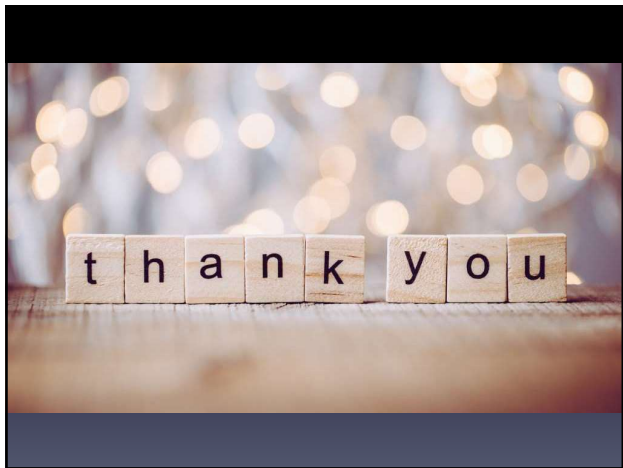


Navigating Religious Diversity in the Workplace



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QUICK WARMUP EXERCISES

3

**We need to be interactive today,
so, before we begin,
let's model the interaction we need
through a warmup competition.**

4

GUESS THE PUN

**What is it?
Please raise your hand.**

5



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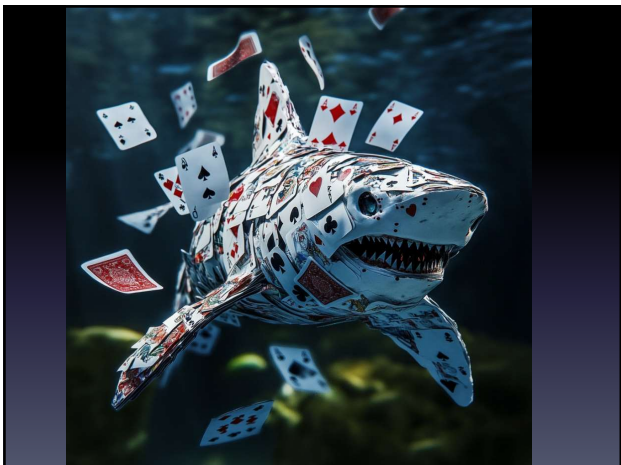
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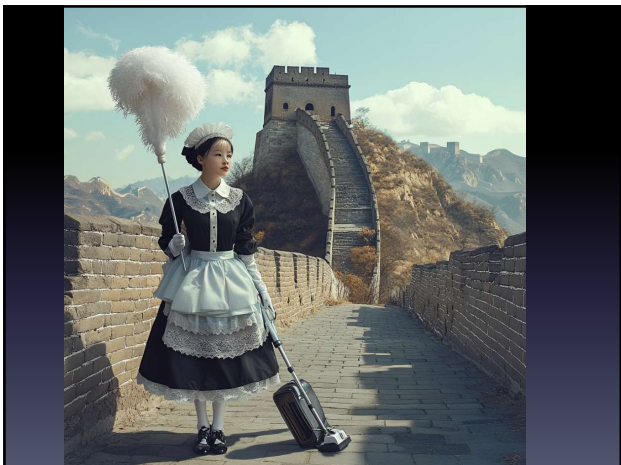
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FOOD RESTRICTIONS

Which religion is associated with each of the following food restrictions?

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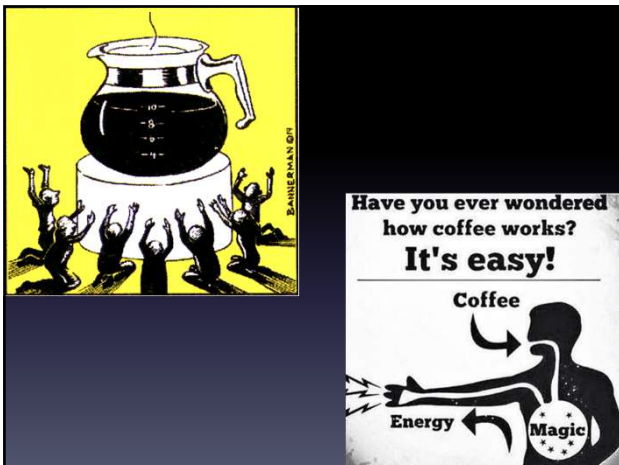
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But different religions “re-connect” to the divine in different ways.

