

Religion in the Workplace

Practicing Diversity is Never Easy

Employee assistance professionals are aware of their role in helping diverse populations adjust in the workplace. This includes consulting with management to support them in providing a respectful and responsive workplace – and helping employees who feel they are not being treated well because of a diversity issue.

In fact, EA and HR professionals are confronting new challenges as Americans become increasingly diverse in ways that go beyond color, gender, and disability. Recent immigrants and many-generation Americans, observant in their non-Judeo-Christian faith or proud of their foreign cultural heritage, are entering the workplace in greater numbers.

Religion is an area in which diversity can become an issue at work. First, the religious makeup of the United States is changing. In 1980, only 2% of Americans expressed a religious preference other than Christian or Jewish; by 1999, the proportion outside the mainstream had tripled, to 6%, according to the 2000 Statistical Abstract of the United States. By 2010, Islam displaced Judaism as the second-largest religion practiced in America after Christianity.

Employers who ignore these trends or mishandle their implications leave themselves vulnerable to risks including legal exposure, the breakdown of employee morale, and problems with retention.

“More and more companies are coming out of denial and realizing that these are issues that need to be addressed,” says Georgette Bennett, president of the Tanenbaum Center for Interreligious Understanding in New York City.

That’s not all. Religious accommodation will also make a company more productive. That’s because, “religion may be the most important element in your employees’ personal lives and it needs to be respected as such,” according to the TriNet Group.

Prayer Can Divide Workers

Paramount among issues of religion in the workplace is the devout worker’s obligation to pray during the workday – whether she is a first-generation American Muslim or a fifth-generation American Christian fundamentalist. It makes sense for employers to offer simple accommodations – for example, to grant an employee’s request to pray in private while peers are on a scheduled break.

But employers can and sometimes must draw a line. “It’s not a reasonable accommodation for a Muslim working on an assembly line to stop five times a day to pray,” says labor attorney Lewis Maltby. Title VII of the Civil Rights Act of 1964 requires employers to offer *reasonable* accommodations to workers whose sincerely held religious beliefs conflict with existing work arrangements and workplace customs. However, the same law also allows employers to deny a worker an accommodation that would cause an undue hardship for the business, such as a substantial loss of productivity.

Another common complaint regarding religion in the workplace is disregard for the right to be left alone. “We often hear about employees who are blessing everybody and praying for everybody,” says Myrna Marofsky, president of ProGroup, a diversity consultant in Minneapolis. Outright proselytizing can also be a problem, and employers may be obligated to step in when proselytizers ignore co-workers’ requests to stop.

However, a ban on any discussion relating to religion would almost certainly run afoul of Title VII, which allows for freedom of religious expression.

Questions, Creativity, and Education Are Key

Time off for religious observance – especially of non-Christian holidays – is a major issue for many employees who practice Judaism, Islam, or another minority religion. Some employers bar

the swapping of shifts for this purpose; others ask employees or their supervisors to rearrange work schedules. Employers who deny scheduling requests that could be accommodated without undue hardship run the risk of legal challenges and morale problems.

Certainly, creative approaches *are* available. “Some employers poll employees each year before determining company holidays, so that the employer covers more holidays than just the Christian ones,” says Bennett.

Many accommodations for religious practice are simple and inexpensive. Some Minneapolis employers have engendered loyalty among the Muslim Somali immigrants in their workforce by identifying appropriate gathering places for communal Friday prayers and keeping the company cafeteria open late during Ramadan, when the faithful must fast during the day, Marofsky says. (Note: Ramadan will be observed May 15-June 14 in 2018.)

“The only way employers are going to know how to accommodate employees is to ask them,” says Marofsky. But he notes that employers are uncomfortable with asking because they’re unsure of what they are legally permitted to ask. This is where Marofsky says that education comes in.

Most companies, however, don’t specifically train their employees in religious diversity, and some experts question whether it’s a good idea. “I’m very leery of diversity training,” says Amy DelPo, an attorney and editor in Berkeley, California. “If training is not well done, it can become a place where a lot of hostilities get aired.”

But it is important for managers throughout a company to gain a basic understanding of relevant law and how it’s generally applied, DelPo says. Managers should focus on becoming familiar with the concepts of reasonable accommodation, undue hardship, and religious harassment.

Share Holiday Happiness Safely

The following are some specific examples that the EAP might try:

❖ **Survey employees to discover their cultural heritage in a positive, informative manner.**

The EAP can assist. This is a terrific time of year to engage people in their personal identities. Let workers know that your organization cares about their personal lives and does not want to offend or exclude anyone.

Moreover, raising the issue of cultural and religious diversity can help eliminate fears and misconceptions. If a business sets an accepting tone, employees will feel the freedom to express themselves. However, be sure to allow people to opt out of participating if the matter is sensitive or uncomfortable.

