U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Office of Federal Operations
P.O. Box 77960
Washington, DC 20013

[redacted]
Augustine V.,[1]
Complainant,

v.

Douglas A. Collins,
Secretary,
Department of Veterans Affairs,
Agency.

Appeal No. 2023004016

Agency No. 200J-0656-2022-14522

DECISION

Complainant is a devout Muslim and a physician with the Department of Veterans Affairs (the "Agency"). At the start of her employment with the Agency, she requested to have Friday afternoons free to attend weekly prayer services at her mosque as was her longstanding practice. To facilitate her request, Complainant suggested she could work additional hours Monday through Thursday to make up the difference. After several months of back and forth, the Agency was ultimately willing to permanently excuse Complainant from Friday afternoon work, but with a catch. To have Friday afternoons off, Complainant had to either start working six days a week or transfer to a part time position with significantly fewer hours. The Agency firmly rejected the option of partially compressing Complainant's schedule with extra time Monday through Thursday. Faced with this take-it-or-leave-it proposition, Complainant begrudgingly accepted a transfer to a part time position.

[1] This case has been randomly assigned a pseudonym which will replace Complainant's name when the decision is published to non-parties and the Commission's website.

This appeal asks whether the Agency unlawfully failed to provide Complainant with an effective reasonable accommodation for her religious practice in violation of Title VII of the Civil Rights Act of 1964 (Title VII), as amended, 42 U.S.C. § 2000e et seq. We find that it did. The options offered by the Agency were unreasonable under the circumstances because they imposed substantial work-related burdens on Complainant. And there was a reasonable alternative—a partially compressed schedule—that did not significantly burden Complainant nor impose an undue hardship on the Agency's operations. Accordingly, we REVERSE the Agency's final order.

BACKGROUND AND PROCEEDINGS BELOW

The Agency hired Complainant, a primary care physician, to work in its clinic in St. Cloud, Minnesota. In the lead up to her new employee orientation, Complainant emailed her supervisor to inquire if her schedule had been set. And she shared that as a practicing Muslim she would need Friday afternoons free to attend weekly prayer service at her mosque. The supervisor responded that Complainant's schedule would be Monday through Friday from 8:00 a.m. to 4:30 p.m. Complainant suggested she could come in earlier and leave later Monday through Thursday to make up the four hours she would need to miss on Friday afternoons for prayer service.

The supervisor acknowledged Complainant's request for accommodation and explained a final decision could take time. In the interim, Complainant was approved for leave and compensatory time to cover her absence each Friday afternoon.

Complainant continued to use leave and compensatory time for the next few months as she worked with her management and the EEO office on a permanent accommodation. The Agency eventually limited the field to two options. In the first option, Complainant would work forty hours a week on a six-day schedule, Monday through Saturday, with Friday and Saturday as half days. In the second option, Complainant would transfer to a part-time position with significantly fewer hours. Complainant objected to both options as unreasonable, but she accepted the part-time transfer under protest.

Complainant promptly filed a formal complaint with the Agency alleging she had been unlawfully deprived of a reasonable accommodation for her religious practice. After investigation, Complainant requested a final decision from the Agency. The Agency's final decision rejected her claim. The instant appeal followed.

STANDARD OF REVIEW

The Agency's final decision is subject to de novo review on appeal. See 29 C.F.R. § 1614.405(b). To that end, we "review the documents, statements, and testimony of record" with fresh eyes, and we make our decision based on "[our] own assessment of the record and . . . interpretation of the law." Equal Employment Opportunity Management Directive for 29 C.F.R. Part 1614 (EEO MD-110), at Chap. 9, § VI (Aug. 5, 2015).

ANALYSIS

"Title VII . . . requires employers to accommodate the religious practice of their employees unless doing so would impose an 'undue hardship on the conduct of the employer's business.'" Groff v. Dejoy, 600 U.S. 447, 453-454 (2023) (quoting 42 U.S.C. § 2000e(j)). The parties do not contest many of the threshold issues, such as whether Complainant had a sincere religious practice and whether that practice conflicted with an employment requirement. In any event, the record persuasively establishes that Complainant is a devout Muslim who practices her faith by attending Friday prayer service.[2] And there can be no dispute that the schedule the Agency originally wanted Complainant to work conflicted with this practice.