And that can create challenges for those of us who look at the world from our own perspective.

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The challenge is that not all religions are the same (or express themselves the same way or value the same sorts of things), so they simply—and unintentionally—talk past each other, just as we frequently talk past each other.

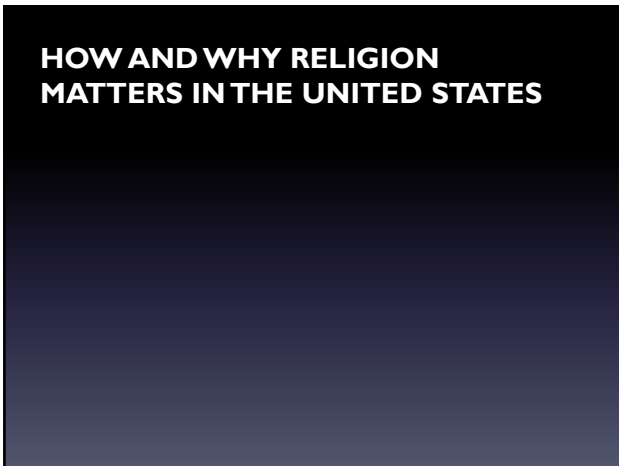
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A PERSONAL INTRODUCTION

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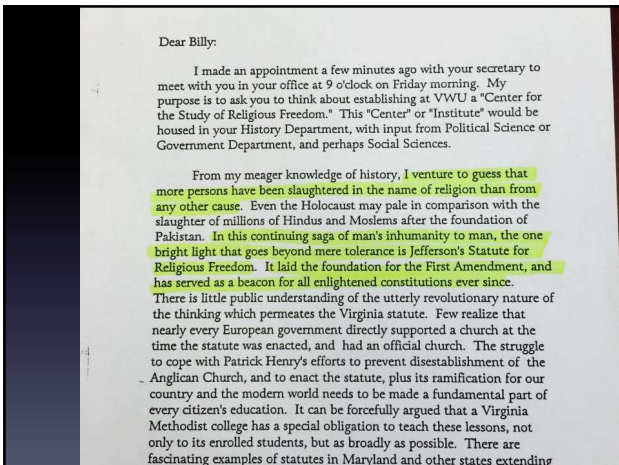
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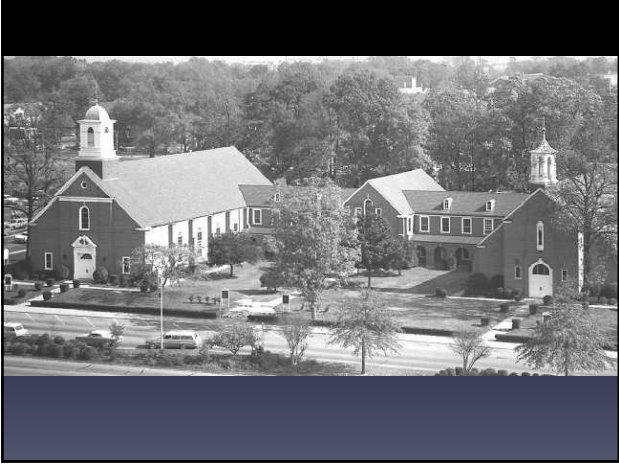


