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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND
REHABILITATION,

Defendant.

No. 2:24-cv-00925-DJC-DB

PRELIMINARY INJUNCTION

Pursuant to the Court's order granting injunctive relief (ECF No. 32), the Court issues the present Preliminary Injunction order. IT IS HEREBY ORDERED that:

1. CDCR is temporarily enjoined from statewide enforcement of its policies prohibiting facial hair for peace officers whose sincerely held religious beliefs require them to wear beards, meaning that it must:

- a) Immediately refrain from disciplining, threatening with discipline, demoting, requiring the use of accrued time off, involuntarily reclassifying or transferring (except to the extent temporarily permitted by Paragraph 1(c)), reducing the number of work hours, terminating, or retaliating against peace officers who are not in compliance with the facial hair policy and have requested to wear a

1 beard due to sincerely held religious beliefs, for the duration of this
2 Preliminary Injunction;

3 b) Immediately communicate to all CDCR personnel that no peace
4 officer who requests to wear a beard due to sincerely held religious
5 beliefs may be disciplined, threatened with discipline, demoted,
6 involuntarily reclassified or transferred (except to the extent
7 temporarily permitted by Paragraph 1(c)), prohibited from working,
8 required to use accrued time off, terminated, or retaliated against for
9 not being clean-shaven, for the duration of this Preliminary Injunction,
10 but should be provided with a temporary accommodation pursuant
11 to Paragraph 1(c); and

12 c) Until the Preliminary Injunction is lifted by this Court, temporarily
13 eliminate the conflict between peace officers' sincerely held religious
14 beliefs requiring them to wear beards and CDCR's peace officer job
15 requirements, whether by temporarily granting them paid leave,
16 temporarily requiring them to work in other positions while receiving
17 their current or prior peace officer rate of pay, or via other temporary
18 alternatives that do not financially disadvantage those peace officers.

19 2. CDCR is ordered to:

20 Comply with its obligations under Title VII by engaging in good faith
21 discussions with CDCR peace officers Mubashar Ali, Ravinder
22 Dhaliwal, Jatinder Dhillon, Amarpreet Pannu, Adam Quattrone,
23 Rajdeep Singh, Satvir Singh, and Manroop Sohal (collectively, "the
24 Charging Parties"), and any similarly situated peace officers whose
25 sincerely held religious beliefs require them to wear beards,
26 regarding CDCR's facial hair policy, to determine if there are
27 reasonable accommodations that would eliminate the conflict
28 between the officers' religious beliefs and the clean-shaven policy by

1 evaluating potential accommodations, including, but not limited to: (i)
2 providing alternative respirators, such as varying configurations of
3 Powered Air Purifying Respirators that provide protection from
4 hazards such as aerosol transmissible diseases and chemical agents;
5 (ii) narrowly tailoring CDCR's approach to staffing, incident response,
6 and respiratory protection to align respirator requirements and
7 officer duties and assignments in a manner that accommodates
8 employees whose religious beliefs require them to wear a beard, or
9 (iii) offering transfers to specific positions within CDCR that maintain
10 the peace officers' rate of pay and benefits, such as Parole Agent,
11 Special Agent and the Office of Correctional Safety.

12 3. Nothing in this Preliminary Injunction should be read to permit or require
13 Correctional Officers to be exposed to chemical agents or Aerosol
14 Transmissible Diseases in violation of guidelines established by the
15 California Division of Occupational Safety and Health.

16 The Court shall maintain jurisdiction over this matter until the earlier of the
17 following: (a) the Parties jointly file notice of the U.S. Equal Employment Opportunity
18 Commission's ("EEOC") completion of its investigation and final disposition of the
19 charges of discrimination filed by Mubashar Ali (EEOC Charge No. 550-2023-02802),
20 Ravinder Dhaliwal (EEOC Charge No. 550-2023-02873), Jatinder Dhillon (EEOC
21 Charge No. 550-2023-02903), Amarpreet Pannu (EEOC Charge No. 550-2023-02860),
22 Adam Quattrone (EEOC Charge No. 485-2023-00280), Rajdeep Singh (EEOC Charge
23 No. 550-2023-02867), Satvir Singh (EEOC Charge No. 550-2023-02953), and
24 Manroop Singh Sohal (EEOC Charge No. 550-2023-03410); or (b) until this Court
25 determines that CDCR has fulfilled its obligation to participate in a good faith
26 interactive process by evaluating potential reasonable accommodations, or
27 demonstrated to this Court that undue hardship would be created by all potential
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1 accommodations identified by a peace office or the United States from providing
2 religious accommodations to the Charging Parties, whichever occurs first.

3 No bond is required.

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5 Dated: June 20, 2024


6 THE HONORABLE DANIEL J. CALABRETTA
7 UNITED STATES DISTRICT JUDGE
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