The Agency offered unreasonable options

Both sides in this case agree that an effective accommodation for Complainant would need to excuse her from work on Friday afternoons. The parties differ in how they would prefer to reallocate that work. Complainant would prefer to work extra time Monday through Thursday. The Agency would prefer she come in on Saturdays to make up the difference. Alternatively, the Agency would be satisfied if Complainant transferred to a different position with significantly fewer hours.

As we weigh these options, we keep in mind that the statute does not "require an employer to choose any particular reasonable accommodation." Ansonia Bd. of Educ. v. Philbrook, 479 U.S. 60, 68 (1986). An employee's need for accommodation is rarely amenable to a procrustean solution, and very often there will be multiple viable options. When this is the case, the employer need not accept the employee's preferred accommodation so long as the alternative it implements is reasonable. Id.

[2] The obligatory Friday prayer service is derived from the Quran and referred to in Arabic as "Jumu'ah."

The rub in this case is whether the Agency's options were reasonable. To resolve the dispute necessarily asks, "What is a reasonable accommodation?" Congress declined to define the phrase as it is used in Title VII.[3] And courts constructing the statute have eschewed bright line demarcations. In lieu of a precise definition, courts have adopted a totality of the circumstances approach with reasonableness as the primary touchstone. See Haliye v. Celestica Corp., 717 F. Supp. 2d 873, 878-879 (D. Minn. 2010) (collecting cases).

One factor courts consider is whether and to what extent an accommodation offered by the employer disadvantages the requesting employee. On the one hand, an accommodation may not be unreasonable "simply because [it] would involve some cost to the employee." Eversley v. MBank Dallas, 843 F.2d 172, 176 (5th Cir. 1988). In the back-and-forth between employer and employee it may be appropriate to "require[] accommodation *by* the employee [as well]." Sturgill v. United Parcel Serv., Inc., 512 F.3d 1024, 1033 (8th Cir. 2008) (emphasis added). And this may mean that "a sufficient religious accommodation need not be . . . the one that least burdens the employee." Shelton v. Univ. of Med. & Dentistry of N.J., 223 F.3d 220, 225 (3d Cir. 2000)

But on the other hand, "an accommodation might be unreasonable if it imposes a significant work-related burden on the employee without justification." Cosme v. Henderson, 287 F.3d 152, 160 (2d Cir. 2002). For instance, it might be unreasonable if "in order to accommodate [an employee's] religious practices, [the employee must] accept a reduction in pay or some other loss of benefits." Wright v. Runyon, 2 F.3d 214, 217 (7th Cir. 1993). Instead, the employer should consider accommodations that "reasonably preserve th[e] employee's . . . compensation, terms, conditions, or privileges of employment." Am. Postal Workers Union v. Postmaster Gen., 781 F.2d 772, 776-77 (9th Cir. 1986).

In our de novo review, we find that this factor resolves decisively in Complainant's favor.

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[3] As originally enacted, Title VII made no mention of reasonable accommodation for religion. EEOC guidance issued shortly after Title VII's passage interpreted the statute to require "reasonable accommodation to the religious needs of employees." 29 C.F.R. § 1605.1 (1967). Congress largely codified this view in a 1972 amendment to the statute. See Trans World Airlines, Inc. v. Hardison, 432 U.S. 63, 72-73 (1977) (recounting history of "reasonable accommodation" under Title VII leading up to 1972 amendment).

The first option offered by the Agency, moving Complainant to a six-day a week schedule, required Complainant to forfeit one of her days off. Though Complainant would still work the same total weekly hours as the other physicians at the clinic, she alone would be required to commute to the office six consecutive days each week. Tellingly, we can find no justification in the record from the Agency to rationalize depriving Complainant of the customary benefit of two full days off. Nor does the Agency explain why it even made sense to go through the trouble of having Complainant work on Saturday rather than just letting her put in a extra hours on weekdays.[4]

At best, the Agency is trying to roughly balance the scales, reasoning that if Complainant is going to get the boon of Friday afternoons off, she must assume a commensurate detriment such as coming in on Saturdays. Title VII is not a law of equivalent exchange, and it will not condone this sort of inverted Faustian bargain. Indeed, it bears reminding that "Title VII does not demand mere neutrality with regard to religious practices . . . . Rather, it gives them favored treatment." EEOC v. Abercrombie & Fitch Stores, Inc., 575 U.S. 768, 775 (2015). Requiring Complainant to come in an extra day as the price to attend her prayer service did not afford her the favored treatment, she was due. And under the unique circumstances presented here, we are convinced that the burden on Complainant was substantial enough to render this option unreasonable.[5]