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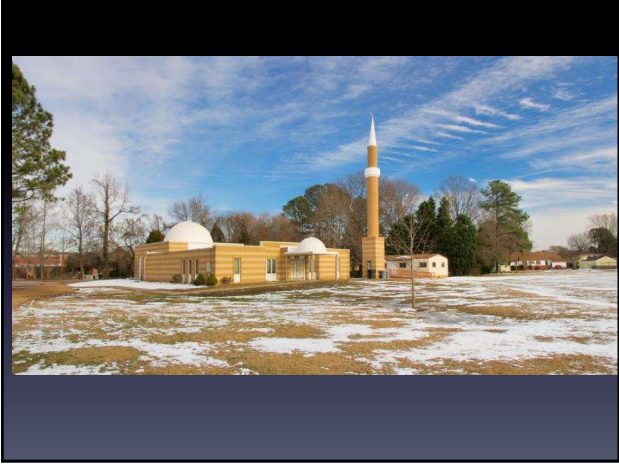
meet with you in your office at 9 o'clock on Friday morning. My purpose is to ask you to think about establishing at VWU a "Center for the Study of Religious Freedom." This "Center" or "Institute" would be housed in your History Department, with input from Political Science or Government Department, and perhaps Social Sciences.

From my meager knowledge of history, I venture to guess that more persons have been slaughtered in the name of religion than from any other cause. Even the Holocaust may pale in comparison with the slaughter of millions of Hindus and Moslems after the foundation of Pakistan. In this continuing saga of man's inhumanity to man, the one bright light that goes beyond mere tolerance is Jefferson's Statute for Religious Freedom. It laid the foundation for the First Amendment, and has served as a beacon for all enlightened constitutions ever since. There is little public understanding of the utterly revolutionary nature of the thinking which permeates the Virginia statute. Few realize that nearly every European government directly supported a church at the time the statute was enacted, and had an official church. The struggle to cope with Patrick Henry's efforts to prevent disestablishment of the Anglican Church, and to enact the statute, plus its ramification for our country and the modern world needs to be made a fundamental part of

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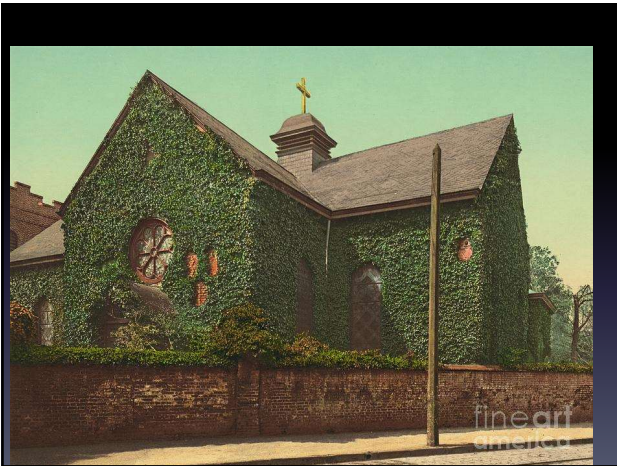
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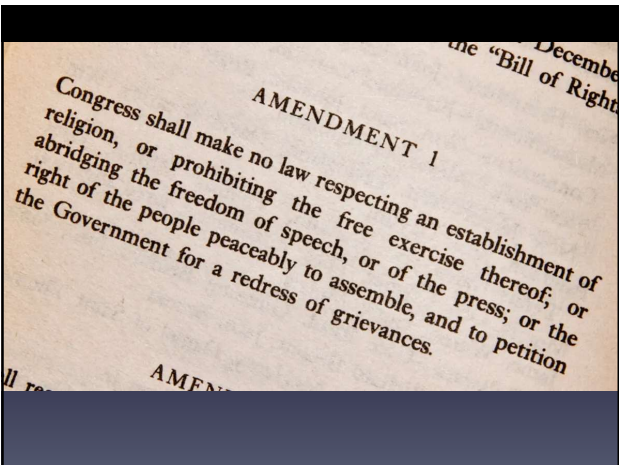
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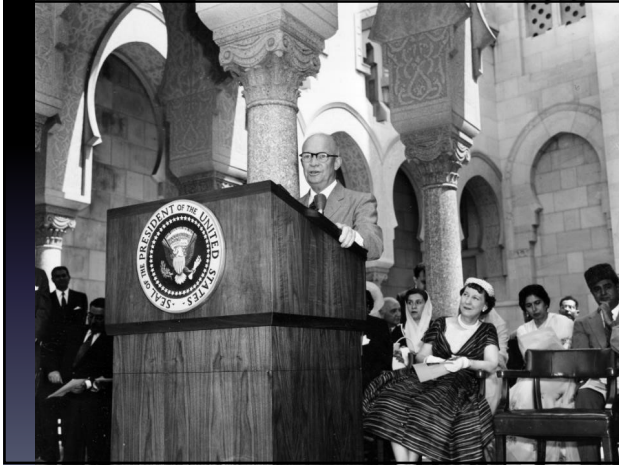
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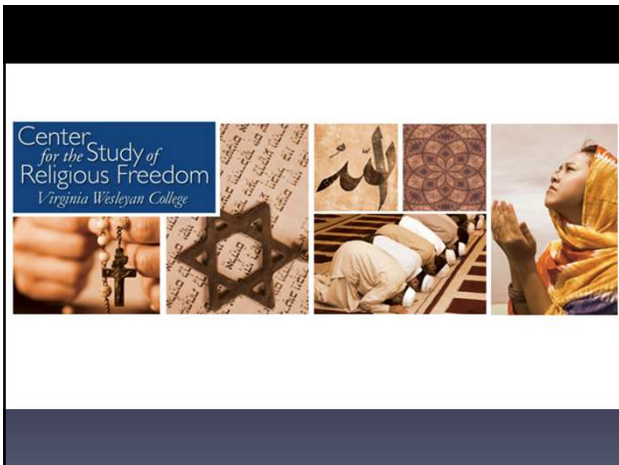


