



## CLE TIMED AGENDA

### *Challenging Antisemitism & Bias in the Workplace: Best Practices and Legal Remedies*

March 6, 2024  
2-3 pm

Unchecked antisemitism and bias in the workplace can foster a non-inclusive work culture that often impacts employee morale as well as a company’s bottom line. With antisemitism on the rise, employers have both a moral and legal obligation to act – by taking concrete steps to counter bias and antisemitism in the workplace and by ensuring that the experiences of Jewish employees are part of the organizational culture and workplace diversity, equity and inclusion (DEI) strategies. This panel will provide an overview of best practices for combatting antisemitism in the workplace and will help equip employees with the tools and resources they need to understand their rights and available legal remedies.

- I. Introduction and Overview of Workplace Antisemitism..... 2:00-2:10**
- II. Legal Rights and Remedies in Harassment & Discrimination Cases..... 2:10-2:30**
- III. Best Practices for Countering Workplace Antisemitism..... 2:30-2:40**
- IV. Tips for Further Action & Q&A..... 2:40-3:00**

## CLE Materials

### ADL RESOURCES

[Religious Accommodation in the Workplace: Creating an Inclusive Environment](#)

Policies that provide accommodations to employees who observe any faith or religious belief promote a greater sense of acceptance in the workplace as well as increased productivity and talent retention. Learn more about governing legal principles and best practices in this resource.

[Employee Resource Groups: Forums for Success](#)



Employee Resource Groups (ERGs) are voluntary, employee-led groups that foster a diverse, inclusive workplace aligned with an organization’s mission, values, goals, business practices, and objectives. Learn more about ERG best practices, as well as how to create a Jewish ERG at your workplace, by reviewing this resource.

[\*ADL at Work: Challenging Antisemitism and Bias in the Workplace\*](#)

Learn more about the resources available to employees to challenge antisemitism and bias in the workplace. With antisemitism rising precipitously all around the world, workplaces must ensure that addressing antisemitism and ensuring cultural competency regarding Judaism and Jewish identity are part of a workplace equity and inclusion strategy.

## EEOC RESOURCES

[\*Anti-Arab, Anti-Middle Eastern, Anti-Muslim, and Antisemitic Discrimination are Illegal\*](#)

The U.S. Equal Employment Opportunity Commission (EEOC) works to prevent and remedy employment discrimination based on religion, national origin, and race, including discrimination against those who are, or are perceived to be, Arab, Israeli, Jewish, Middle Eastern, Muslim, or Palestinian. Learn more about workplace disparate treatment, harassment, segregation, religious accommodation and retaliation in this resource.

[\*Title VII of the Civil Rights Act of 1964\*](#)

The EEOC enforces federal laws against job discrimination and harassment. Title VII prohibits employment discrimination based on race, color, religion, sex and national origin. The law also protects employees from retaliation if they complain about discrimination, participate in an employment discrimination proceeding (for example, a discrimination investigation or lawsuit), or reasonably oppose discrimination (for example, resisting unwanted sexual advances or helping protect co-workers from unwanted sexual advances).

## CASES

[\*Groff v. DeJoy \(U.S. Supreme Court, 2023\)\*](#)

In *Trans World Airlines, Inc. v. Hardison* (1977), the Supreme Court held that an employer is required to allow a religious accommodation for an employee under Title VII of the Civil Rights Act of 1964 unless doing so would constitute an “undue hardship” for the business. However, the Court defined an “undue hardship” as anything that imposes “more than a de minimis cost” for the employer — a very low standard that has made it difficult over the years for people of faith to obtain religious accommodations in the workplace. In this case, the Supreme Court was asked to revisit that standard. [\*ADL joined 5 other faith-based organizations in an amicus brief\*](#) arguing that the standard needs to be changed. The brief provides a workable alternative to the de minimis standard by suggesting that “undue hardship” be defined in the same way as it is in the Americans with Disabilities Act. It also highlights that the burden of religious discrimination falls



disproportionately on religious minorities and people who are economically vulnerable. Finally, the brief argues that the Court should declare that — extreme situations aside — an employer cannot establish “an undue hardship” merely because it would affect an employee’s coworkers. The Supreme Court opinion can be found [here](#).