The second option, transferring Complainant to a part-time position, fares no better. True, in some cases it is acceptable "to offer to let the employee transfer to another reasonably comparable position where conflicts [with a religious practice] are less likely to arise." Bruff v. N. Mississippi Health Servs., Inc., 244 F.3d 495, 500 (5th Cir. 2001); see also Shelton, 223 F.3d at 227-28 (finding offer to transfer was reasonable because it would not have affected the plaintiff's pay or benefits and would not have been "burdensome"). But the part-time position Complainant was offered is hardly "reasonably comparable" to the full-time job she was originally hired for.

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[4] Congress has long approved allowing Federal employees to work compensatory overtime when their "personal religious beliefs require [their] abstention from work." 5 U.S.C. § 5550a.

[5] We do not adopt a categorical rule that this sort of schedule is *never* reasonable. Our decision today is limited to the unique facts presented in this appeal. Still, we expect instances when an employer can reasonably justify taking away a day-off will be uncommon.

The detriment to Complainant is obvious, resulting in an approximately 40% reduction in hours and pay. We are perforce persuaded that this option too was unreasonable.

A reasonable alternative would not have imposed an undue hardship on the Agency

Having concluded the options offered by the Agency were unreasonable, we must next ascertain whether a reasonable alternative existed, and if so, whether such an option would have imposed an undue hardship on the Agency's operations.

From the get-go, Complainant has suggested a partially compressed schedule whereby the four hours of work she misses on Friday are redistributed between Monday through Thursday. We are persuaded this option would be reasonable in the run of cases. It squarely eliminates the scheduling conflict with Complainant's prayer service without unduly encumbering her working conditions or her religious practice. And it preserves the employer's status quo expectation that the employee works a full forty hours each week.

In the absence of other reasonable options, the Agency should have implemented this accommodation unless doing so would have imposed an undue hardship on its operations. The record demonstrates that the Agency did not altogether ignore this alternative. Complainant's management considered this approach but ultimately concluded it would impose an undue hardship. We disagree.

Undue hardship is an affirmative defense, meaning the Agency bears "the burdens of production and persuasion." 42 U.S.C. § 2000e(m). To that end, the Agency must persuasively demonstrate that partially compressing Complainant's schedule would impose "a burden [that] is substantial in the overall context of [its] business." Groff, 600 U.S. at 468. After careful review of the record, we are not persuaded the Agency discharges these burdens. The concerns raised by the Agency are simply too inchoate to find purchase.

First, the Agency contends that not having Complainant work on Friday would diminish patient care. While a decline in care is perhaps possible, we cannot simply take the Agency's word on an issue it bears the burden of persuasion. "A claim of undue hardship cannot be supported by merely conceivable or hypothetical hardships; instead, it must be supported by proof of 'actual imposition on coworkers or disruption of the work routine.'" Tooley v. Martin–Marietta Corp., 648 F.2d 1239, 1243 (9th Cir.), cert. denied, 454 U.S. 1098

(1981) (quoting Burns v. S. Pac. Transp. Co., 589 F.2d 403, 406-07 (9th Cir. 1978)). We still need to see persuasive evidence tending to show that taking Complainant off the Friday afternoon schedule would cause a substantial decline in patient care.

Often an employer will have to approach the undue hardship question prospectively and marshal enough evidence to forecast that an undue hardship would arise if an accommodation were granted. But since the Agency here had already excused Complainant from Friday afternoon work for approximately four months as an interim accommodation, it did not need to simply augur on the possible effects of the accommodation. This was ample time to observe and record any diminishment in patient care caused by Complainant's accommodation. Since the Agency does not have any evidence showing an actual decline in patient care during this trial period, we are not persuaded that patient care would materially suffer if the arrangement were continued.

The Agency's other concern was that removing Complainant from the Friday afternoon schedule would create issues for the other physicians. The Agency noted that all physicians worked on Friday and that Friday was the most requested day for leave. If Complainant were already off the schedule every Friday afternoon, it follows that the Agency might have to deny leave requests from other physicians if too many requested the same Friday off. For argument's sake we accept the Agency's zero-sum hypothesis, i.e., that giving Complainant Friday afternoons off necessarily shrinks the pool of Friday leave opportunities for other physicians. What we don't see is how this translates into a real undue hardship.