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President Dwight Eisenhower on Muslims in America at Ceremonies Opening the Islamic Center June 28, 1957

"I should like to assure you, my Islamic friends, that under the American Constitution, under American tradition, and in American hearts, this Center, this place of worship, is just as welcome as could be a similar edifice of any other religion. Indeed, America would fight with her whole strength for your right to have here your own church and worship according to your own conscience. This concept is indeed a part of America, and without that concept we would be something else than what we are.."

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58



59

When I was young, people would say that you should never talk about politics or religion in polite company.

60

That advice is like saying that married couples should not talk about finances or parenting. Or that societies should not discuss race, gender, guns, climate change, and the future of Social Security.

61

Talking about important issues can lead to trouble unless we are careful in how we discuss them and—maybe more importantly—how we disagree.

62

**TITLE VII
OF THE 1964 CIVIL RIGHTS ACT**

63

Under Title VII of the 1964 Civil Rights Act, an agency has a duty of reasonable accommodation for sincerely held religious beliefs and practices unless to do so would cause an undue hardship.

64

Two Main Concepts

- 1) Employer has a duty to accommodate the employee when aware of conflict between work requirements and the employee's sincerely held religious beliefs;
 - 2) The accommodation should reduce the conflict, but do so without causing "undue hardship" to the employer's business.
- e.g. administrative costs, safety challenge, overburdening co-workers, diminishing efficiency, conflicting with other laws or policies

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On January 22, 2014, the U.S. Department of Defense (DOD) updated its policy dealing with religious apparel and hair grooming that U.S. service members can wear or display while in uniform, allowing body art and piercings in some cases.

67

2017

“The Army released a directive allowing beards in uniform for Sikh soldiers, despite tests showing that the M50 couldn't get a perfect seal with a beard. Bearded soldiers would not, however, be allowed to serve in the CBRNE units that are tasked with responding to contaminant attacks. That exception opened up the doors to re-thinking the beard question. In addition to further tests on current Army equipment with beards, the Army's acquisition office is looking into alternative masks that could be fielded to soldiers with beards, a spokesman told Army Times in March.”

<https://www.armytimes.com/news/your-army/2017/03/21/the-makers-of-the-army-s-gas-mask-are-looking-into-beard-friendly-options/>

68

CASE STUDIES

69

CLERK'S REGISTRATION OF SAME SEX COUPLES

Let's go back in time:

Oregon passed a domestic partners law allowing marital-type rights for same sex couples. An employee of a county clerk's office asked to be exempted from registering same sex couples due to her religious beliefs against homosexuality. The county denied the request and she was discharged for refusing to perform the duty. In the ensuing Title VII case, the Court found sufficient cause for a trial. Prior to the discharge, the county did not engage in an "interactive process" to even explore the accommodation request.

