



**University Procedure:** Procedure for Employees Requesting Religious Accommodations

**Related Policy Category:** Personnel

**Subject:** Request Religious Accommodations

**Office(s) Responsible for Review of this Procedure:** Human Resources

**Supplemental Documents:** Religious Accommodation Request and Employer Response Form

**Related University Policies:** Discrimination and Sexual Harrassment Policy

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## I. BACKGROUND & SCOPE

American University respects the religious beliefs and practices of all employees and will make, on request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on the University’s business operations. This procedure applies to all faculty and staff of American University.

## II. DEFINITIONS

Religion – Include all aspects of religious observance and practice as well as sincerely held religious belief. Religion includes not only traditional, organized religions such as Christianity, Judaism, Islam, Hinduism and Buddhism, but also sincerely held religious beliefs that are new, uncommon, not part of a formal church or sect, only subscribed to by a small number of people, or that seem illogical or unreasonable to others.

Religious accommodation – A reasonable adjustment to the work environment that will allow the employee to comply with their sincerely held religious beliefs without causing undue hardship to University operations or activities. This may include, but is not limited to, an employee requesting to take a particular day or time period off for a religious holiday, an employee requesting an exception to the university’s uniform requirements to wear certain religious garb, beards or hair styles, an employee requesting time and a place to pray or an atheist asking to be excused from a religious invocation.

Undue hardship – Includes any accommodation that would impose more than a *de minimis* cost or burden on the operation of the department or University.

## III. PROCEDURE

An employee whose sincerely held religious beliefs conflict with his or her job duties, work schedule, the University’s policy or practice on dress and appearance, or other aspects of their employment, may request a religious accommodation by submitting a written request to their immediate supervisor. Employees must use the Religious Accommodation Request Form (“Form”)

to request a religious accommodation, which includes identifying the nature of the conflict as well as a suggested accommodation.

The immediate supervisor will evaluate the Form and determine: (a) whether a conflict exists due to a sincerely held religious belief or practice and (b) whether the employee's suggested accommodation is a reasonable one which will resolve the conflict without creating an undue hardship. Examples of potential reasonable accommodations include, but are not limited to, use of leave (paid or unpaid), granting an exception to the dress and appearance policy (provided it does not affect safety or uniform requirements), or changing some other aspect of employment. Depending on the type of conflict and suggested accommodation, the supervisor may confer with their manager and OHR regarding forward action. In so doing, the University may consult others (including religious leaders) and/or request the employee provide additional information about their need for an accommodation due a conflict with a sincerely held religious belief.

The University will make determinations regarding the implementation of religious accommodations on a case-by-case basis. Factors it may take into account include, but are not limited to the: nature and extent of the accommodation requested; duration of the accommodation request; availability of alternative accommodations; impact on the employee's ability to perform an essential function of their position; and likelihood of disruption or a substantial negative impact on University operations. The University may also suggest an alternative accommodation it deems reasonable to resolve the conflict.

The supervisor and employee will meet to discuss the request and decision about what religious accommodation (if any) the University agrees to provide. If the employee accepts the proposed religious accommodation, the immediate supervisor will implement the decision. If the employee disagrees with the University's decision not to implement a religious accommodation (or not to implement the religious accommodation preferred by the employee), they may appeal that decision consistent with the University's Grievance Policy and Procedure.

#### **IV. RETALIATION PROHIBITED**

The University prohibits retaliation against employees requesting a religious accommodation, participating in an approved accommodation, or otherwise engaging in protected conduct under this procedure. Retaliation includes, but is not limited to threats, intimidation, and/or adverse actions related to employment. Any person who violates this provision may be subject to disciplinary and/or corrective action.

#### **V. EFFECTIVE DATE(S)**

This Procedure is effective September 1, 2018.

This Procedure was reviewed or revised May 24, 2019.