

# Appeals court rules against Dave Ramsey's company

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(RNS)—A federal appeals court has ruled in favor of a former employee who claimed Ramsey Solutions, the company run by Christian personal finance guru Dave Ramsey, discriminated against him during the COVID-19 pandemic.

Brad Amos, a former video editor at the Tennessee-based company, sued Ramsey Solutions in 2021, saying he was fired for not agreeing with Ramsey's faith-based views about how to respond to the pandemic.

During the pandemic, Dave Ramsey [downplayed](#) the risk of COVID-19, referred to those who wear masks as "wusses," barred employees from working at home and said his company would be guided by faith not fear.

At the Lampo Group—which does business as Ramsey Solutions—wearing a mask or social distancing was seen as "against the will of God," Amos' attorneys alleged, and employees were required to agree with Ramsey's beliefs about the pandemic.

Attorneys for Amos also claimed his faith, including Amos' belief in the Golden Rule—doing unto others as you would have them do unto you—required him to mask, social distance and comply with other CDC recommendations during the pandemic.

His insistence on doing so, Amos alleged, led to his firing.

## Religious discrimination?

"Amos says that his termination was based on his failure to submit to

Lampo's religious practices and his expression of his own religious beliefs with regard to COVID measures.

"These facts form the basis for Amos's religious-discrimination claims," according to a ruling from the U.S. Court of Appeals for the Sixth District.

Amos' attorney also claimed Ramsey Solutions had committed fraud by allegedly lying to him about the "cult-like" atmosphere at the company.

In December, a U.S. District Court had dismissed both the discrimination and fraud claims before they went to trial, saying Amos had failed to show he was discriminated against.

In the lower court ruling, U.S. District Court Judge Eli Richardson wrote that "it is not enough that a plaintiff's sincerely held religious beliefs do not align with the religious beliefs that underlie the employment policy (requirement) that the plaintiff was terminated for non-complying with.

"Instead, the plaintiff needs to have alleged a religious belief that conflicts with an employment requirement," Richardson wrote.

## **Dismissal overruled**

On Aug. 8, the Sixth District ruled the district court had erred in dismissing Amos' discrimination claim. The court ruled federal law protects employees from discrimination based on "religious non-conformity"—also known as reverse discrimination—or requiring an employee to follow a religious belief or practice.

The Sixth District Court also ruled a belief in the Golden Rule qualified as a religious claim and was protected from discrimination.

During the appeal, the Equal Employment Opportunity Commission filed a friend of the court brief, urging the appeals court to reverse the lower

court ruling—saying Amos had made a plausible claim for religious discrimination.

The EEOC also argued the term “reverse religious discrimination” was not accurate and said the term “religious non-conformity” was more accurate in cases like the one involving Amos.

“As with all other types of religious-discrimination claims, the employer is accused of discriminating against the employee on the basis of religion,” the EEOC wrote.

“Here, however, it is the *employer’s* religion that is the focus. But that doesn’t make the discrimination ‘reverse.’”

“We’re happy with the result and look forward to the opportunity to continue fighting for our client,” Jonathan Street, an attorney for Amos, told RNS. The case now will return to the lower district court for trial.

Ramsey Solutions did not respond to a request for comment.

## **Company disputes discrimination claims**

The company’s lawyers, in a brief filed as part of the appeal, said the disagreement between the company and Amos was about how to apply safety protocols. Religion, they argued, had nothing to do with it.

“This lawsuit should never have been filed,” an attorney for Ramsey wrote. “At the heart of it is an aggrieved employee who disagreed with his employer’s approach to the COVID-19 pandemic.”

Ramsey’s attorneys also argued Amos had failed to make his religious discrimination claims in a clear and timely manner and so those claims were invalid.

“Because Plaintiff-Appellant failed to plead reverse religious discrimination,

it is not properly before the Court on appeal,” Ramsey’s attorney argued.

Eugene Volokh, a senior fellow at the Hoover Institute at Stanford and a long-time UCLA law professor, was skeptical about the Sixth District ruling. Volokh—who often discusses First Amendment cases at “The Volokh Conspiracy,” his long-running legal blog—said Amos would have to prove that religion was at the heart of his trouble with Ramsey.

An employer, Volokh said, could have secular reasons for disagreeing with vaccine mandates or other COVID-related restrictions. If that is the case, then religious discrimination is not involved. Nor would it matter if an employer’s skepticism was motivated by religion.

He also said most religious discrimination cases are more straightforward—for example, if someone is fired for their religious identity or if an employer fails to offer an accommodation to a religious employee for their religious practice.

## **Complicated to prove**

Determining if a secular firing decision—a disagreement over COVID rules—was motivated by religion is more complicated, he said. He said the court may suspect agreement on COVID was used as a kind of religious test to screen out the wrong kinds of Christians.

“You don’t go along with our views on COVID—well that means to us that you are not our kind of Christians,” said Volokh, speculating on what could constitute religious discrimination in a case like this.

“And therefore, we are really going to fire you because of that.”

That kind of approach would be harder to show but could constitute discrimination.

Ramsey Solutions has faced a series of lawsuits and controversies in recent years—largely from staff who have run afoul of faith-based rules about [sex](#) and gossip—including an ongoing lawsuit filed by an unmarried employee who was fired after telling her boss she was pregnant.

In that case, Ramsey argued the employee was fired for breaking a rule that barred all unmarried employees from having sex—rather than for being pregnant.

The company is also dealing with a class-action lawsuit prompted by its ties to a troubled time-share exit company.

Ramsey did get some legal good news this week. The appeals court upheld a lower court's ruling dismissing Amos' fraud claims.

Amos had claimed leaders of Ramsey Solutions promised a “drama-free” work environment and had dismissed concerns that Ramsey Solutions had a “cult-like” work culture and was run more like a church than a company. Amos alleged he had moved from California to Tennessee based on those assurances, which he later claimed were untrue.

The district court ruled Amos knew there had been complaints about Ramsey Solutions but did not do enough to vet those complaints. Instead, he had relied solely on assurances from leaders at Ramsey Solutions.

“Amos even avers that he was put on notice that Lampo's statements about the company were potentially inaccurate,” the appeals court ruled.

“According to his complaint, Amos's only real attempt to investigate or guard against rumors about Lampo's workplace culture was to ask Lampo employees about it.”