70

In a two-year period, there were only 37 domestic partner registrations – taking about 10 minutes each. There were five other employees in the office, and no evidence that any one of them could not have taken the rare registration when it occurred. The county showed no evidence of substantial interference with the office operations or public service if the accommodation were granted. Slater v. Douglas County (D.Or., 2010).

71

TURBAN IN COFFEE SHOP

Adarsh, who wears a turban as part of his Sikh religion, is hired to work at the counter in a coffee shop. A few weeks after Adarsh begins working, the manager notices that the work crew from the construction site near the shop no longer comes in for coffee in the mornings. When the manager makes inquiries, the crew complains that Adarsh, whom they mistakenly believe is Muslim, makes them uncomfortable in light of the anniversary of the September 11th attacks. The manager tells Adarsh that he will be terminated because the coffee shop is losing the construction crew's business.

72

The manager has subjected Adarsh to unlawful religious discrimination by taking an adverse action based on customer preference not to have a cashier of Adarsh's perceived religion. Adarsh's termination based on customer preference would violate Title VII regardless of whether he was correctly or incorrectly perceived as Muslim, Sikh, or any other religion. Employers may be able to prevent this type of religious discrimination from occurring by taking steps such as training managers to rely on specific experience, qualifications, and other objective, non-discriminatory factors when making employment decisions. Employers should also communicate clearly to managers that customer preference about religious beliefs and practices is not a lawful basis for employment decisions.

73



74

ANTI-ABORTION BUTTON An employee had a religious belief that required her to wear an anti-abortion button that showed a color photograph of an eighteen- to twenty-week old fetus. The button caused disruptions in the workplace, and the employee's co-workers complained about the button. In response, the employer offered the employee three accommodations: (1) wear the button only in her cubicle; (2) cover the button while at work; or (3) wear a different button with the same message but without the photograph. When she refused these accommodations, she was terminated.

75

Title VII does not require an employer to allow an employee to impose her religious views on others. The employer is only required to reasonably accommodate an employee's religious views. In light of the workplace disruption and complaints, and given that the proposed accommodations allowed her religious expression, she was offered a reasonable accommodation and her refusal to accept them justified her termination

76

EVANGELISM Susan and Roger are members of the same church and are both employed at XYZ Corporation. Susan works as an architect in a private office on an upper floor, where she occasionally interacts with co-workers, but not with clients. Roger is a security guard stationed at a desk in the front lobby of the XYZ building through which all employees, clients, and other visitors must enter. At a recent service at Susan and Roger's church, the minister distributed posters with the message "Jesus Saves!" and encouraged parishioners to display the posters at their workplaces in order to "spread the word." Susan and Roger each display the poster on the wall above their respective work stations. XYZ orders both to remove the poster despite the fact that both explained that they felt a religious obligation to display it, and despite the fact that there have been no complaints from co-workers or clients. Susan and Roger file charges alleging denial of religious accommodation.

77

The employer will probably be unable to show that allowing Susan to display a religious message in her personal workspace posed an undue hardship, because there was no evidence of any disruption to the business or the workplace which resulted. By contrast, because Roger sits at the lobby desk and the poster is the first thing that visitors see upon entering the building, it would appear to represent XYZ's views and would therefore likely be shown to pose an undue hardship.

78

The U.S. Department of Labor, when detailing Title VII recommendations from the Civil Rights Act of 1964, gives the following guideline with respect to employee proselytization:

Employees who seek to proselytize in the workplace should cease doing so with respect to any individual who indicates that the communications are unwelcome.