The Supreme Court instructs that "not all impacts on coworkers . . . are relevant" to the undue hardship analysis. Groff, 600 U.S. at 472 (quotations and citations omitted). Rather, relevance is limited to "coworker impacts that go on to affect the conduct of the business." Id. (cleaned up). The Agency here has not taken "the further logical step" to show that fewer Fridays off for other physicians would in fact impact its business. Id. At best the Agency speculates that granting Complainant the perk of a partially compressed schedule would lead to grumbling amongst the other physicians and a slide in morale.

We are not persuaded that mere disgruntlement in the ranks over Complainant's accommodation suffices to establish an undue hardship.[6] To hold otherwise would mean that an employee's entitlement to religious accommodation would often hinge on the magnanimity of her coworkers. An employee with the misfortune of having stingy colleagues would almost never receive accommodation. It would be absurd "[i]f bias or hostility to . . . a religious accommodation provided a defense to a reasonable accommodation claim[;] [otherwise] Title VII would be at war with itself." Groff, 600 U.S. at 472 (citation omitted). We decline to withhold an effective reasonable accommodation from Complainant "merely because the majority group of employees . . . will be unhappy about it." Carter v. Loc. 556, Transp. Workers Union of Am., 138 F.4th 164, 191 (5th Cir. 2025) (quoting Franks v. Bowman Transp. Co., 424 U.S. 747, 775 (1976)).[7]

A partially compressed schedule would have been reasonable under the circumstances.[8] And it has not been shown to impose an undue hardship on the Agency's operations. We hold the Agency liable for failing to offer this accommodation.

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[6] We again note that Complainant did in fact have Friday afternoons off for four months, yet the Agency does not offer evidence that physician morale deteriorated during this period.

[7] We further distinguish that the instant appeal is not a case where coworker expectations about scheduling are backed by a collective bargaining agreement. See Hardison, 432 U.S. at 79-81 (finding undue hardship when granting plaintiff's reasonable accommodation would have deprived employees of seniority rights under the collective bargaining agreement). We have no occasion in this appeal to address to what extent a collective bargaining agreement is relevant to the undue hardship analysis post-Groff.

[8] In similar cases, it might be reasonable to simply change the employee's regularly scheduled days off. In Complainant's case that would mean flipping her Fridays and Saturdays, i.e., off all day Friday and on for a full eight-hour shift Saturday. The Agency, however, did not consider this option, and without more evidence we cannot say whether it would have been reasonable in Complainant's specific case. On the record before us, a partially compressed schedule is the only evident reasonable accommodation.

CONCLUSION

Our decision reminds Federal agencies that reasonable accommodation for their religious employees is not a second class right. Title VII does not automatically empower employers to saddle their religious employees with unreasonable disadvantages as a condition to enjoy their right to an effective reasonable accommodation. This sort of unjustified toll-taking behavior forces people of faith "to make the cruel choice of surrendering their religion or their job." Hardison, 432 U.S. at 87 (Marshall, J., dissenting). Imposing this choice thwarts Title VII's promise of full inclusion in the workplace for members of all faiths.

The Agency imposed this choice on Complainant and thus fell short in its duty to provide her with an effective reasonable accommodation for her religious practice. Accordingly, we reverse the Agency's final order and remand to the Agency for proceedings on relief and damages per the orders below.

ORDER

The Agency shall take the following remedial actions:

1. Within **120 calendar days** of the date this decision is issued, the Agency shall pay Complainant back pay and interest thereon from the date she accepted her part-time position to the date she left employment with the Agency. Backpay shall reflect the difference between what Complainant would have made had she stayed in her full-time position and what she made in her part-time position.

2. Within **120 calendar days** of the date this decision is issued, the Agency shall conduct and complete a supplemental investigation to determine whether Complainant is entitled to compensatory damages. In so doing, the Agency shall:

a. Issue a notice to Complainant of her right to submit evidence based on our guidance in Carle v. Dep't of the Navy, EEOC Appeal No. 01922369 (Jan. 5, 1993) and request evidence from Complainant in support of compensatory damages. The Notice shall provide Complainant with **30 calendar days** to respond (with an option and instructions to request an extension in the case of extenuating circumstances). Complainant has a duty to cooperate with Agency's investigation to determine compensatory damages, including responding to agency requests for documentation or completing agency forms.

