporate” was that his expression of faith was against the guidance to have a “neutral” work environment that was “respectful to others” due to his role as a leader/manager in the business. Ms. Harvey opined that “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...” and that ██████’s expression of personal faith would present a bias. ██████ was instructed to hide his cross necklace under his shirt and to put his Bible away when he is not reading it. ██████ was further “guided” 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.” ██████ was also interrogated on why he felt the need to wear a cross necklace as a sincere expression of faith.

The above instructions and guidance provided to ██████ regarding his Bible and necklace are discriminatory and violate federal law.

Statement of Law

Title VII of the Civil Rights Act of 1964 makes it unlawful for employers to discriminate against an employee based on their religious beliefs or practices. 42 U.S.C. § 2000e-2. The broad jurisdiction of Title VII applies to all public and private employers, including Timken. *Id.* at §§ 2000e-16, 2000e(a)-(b). Title VII defines religion broadly to “include[] all aspects of religious observance and practice, as well as belief.” Under Title VII, not only must employers refrain from discriminating against employees on the basis of religion, but they must also “reasonably accommodate [] an employee’s or prospective employee’s religious observance or practice” unless such an accommodation would pose “undue hardship on the conduct of the employer’s business.”²

In its guidance on the proper application of Title VII and protection of employee’s religious

² 42 U.S.C. § 2000e(j).

beliefs and practices, the EEOC has explained,

[t]hese protections apply whether the religious beliefs or practices in question are mainstream or non-traditional, and even if not recognized by any organized religion. . . . Religion includes not only traditional, organized religions such as Christianity, Judaism, Islam, Hinduism, Sikhism, and Buddhism, but also religious beliefs that are new, uncommon, not part of a formal church or sect, only subscribed to by a small number of people, or that seem illogical or unreasonable to others.³

Title VII encompasses a wide variety of religiously motivated observances and practices. Some examples include “attending worship services, praying, wearing religious garb or symbols, displaying religious objects, adhering to certain dietary rules, proselytizing or other forms of religious expression, or refraining from certain activities. Whether a practice is religious depends on the employee’s motivation.”⁴ The purpose of Title VII is to ensure a workplace free of discrimination. *Ricci v. DeStefano*, 557 U.S. 557 (2009). An employer cannot engage in disparate treatment of employees practicing faith in a non-disruptive manner that does not hinder their job duties. *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). Intentional discrimination, such as instruction to remove religious material from public view, is considered direct evidence of religious discrimination. *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).

██████████ was instructed to remove religious symbols from his person and his office when no Timken policy exists prohibiting employees from wearing personal jewelry or keeping personal items on their desks in the office. Timken’s assertions that ██████████ was being “non-inclusive” or creating a “clique” because of the wearing of a cross necklace or the presence of a Bible on his desk 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 ██████████ and anyone else espousing religious beliefs. The interrogation of ██████████ regarding his religious faith and Timken “guidance” that a good Christian, is one who hides his faith “in [his] heart” rather than freely exercise it is further evidence of discrimination.

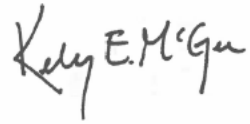
Conclusion

In light of the clear violation of federal law and our client’s rights, **we demand written assurances on or before September 9, 2025**, that ██████████ will be permitted to keep his Bible open on his desk and wear his cross necklace. We further ask that you provide written assurances that he will not be retaliated against and/or treated negatively for the exercise of these protected rights in in any future employment decisions or considerations. Should you wish to discuss this matter further or have any other questions in this regard, please feel free to contact me directly at ██████████ or by email at ██████████

³ EEOC Compliance Manual, <https://www.eeoc.gov/policy/docs/religion.html> (hereafter “EEOC Compliance Manual”).

⁴ EEOC Q&A’s.

Sincerely,

A handwritten signature in black ink that reads "Kelsey E. McGee". The signature is written in a cursive style with a large, stylized "K" and "M".

Kelsey McGee*
Associate Counsel

**AMERICAN CENTER FOR
LAW & JUSTICE**



*Admitted in Missouri