## ARTICLES

[Groff v. DeJoy: Supreme Court Clarifies Employment Protections for Religious Workers](#),  
Congressional Research Service

[“How to Build an Effective Employee Resource Group \(ERG\) Program”](#) by Noelle Salerno, Indeed

[“How To Start An Employee Resource Group At Your Organization”](#) by Janice Gassam Asare,  
Forbes

[“Corporate Religious Equity, Diversity & Inclusion \(REDI\) Index 2021”](#) by Religious Freedom &  
Business Foundation

[“The link between economic and religious freedoms”](#) by World Economic Forum

[“The Importance of Employee Resource Groups for Your Workplace”](#) by Sheba Lasley,  
EveryoneSocial

## PANELISTS

### **Cheryl Drazin (SVP, Talent and Knowledge, ADL) (Dallas, TX)**



As Senior Vice President, Talent and Knowledge, Cheryl Drazin provides strategic leadership across all areas that affect the organization’s people and culture. Cheryl joined ADL in 2013 as the Jean and Jerry Moore Civil Rights Area Counsel and became Regional Director for the Dallas regional office in 2016. In 2020, Cheryl was appointed Vice President of the Central Division. Prior to joining ADL, Cheryl was shareholder at a boutique labor and employment law firm where her practice focused on advocating for individuals who experienced workplace discrimination. Cheryl earned her BA from WashU in St. Louis and a JD from The University of Texas School of Law.

## **Dani Nurik (Director of Advocacy, JLens) (Boston, MA)**



JLens invests in 300 of the most influential US public companies, and engages them on six Jewish value pillars. Dani oversees all of JLens' direct advocacy and engagement with corporations. Dani has worked for a variety of organizations in the Jewish community focused on education and engagement in both the United States and Israel. Dani holds an MBA with a concentration on social impact and an MA in Jewish Professional Leadership from Brandeis University, as well as a BA in Public Health and Environmental Science from Brandeis University.

## **Wendy Doernberg (Attorney-Advisory, EEOC) (Washington, D.C.)**



Wendy Doernberg is an attorney-advisor with the Equal Employment Opportunity Commission's (EEOC's) Office of Federal Operations, Federal Sector Programs. She provides oversight and assistance to Federal agencies regarding EEO and DEIA issues, serves on the implementation team for Executive Order 14035: Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce, conducts government-wide studies on EEO issues, and provides training and outreach to agencies and stakeholders. Wendy is the Chair of the Federal Inter-Agency Holocaust Remembrance

Committee and has been involved with that group since 2015. She received her Juris Doctor from University of Pittsburgh School of Law and her Bachelor of Arts in Political Science and Judaic Studies from the George Washington University.

## **Debbie Berman (Partner, Jenner & Block) (Chicago, IL)**



Debbie Berman is a first chair trial lawyer, who leads cases and client teams for multinational companies facing significant business challenges. She is also a member of Jenner & Block's Jewish Affinity Group. A co-chair of the firm's Business Litigation and the Trade Secrets and Restrictive Covenants Practices, she is known for her deep knowledge and experience, savvy leadership and ability to develop next generation talent. Debbie received her Juris Doctor from Harvard Law School (cum laude) and her undergraduate degree from Brandeis University (summa cum laude).



**Hindy Poupko (SVP, Community Strategy & External Relations, UJA-Federation)  
(New York, NY)**



Hindy Poupko is the SVP for Community Strategy and External Relations at UJA-Federation of New York. In this role, Hindy oversees an integrated and holistic model of programmatic investment and government relations around key priority areas, including UJA’s work to confront antisemitism. Prior to this role, Hindy served as the Deputy Chief Planning Officer and Managing Director of UJA’s Commission on the Jewish People. Before coming to UJA, Hindy was the Managing Director of the JCRC of New York. She earned a Master’s Degree in Public Policy from the Robert F. Wagner School of Public Service and a Master’s Degree from the Skirball Department of Hebrew and Judaic Studies at NYU. In 2012, Hindy was included in the Forward’s list of the 50 most influential Jews in America.