

***FRAZEE v. ILLINOIS DEPARTMENT OF EMPLOYMENT  
SECURITY 488 U.S. 814 (1989)  
FIRST AMENDMENT***

The key issue was whether unemployment benefits could be withheld from a person who refused to work on Sunday because of his religious beliefs. Illinois law prohibits an unemployed person from collecting unemployment benefits if he or she refuses to accept suitable work that is available. However, an exception is made if the person can show “good cause” for refusing to accept the work.

After William Frazee was laid off from his regular job, he found temporary work through Kelly Services. When an assignment requiring work from Wednesday through Sunday became available, Frazee rejected the offer, stating that as a Christian, he was unable to work on Sundays. Frazee then sought unemployment benefits, claiming there was good cause for his refusal to work on Sundays.

The Department of Employment Security and the Illinois courts denied Frazee’s claim and declared him ineligible to receive unemployment benefits. They reasoned that the good cause exception should apply only if the person refusing Sunday work for religious reasons belonged to an established religious sect. Because Frazee did not belong to an organized church and his refusal to work on Sundays was based only on his personal religious beliefs, unemployment benefits could be denied.

The U.S. Supreme Court reversed the Illinois decision. In a unanimous opinion, the Court emphasized its prior rulings that the free exercise clause of the First Amendment protects only beliefs which are rooted in religion. It is not enough that a person base his or her action on a purely personal preference, rather than a religious belief, when seeking the protection of the First Amendment. But a person need not be a member of an organized religious denomination to claim the protections of the free exercise clause. Here, Frazee’s refusal to accept Sunday employment was based on a sincerely held religious belief. He was entitled to claim the protection of the free exercise clause, even though he was not a member of a particular Christian sect, because his views clearly constituted a religious conviction.