**Whitney Barth,** AI's Discriminatory and Divine Encounters in the Workplace: Assessing Employee Legal Protections

**Abstract**: Artificial intelligence presents pressing legal, moral, theological, and ethical questions for the workplace and beyond. To date, there has been very little scholarly exploration of what protections may exist for religious employees interacting with AI in the workplace in ways that implicate their religious identity, beliefs, and practices, even as instances of algorithmic discrimination based on religion (as well as other protected classes) have been documented and several established (and some new) religiousgroups have issued theological position statements addressing the advent and trajectory of AI. What recourse does a religiousemployee have if they experience algorithmic discrimination? And what happens when an employee, informed by her religiousbeliefs about AI, acts in a way that conflicts with their employer's expectations of their use of that technology in the workplace? Should an employer consider an employee belief's that AI is divine when making work assignments involving the technology? This Article provides a roadmap for beginning to explore these issues by assessing potential claims under existing laws that protect employees from religious discrimination, provide for religious accommodation in the workplace, and shield (to some extent) employees from reprisal because of their speech and expression. Recognizing potential shortcomings in existing protections, the Article also considers whether a conscience-based protection model akin to those that exist with respect to abortion within the healthcare context could address existing gaps.