79



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Some key points:

- Employers should not try to suppress all religion in the workplace.
- Religious expression constitutes harassment when it, for instance, is demeaning to people of other faiths.
- The expression "have a blessed day" was found by one court to be Title VII-compliant (that is, not imposing undue hardship on the employer), yet other courts have found that "religiously oriented expression" in business interactions is not Title VII-compliant.
- Religious expression becomes problematic when employee proselytization is mistaken by customers/clients to be representative of the employer's views.

81

A Recent Case

82

Groff v. DeJoy

Gerald Groff is a Christian and U.S. Postal Service worker. He refused to work on Sundays due to his religious beliefs. USPS offered to find employees to swap shifts with him, but on numerous occasions, no co-worker would swap, and Groff did not work. USPS subsequently fired him.

83

Groff sued USPS under Title VII of the Civil Rights Act of 1964, claiming USPS failed to reasonably accommodate his religion because the shift swaps did not fully eliminate the conflict.

The district court concluded the requested accommodation would pose an undue hardship on USPS and granted summary judgment for USPS. The U.S. Court of Appeals for the Third Circuit affirmed.










84

Is inconvenience to coworkers
an “undue burden”
under Title VII of the Civil Rights Act of 1964
such that it excuses an employer
from providing an accommodation
requested for religious exercise?

85

UNANIMOUS DECISION FOR GROFF
MAJORITY OPINION BY SAMUEL A. ALITO, JR.

Title VII requires an employer that denies a religious accommodation to show that the burden of granting an accommodation would result in substantial increased costs in relation to the conduct of its particular business.



Roberts Alito Kagan Kavanaugh Jackson

The Court rejected the “de minimis cost”
standard and adopted instead a “substantial
increased costs” standard consistent with the
spirit and language of Title VII. June 29, 2023

86



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**CHALLENGES YOU MAY FACE
IN YOUR WORKPLACE**

88

Clothing and Accessories

89



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92



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"It's Friday. The office staff is gathered in the conference room for an employee recognition lunch. There's a choice of ham, roast beef or salami and cheese sandwiches. There's also a julienne meat salad and soda. Most think the lunch is a nice gesture to show the workers they're appreciated. But there are a few who feel left out. The Muslims aren't there at all because the lunch is held during one of their required prayer times. A Jewish worker looks at the display of food and moves away from the table. Meat together with cheese is not kosher. His colleague, a Hindu, cannot eat meat at all. And a couple of Christians complain to one another because the lunch is taking place during Lent. They, therefore, cannot eat meat either. With the best intentions, a gesture of appreciation has become a medium of exclusion."

--Georgette Bennett, President, Tanenbaum Center for Interreligious Understanding

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Language Used

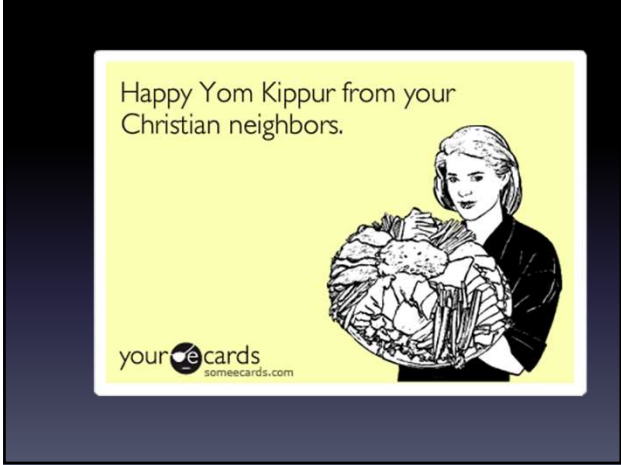
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Whether you're offended by me saying Happy Holidays or Merry Christmas, take comfort in knowing I don't really mean either.