b. Issue a new final agency decision ("Compensatory Damages FAD") based on the findings of the supplemental investigation. The Compensatory Damages FAD shall state the amount (if any) of compensatory damages owed to Complainant and explain how the Agency determined that amount. The Compensatory Damages FAD shall include appeal rights to the Commission.

c. Within **60 calendar days** of the date the Compensatory Damages FAD is issued, the Agency shall pay Complainant the amount of compensatory damages it determined are owed. If there is a dispute over the exact amount of compensatory damages owed, the Agency shall pay the undisputed amount to Complainant. If Complainant disagrees with the Agency's award, they may challenge the Agency's decision on the amount of compensatory damages by filing an appeal of the Compensatory Damages FAD with the Commission. Instructions on how to appeal, including the deadline to file, will be included in the appeal rights portion of the Compensatory Damages FAD.

3. Within **90 calendar days** of the date this decision is issued, the responsible management officials shall complete four hours of online or live training on the Agency's obligations under Title VII with an emphasis on accommodating employee's religious practices. For assistance in obtaining the necessary training, the Agency may contact the Commission's Outreach, Training and Engagement Division via email, at FederalTrainingandOutreach@eeoc.gov. The Agency shall provide the Compliance Officer with proof of attendance, as well as the contents and materials it used for the training. If the responsible management officials have left the Agency's employment, then the Agency shall furnish documentation of his/her/their departure date.

4. Within **30 calendar days** of the date this decision is issued, the Agency shall post a notice in accordance with the section listed below, entitled "Posting Order." The Agency shall provide the Compliance Officer with the original signed and dated notice, reflecting the dates that the notice was posted, along with evidence that the notice was physically posted at the facility and electronically.

POSTING ORDER (G0617)

The Agency shall post, at its St. Cloud VA Medical Center located in St. Cloud, Minnesota, copies of the attached notice. Copies of the notice, after being signed by the Agency's duly authorized representative, shall be posted **both in hard copy and electronic format** by the Agency within 30 calendar days

of the date this decision was issued, and shall remain posted for 60 consecutive days, in conspicuous places, including all places where notices to employees are customarily posted. The Agency shall take reasonable steps to ensure that said notices are not altered, defaced, or covered by any other material. The original signed notice is to be submitted to the Compliance Officer as directed in the paragraph entitled "Implementation of the Commission's Decision," within 10 calendar days of the expiration of the posting period. The report must be in digital format and must be submitted via the Federal Sector EEO Portal (FedSEP). See 29 C.F.R. § 1614.403(g).

ATTORNEY'S FEES (H0124)

If Complainant has been represented by an attorney (as defined by 29 C.F.R. § 1614.501(e)(1)(iii)), they are entitled to an award of reasonable attorney's fees incurred in the processing of the complaint. 29 C.F.R. § 1614.501(e). The award of attorney's fees shall be paid by the Agency. The attorney shall submit a verified statement of fees to the Agency -- **not** to the Equal Employment Opportunity Commission, Office of Federal Operations -- within thirty (30) calendar days of receipt of this decision. The Agency shall then process the claim for attorney's fees in accordance with 29 C.F.R. § 1614.501.

IMPLEMENTATION OF THE COMMISSION'S DECISION (K0719)

Under 29 C.F.R. § 1614.405(c) and §1614.502, compliance with the Commission's corrective action is mandatory. Within seven (7) calendar days of the completion of each ordered corrective action, the Agency shall submit via the Federal Sector EEO Portal (FedSEP) supporting documents in the digital format required by the Commission, referencing the compliance docket number under which compliance was being monitored. Once all compliance is complete, the Agency shall submit via FedSEP a final compliance report in the digital format required by the Commission. See 29 C.F.R. § 1614.403(g). The Agency's final report must contain supporting documentation when previously not uploaded, and the Agency must send a copy of all submissions to the Complainant and his/her representative.

If the Agency does not comply with the Commission's order, the Complainant may petition the Commission for enforcement of the order. 29 C.F.R. § 1614.503(a). The Complainant also has the right to file a civil action to enforce compliance with the Commission's order prior to or following an administrative petition for enforcement. See 29 C.F.R. §§ 1614.407, 1614.408, and 29 C.F.R. § 1614.503(g).

