



>> Religious Discrimination

Religion refers to a person's religious background, religious beliefs (or lack of them) or membership in a religious group. Under Title VII, an employer is required to reasonably accommodate the religious belief of an employee or prospective employee, unless doing so would impose an undue hardship. Possible accommodations include flexible scheduling, voluntary substitutions or swaps, job reassignments, lateral transfers, modification of grooming requirements and other workplace practices, policies and/or procedures.

The following are examples of requests that employees may make in order to follow their religious teachings:

- > Observance of a Sabbath or religious holidays
- > Need for prayer break during working hours
- > Practice of following certain dietary requirements
- > Practice of not working during a mourning period for a deceased relative
- > Prohibition against medical examinations
- > Prohibition against membership in labor and other organizations
- > Practices concerning dress and other personal grooming habits

Scheduling examinations or other selection activities in conflict with a current or prospective employee's religious needs, inquiring about an applicant's future availability at certain times, maintaining a restrictive dress code, or refusing to allow observance of a Sabbath or religious holiday is prohibited unless the employer can prove that not doing so would cause an undue hardship.

An employer can claim undue hardship when accommodating an employee's religious practices if allowing such practices:

- > Require more than ordinary administrative costs
- > Diminish efficiency in other jobs
- > Infringe on other employees' job rights or benefits
- > Impair workplace safety
- > Cause co-workers to carry the accommodated employee's share of potentially hazardous or burdensome work
- > Conflict with another law or regulation
- > If changing a bona fide seniority system to accommodate one employee's religious practices denies another employee the job or shift preference guaranteed by the seniority system

Employees cannot be forced to participate -- or not participate -- in a religious activity as a condition of employment. Mandatory "new age" training programs, designed to improve employee motivation, cooperation or productivity through meditation, yoga, biofeedback or other practices, may conflict with the non-discriminatory provisions of Title VII.

Refusing to hire someone because customers or co-workers may be "uncomfortable" with that person's religion or national origin is just as illegal as refusing to hire that person because of religion or national origin in the first place.