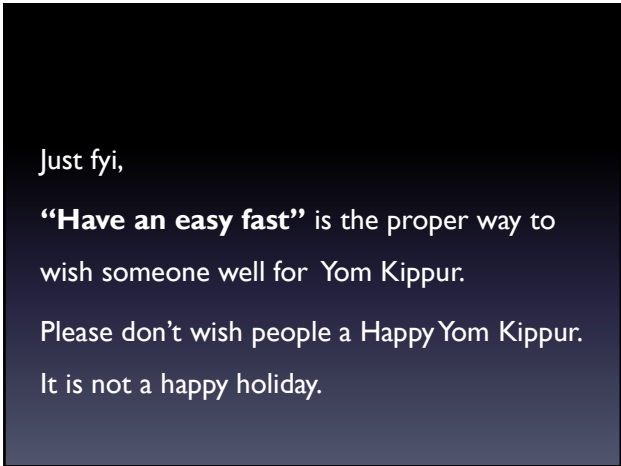


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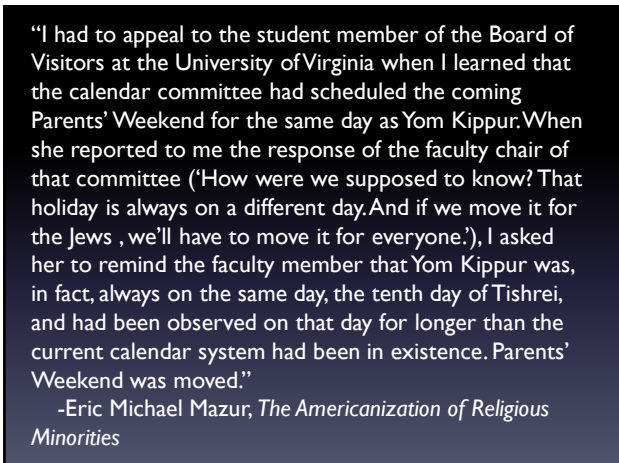
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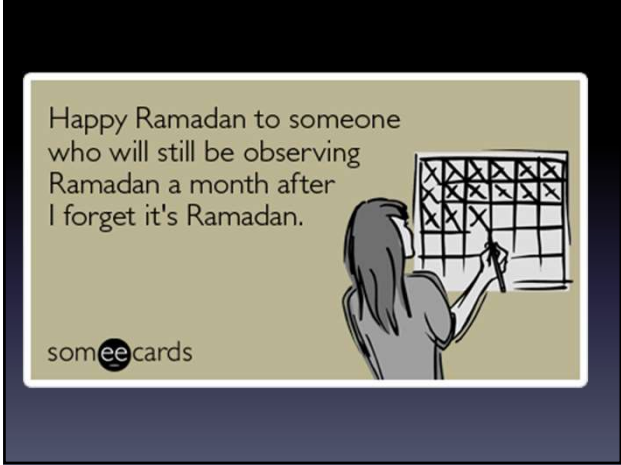
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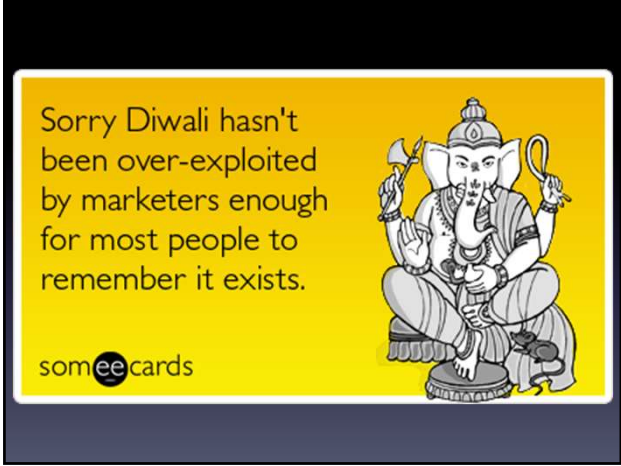
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108

WORKING MUMS PRESENTS:
dawah explosion:
 Presenting Islam in the workplace

"Islam is the way of your Lord with whatever you desire" (Qur'an, 106: 1-2)

Witness to the workplace 1
 This section will cover why dawah in the workplace is important today and presents an overview of the faith that most of the world needs for great peace and stability.

Witness to the workplace 2
 How to present Islam to non-Muslims, both individually or to your employer's staff to ensure maximum acceptance of Islam including Islam and business, women in Islam and polygamy. How to gain confidence in presenting yourself in the public or media.