Alternatively, the Complainant has the right to file a civil action on the underlying complaint in accordance with the paragraph below entitled "Right to File a Civil Action." 29 C.F.R. §§ 1614.407 and 1614.408. A civil action for enforcement or a civil action on the underlying complaint is subject to the deadline stated in 42 U.S.C. 2000e-16(c) (1994 & Supp. IV 1999). **If the Complainant files a civil action, the administrative processing of the complaint, including any petition for enforcement, will be terminated**. See 29 C.F.R. § 1614.409.

Failure by an agency to either file a compliance report or implement any of the orders set forth in this decision, without good cause shown, may result in the referral of this matter to the Office of Special Counsel pursuant to 29 C.F.R. § 1614.503(f) for enforcement by that agency.

STATEMENT OF RIGHTS - ON APPEAL
RECONSIDERATION (M0425)

The Commission may, in its discretion, reconsider this appellate decision if Complainant or the Agency submits a written request that contains arguments or evidence that tend to establish that:

1. The appellate decision involved a clearly erroneous interpretation of material fact or law; or
2. The appellate decision will have a substantial impact on the policies, practices, or operations of the agency.

Requests for reconsideration must be filed with EEOC's Office of Federal Operations (OFO) **within thirty (30) calendar days** of receipt of this decision. If the party requesting reconsideration elects to file a statement or brief in support of the request, **that statement or brief must be filed together with the request for reconsideration**. A party shall have **twenty (20) calendar days** from receipt of another party's request for reconsideration within which to submit a brief or statement in opposition. See 29 C.F.R. § 1614.405; Equal Employment Opportunity Management Directive for 29 C.F.R. Part 1614 (EEO MD-110), at Chap. 9 § VII.B (Aug. 5, 2015).

Complainant should submit their request for reconsideration, and any statement or brief in support of their request, via the EEOC Public Portal, which can be found at https://publicportal.eeoc.gov/Portal/Login.aspx.

Alternatively, Complainant can submit their request and arguments to the Director, Office of Federal Operations, Equal Employment Opportunity Commission, via regular mail addressed to P.O. Box 77960, Washington, DC 20013, or by certified mail addressed to 131 M Street, NE, Washington, DC 20507. In the absence of a legible postmark, a complainant's request to reconsider shall be deemed timely filed if OFO receives it by mail within five days of the expiration of the applicable filing period. See 29 C.F.R. § 1614.604.

An agency's request for reconsideration must be submitted in digital format via the EEOC's Federal Sector EEO Portal (FedSEP). See 29 C.F.R. § 1614.403(g). Either party's request and/or statement or brief in opposition must also include proof of service on the other party, unless Complainant files their request via the EEOC Public Portal, in which case no proof of service is required.

Failure to file within the 30-day time period will result in dismissal of the party's request for reconsideration as untimely, unless extenuating circumstances prevented the timely filing of the request. **Any supporting documentation must be submitted together with the request for reconsideration.** The Commission will consider requests for reconsideration filed after the deadline only in very limited circumstances. See 29 C.F.R. § 1614.604(f).

COMPLAINANT'S RIGHT TO FILE A CIVIL ACTION (R0124)

This is a decision requiring the Agency to continue its administrative processing of your complaint. However, if you wish to file a civil action, you have the right to file such action in an appropriate United States District Court **within ninety (90) calendar days** from the date that you receive this decision. In the alternative, you may file a civil action **after one hundred and eighty (180) calendar days** of the date you filed your complaint with the Agency, or filed your appeal with the Commission. If you file a civil action, you must name as the defendant in the complaint the person who is the official Agency head or department head, identifying that person by their full name and official title. Failure to do so may result in the dismissal of your case in court. "Agency" or "department" means the national organization, and not the local office, facility or department in which you work. **Filing a civil action will terminate the administrative processing of your complaint.**

RIGHT TO REQUEST COUNSEL (Z0815)

If you want to file a civil action but cannot pay the fees, costs, or security to do so, you may request permission from the court to proceed with the civil action without paying these fees or costs. Similarly, if you cannot afford an attorney to represent you in the civil action, you may request the court to appoint an attorney for you. **You must submit the requests for waiver of court costs or appointment of an attorney directly to the court, not the Commission.** The court has the sole discretion to grant or deny these types of requests. Such requests do not alter the time limits for filing a civil action (please read the paragraph titled Complainant's Right to File a Civil Action for the specific time limits).

FOR THE COMMISSION:

Gul Chaudhry, Acting Director
Office of Federal Operations

August 4, 2025
Date