

## Employee Workplace Religious Accommodation Toolkit:

(Your guide to resolving the potential conflict between religious practices and workplace requirements)

<b>Question:</b>	<b>Answer:</b>
<b>What is a religious accommodation?</b>	A religious accommodation addresses the conflict that may arise between an employee or applicant's religious practices and the requirements of his or her position, without posing undue hardship for the employer.
<b>What is an undue hardship?</b>	An undue hardship occurs when an employer accommodates an employee or applicant's religious practices and incurs more than minimal costs.
<b>What law(s) require that the NIH provide employees with religious accommodations?</b>	Title VII of the Civil Rights Act of 1964 prohibits religious discrimination and requires that employers reasonably accommodate employee and applicant religious practices.  Title VII applies to employers with 15 or more employees, including state and local governments. It also applies to employment agencies and to labor organizations, as well as to the federal government. In 1972 Title VII was amended to require that employers reasonably accommodate religious practices.
<b>What religions must be afforded a religious accommodation?</b>	Religious accommodations are not limited to traditional, organized religions, such as Buddhism, Christianity, Hinduism, Islam, and Judaism. Persons who hold sincerely held religious belief are afforded religious accommodation as well.
<b>What responsibilities does an employee have in obtaining a religious accommodation?</b>	The goal of a religious accommodation is to resolve the conflict between an employee's religious beliefs and his or her occupational duties. To reach this goal an employee must: <ul style="list-style-type: none"><li data-bbox="609 1675 1398 1837">• Inform his or her employer of the religious observance upon accepting the position or immediately after becoming aware of a need for an accommodation.</li></ul>

	<ul style="list-style-type: none"> <li>The employee must clearly state that his or her religious beliefs or practices conflict with his or her job duties. General and or vague objections are insufficient.</li> </ul>
<p><b>Must an employer provide an employee with his or her preferred method of accommodation if it does not cause an undue hardship?</b></p>	<p>No. An employer is not required to provide an employee with his or her preferred method of accommodation even if that accommodation would not pose an undue hardship. An employer’s sole obligation is to provide a reasonable religious accommodation.</p>
<p><b>Must an employer permit an employee’s religious expression?</b></p>	<p>The Equal Employment Opportunity Commission states that an agency should allow religious expression among employees to the same extent that other types of personal expression are allowed. These expressions are permitted as long as they are not harassing or disruptive to other employees. Once an agency is put on notice of objectionable religious conduct it should take steps to end the conduct, even if conduct is not regarded as abusive it can become sufficiently severe or pervasive to affect the conditions of employment if allowed to persist in the face of an employee’s objection. <a href="#">EEOC Best Practices for Eradicating Religious Discrimination in the Workplace.</a></p>

Area:	Key Points:
<p><b>Definition of a religion</b></p>	<ul style="list-style-type: none"> <li>The EEOC has determined religion typically concerns “ultimate ideas” about “life, purpose, and death.” Social, political, or economic philosophies, as well as mere personal preferences, are not “religious” beliefs protected by Title VII.</li> <li>Therefore just because a set of beliefs does not bother others does not mean that we must accommodate them they must meet the requirements of what constitutes a</li> </ul>

	religion. The EEOC has struck down instances where a person's beliefs were single faceted.
<b>General</b>	<ul style="list-style-type: none"> <li>Title VII covers both traditional and nontraditional religious beliefs including those that are new, uncommon, unaffiliated with a formal religious institution, or seem illogical or unreasonable to others.</li> </ul>
<b>Number of believers</b>	<ul style="list-style-type: none"> <li>A religion is not defined by the number of its followers but the level of sincerity of its believer(s). Therefore, a religion may be followed by a few people or a single person.</li> </ul>
<b>Preferences</b>	<ul style="list-style-type: none"> <li>A person's preferences, regardless of how strong, are not religious beliefs.</li> </ul>

### Case Examples

<b>Addresses:</b>	<b>Case</b>
Unjustifiably questioned the sincerity of employee's beliefs and placed additional burdens on her ability to maintain her religious accommodation.	<i>Sabir v. Department of Health and Human Services</i>
Agencies must do more than suggest schedule switches to meet their duties of reasonable accommodation. They must actively explore other workable alternatives for a long-term solution.	<i>Harris and Armstrong v. Department of Transportation,</i>
A personal want or desire, bars a plaintiff from	<i>Dachman v. Department of Health and Human Services</i>

establishing a prima facie case of religious discrimination.	
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**Contacts:**

(Who to ask about what)

[Resolutions and Equity](#)

[Employee Relations Contacts](#)

[Identify Your Formal Complaints Specialist](#)

[Guidance Contact](#)

[NIH Ombudsman contact](#)

**Resources:**

(Where to go for more information)

[Title VII of the Civil Rights Act of 1964](#)

[29 C.F.R. Section 1604.11](#)

[EEOC Religious Discrimination](#)

[EEOC Compliance Manual Section 12: Religious Discrimination](#)

[EEOC Questions and Answers: Religious Discrimination in the Workplace](#)

[EEOC Compliance Manual Section 12: Religious Discrimination](#)