Software VP Fired for Using 'Assigned by God' as Preferred Pronoun Sues Employer

Florida attorney Jennifer Vasquez represents several Christian employees in religious discrimination cases against their companies (Courtesy of Campbell, Trohn, Tamayo & Aranda law firm)

By <u>Alice Giordano</u> (The Epoch Times) June 8, 2023Updated: June 8, 2023

A software engineer fired for putting "Assigned By God" as the preferred pronoun on his employee profile has filed a civil rights lawsuit against his company.

Chard Scharf was fired by the software company Bitwarden, an online storage service for sensitive information. Scharf served as Vice President of Software Engineering at the Jacksonville, Florida, location.

The lawsuit alleges that Bitwarden violated Scharf's Title VII rights against religious discrimination by allowing other employees to post preferred pronouns on their employee profiles, but prohibiting Scharf from using his preferred pronoun based on his religious beliefs.

"Had Chad set aside his religious beliefs and acquiesced to Bitwarden's promotion of gender ideology, he would not have been fired," Scharf's attorney Jennifer Vasquez told The Epoch Times, "which means his religious beliefs were the cause of his termination." Vasquez is with the Florida law firm Campbell, Trohn, Tamayo & Aranda.

Neither Bitwarden nor its attorney B. Tyler White of Jackson & Lewis, responded to multiple inquiries from The Epoch Times about Scharf's lawsuit. The company has not yet filed a response to the federal complaint.

"Bitwarden violated Title VII when it placed Mr. Scharf into a disfavored class by promoting its gender ideology, when it failed to approve his reasonable request for accommodation, and when it terminated his employment," the lawsuit states.

According to the lawsuit, Scharf was repeatedly pressured to add his preferred pronouns to his Slack employee profile under his company's "inclusivity initiative." Slack is a platform utilized for intra company communication.

When Scharf added "Assigned By God" to his employee profile page, he was told to remove it, his complaint alleges.

Scharf, a Catholic, told his company he would not participate in its request to choose preferred pronouns because it was part of a gender ideology that went against his religious beliefs.

He told Bitwarden executives that it was his belief that there are only two sexes and "that gender cannot be changed, chosen, or manipulated," and that it was the company discriminating against him for failing to accommodate his beliefs.

Vasquez said correspondence shows that the company pushed the completion of the gender field on his employee profile and not Scharf.

According to the lawsuit, two employees in the company's human resources department complained that they felt harassed by Scharf's religious statements.

Scharf was also reprimanded for not using the preferred pronouns in notes based on an interview he conducted of a job application whose preferred pronouns were different from their biological gender. In the lawsuit, Scharf claims he avoided using any pronouns during the interview and that he only used the applicant's biological pronouns in internal notes.

According to the lawsuit, Bitwarden's CEO told Scharf he had spoken to three different attorneys and each of them told him he was "legally entitled" to fire him for refusing to use pronouns that violated his religious beliefs.

"Bitwarden violated Title VII when it placed Mr. Scharf into a disfavored class by promoting its gender ideology, when it failed to approve his reasonable request for accommodation, and when it terminated his employment," Vasquez wrote in the lawsuit against Bitwarden.

Scharf also filed a discrimination complaint against Bitwarden with The Florida Commission on Human Relations (FCHR). In February, the board ruled in favor of Bitwarden, finding it had not discriminated against Scharf. Vasquez said she is handling an appeal of that decision.

Vasquez, who has successfully argued other Title VII lawsuits against companies for discriminating against an employee's religious beliefs, said that the growing drive to use transgender pronouns in the workplace is increasing religious persecution in the workplace.

"We have a real growing hate against Christians now," she said, "I feel like, for some reason, companies don't think they have rights because of the spirit of the time."

Vasquez said she believes companies like Bitwarden have become more preoccupied with environmental, social, and governance (ESG) scores than with worker rights and that is why there is such a push for woke ideology in the workplace.

An ESG score ranges from 1 to 100, with 100 being the best. The score shows how much a company is investing in environmental and social issues.

According to a March 2022 investigative article by Harvard Business Review, investors in companies with high ESG scores are not "faring that well."

"The conclusion to be drawn from this evidence seems pretty clear: funds investing in companies that publicly embrace ESG sacrifice financial returns without gaining much, if anything, in terms of actually furthering ESG interests," the article stated.

In the meantime, Title VII lawsuits are concluding in major court victories. Last year, Liberty Counsel, a national conservative legal organization, won a historic \$10.3 million settlement in a Title VII lawsuit against an Illinois hospital chain for refusing to accommodate religious

accommodations of healthcare workers who are opposed to the COVID vaccine because aborted fetal cells were used in its development.

Vasquez said companies are inviting such court rulings when they do things like deliberately create a preferred gender pronoun entry and then demand workers with religious beliefs against such ideology to participate in completing it.

"COVID kind of woke up this religious right debate in this workplace," she said.