



Interagency ADR Working Group – June 09 Religious Accommodation in the Workplace (Self-Assessment)

Please Indicate True or False to the Questions That Follow:

- ___1. Religious accommodation determinations should be made on a case-by-case basis.
- ___2. Title VII of the Civil Rights Act of 1964 requires reasonable accommodation of an individual's religious observances, practices, and beliefs unless accommodation would cause an undue hardship.
- ___3. For religious accommodation purposes, undue hardship is defined as more than a de minimis (minimal) cost.
- ___4. Payment of overtime for substitute employees on a regular basis to provide coverage for an employee who wants every Sunday off to observe his Sabbath will constitute an undue hardship for the agency.
- ___5. Management need not provide the specific accommodation requested by an employee if a different, reasonable accommodation is appropriate and effective.
- ___6. Management may not ever ask an employee to identify or explain his/her religion or belief.
- ___7. Management should make a good faith effort at reasonable accommodation of an individual's religious beliefs.
- ___8. Management should ask an employee to provide documentation from his/her church to prove that the religious beliefs are in fact sincerely held.
- ___9. A request for a religious accommodation is not a protected EEO activity.
- ___10. If an individual's belief is not a fundamental tenet of his/her religion, it does not require accommodation.
- ___11. When a request for religious accommodation is likely to be denied, the management official should discuss options with their Office of Civil Rights and Legal Counsel prior to taking any action to deny the request.

Religious Accommodation in the Workplace

Self-Assessment Answers and Information

1. True

There is no one accommodation that will suffice for all such requests.

2. True

3. True

4. True. Under the EEOC's regulations, the regular payment of overtime for substitute employees would be an undue hardship. See 29 C.F.R. § 1605.2(e)(1)

5. True

Management may offer a different accommodation that is not exactly what the individual has requested – however this action should be taken *after* obtaining appropriate information and coordination with Legal Counsel.

6. False

Management can seek clarifying information in order to respond appropriately to the request. Reasonable accommodation includes efforts to eliminate conflicts between the employee's religious beliefs and the employment requirement.

7. True

Management should make a good faith effort at reasonable accommodation by considering the requested accommodation and alternatives.

8. False

The employee has to establish that the he/she has a sincerely held religious belief in the subjective personal view of the employee. The employee does not have to prove the objective reasonableness of the belief. Therefore, it is generally inappropriate to ask an employee for documentation from his/her church to establish the sincerity of his/her beliefs.

9. False

Requesting a religious accommodation is protected under Title VII of the Civil Rights Act of 1964, as amended.

10. False

The EEOC defines religious practices to include beliefs that an employee has that are not fundamental tenets of a particular religion. See 29 C.F.R. §1605.1.

11. True