An employer can be liable for religious discrimination against the employee even if the employer's beliefs about the employee's faith or religion are mistaken. In this case, you must decide whether Defendant California Institute of Technology (Jet Propulsion Laboratory) discriminated against Plaintiff because of what Defendant perceived to be Plaintiff's religious faith and beliefs.

Source: Delaney v. Superior Fast Freight (1993) 14 Cal.App.4th 590,596 (employer defendant violated plaintiff's rights by treating the plaintiff unfairly and imposing an adverse employment
action against the plaintiff based upon employer's assumption that the plaintiff belonged to a protected category).

Source: Estate of Amos v. City of Page, Ariz. (9th Cir. 2000) 257 F.3d 1086, 1094 (civil rights violation lies where defendant treated victim differently because the defendant mistakenly believed the victim was a member of a different race or ethnicity).

Source: Govt. Code § 12926(m) (“Race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation’ includes a perception that the person has any of those characteristics or that the person is associated with a person who has, or is perceived to have, any of those characteristics.” (Emphasis added.)

Source: Govt. Code § 12926(o) (“Religious creed,” “religion,” “religious observance,” “religious belief,” and “creed” include all aspects of religious belief, observance, and practice.) (Emphasis added.)

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