Our speaker's husband, Mr. Aliwan, has worked for the past 10 years in various countries and has been a Muslim for over 12 years now.

14 June 15th June 2013
 Ocala, FL
 Ocala, FL

To book a place go to:
<http://dawahexplosion.com>

There is a limited place available to book early.

WORKING MUMS in partnership with:

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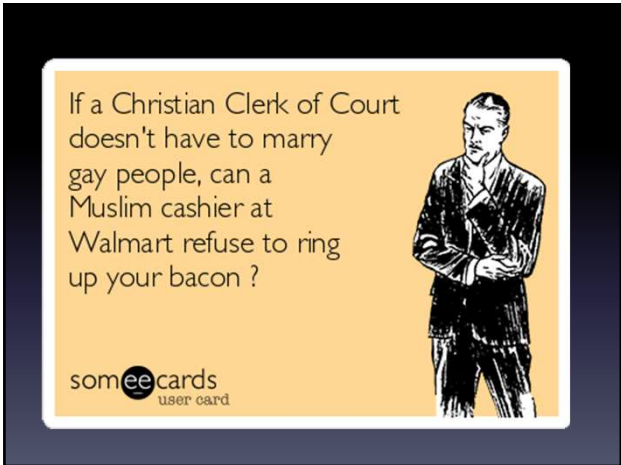
Issues of Parity

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I think I'll start taking time out at work to pray to Jesus, like Muslims do for Allah. I'll be politically correct for Jesus, since no one else will.

someecards
 user card

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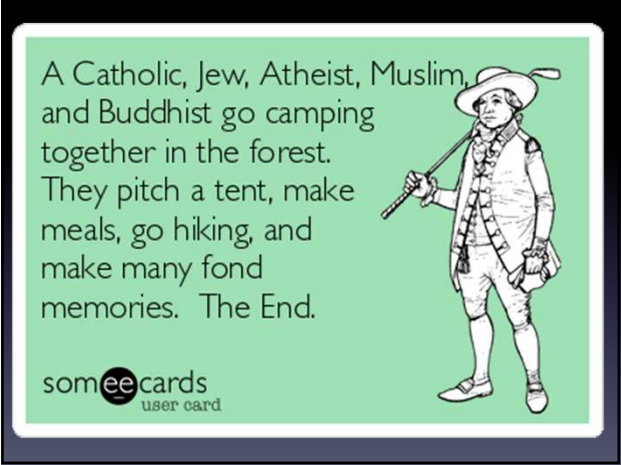
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- Create a growth environment where diversity is valued for clear reasons.
- Create clear guidelines for valuing religious diversity.
- Acknowledge Religious Practices, Holy Days, the Need for Prayer Space
- Create Food and Drink Options
- Create an Interfaith ERG (Employee Resource Group)
- Work with fellow employees on creating reasonable and meaningful accommodations (perhaps through ERGs)
- Train/Educate

115

The Ideals in Navigating Religious Diversity in the Workplace

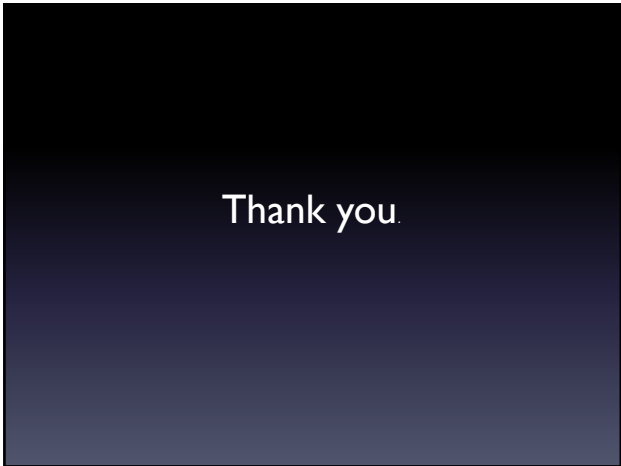
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