“Ultimately, to create a culture of tolerance that helps attract and retain employees, top executives need to set a tone that accommodates diverse religious beliefs and practices. ‘There’s no point to diversity programs if management doesn’t get it.’”

❖ **Use common sense when planning holiday communications and parties.**

Not all employees celebrate Christmas or appreciate Christmas cards, although most employees do like to socialize and receive merit-related bonuses. Substitute the words “New Year’s,” “End-of Year,” or “Holiday” for “Christmas” when sending out invitations, cards, and bonuses.

❖ **Decorate and design a non-offensive holiday party.** Almost all cultures cherish and celebrate light during the dark winter months. String white lights throughout the office and light candles during formal parties. Include

employees by asking them what they would like to see.

❖ **Offer a training program or workshop to raise awareness.** Workshops can be specific to gender issues, race, and ethnicity. Again, the EAP may be able to assist.

❖ **Say “hello” in a different language.** For example, Arabic (Marhaba) or “peace be with you” in Hindi (Namaste). However, be clear the intent isn’t to speak another language, but rather to recognize and respect cultural heritage.

❖ **Celebrate all traditions.** Play ethnic music and offer a variety of foods at holiday gatherings. Through the survey, discover what foods aren’t tolerated by a particular culture, and don’t offer them. Instead of bringing in a Christmas tree, invite employees to decorate an area of the office with ornaments from their faiths and ethnic backgrounds. A friendly display can be a great way to recognize the diversity of religious practices and customs in any workforce.

❖ **Instead of exchanging gifts, plan events that will make employees feel good.** Collect canned foods for a local food pantry. Donate money to a local charity in the company’s name. Contact a local social service agency for information about a needy family, then collect and buy gifts for the family’s children.

A Few Holidays of Note

Major holidays and prospective accommodations include the ones listed below. (A more complete list of major holidays of numerous faiths can be found at <https://diversity.missouri.edu/religions/holidays.php>.)

- **Christmas** – Celebrates the birth of Jesus Christ. Begins at sundown on Dec. 24 annually and continues with all day celebration on Dec. 25. Recommended accommodation: This is a national holiday in the United States, so special accommodations are likely not required.

- **Hanukkah** – This is the Jewish festival of lights, and lasts for eight days (Dec. 12-20, 2017). Hanukkah begins at sundown on the first day. Recommended accommodations: Academics and work permitted, not a work holiday. Provide food accommodation as requested (kosher restrictions apply—potato pancakes, doughnuts or other fried food is customary).

- **Kwanzaa** – A week-long celebration of family, community, and culture held in the U.S. and nations in West Africa. Dates are Dec. 26-Jan. 1. Recommended accommodation: Substitute or swap shifts for employees who request time off. (Again, this needs to be a “reasonable” accommodation.)

In addition to swapping shifts or other flexible scheduling, another prospective accommodation is to add a floating holiday or two that employees can use to satisfy religious duties without disrupting schedules.

Accommodation Boosts Retention

We live in a global society, and organizations should reflect and encourage personal traditions. Communication, productivity, and a peaceful atmosphere will abound.

Ultimately, to create a culture of tolerance that helps attract and retain employees, top executives need to set a tone that accommodates diverse religious beliefs and practices. “There’s no point to diversity programs if management doesn’t get it,” Maltby says. “And, there’s no point to not addressing religious diversity now. The demographic diversification of the American workforce is well underway and will become only more challenging in the future.”

Additional sources: John Rossheim, a journalist in Providence, R.I., who writes about workplace issues, employment trends, and changing relationships between employers and workers; Carrie Brown-Wolf, a national speaker and author of “Soul Sunday: A Family’s Guide to Exploring Faith and Tolerance” “Guide to Religions”, Inclusion, Diversity & Equity, University of Missouri; and TriNet Group Inc.

More on Religion in the Workplace

Employers, HR professionals and managers struggle with how to celebrate holidays, recognize the diversity of religious beliefs and practices, and consider the issues of non-religious employees who do not partake in these holidays. Should a Christmas tree be placed near the reception desk? A menorah? Both – or perhaps nothing at all?

A Gallup poll states that 90% of American adults say that religion is either very important or fairly important in their lives. And with that, arises workplace conflicts. Charges of religious discrimination in the workplace have risen 43% since 1990. This has led to laws that place an increased burden on employers to meet employee requests for religious accommodation.

What to Do?

What can employers do to accommodate religious expression and observance by employees? Fortunately, such accommodations involve minimal costs. But they do require managerial planning. (The EAP is in a perfect position to help.)

- ❖ Substitute or swap shifts for employees who request time off for religious reasons.
- ❖ Provide flexible scheduling during the day. Allow flexible arrival and departure times, as well as flexible work breaks. Even allow employees to exchange meal breaks for an early departure from the office.
- ❖ As noted in the main article, consider adding a floating holiday or two that employees can use to satisfy religious duties without disrupting schedules. If you do not offer a floating holiday option, this would be a great time to introduce this benefit to your employees and really give them something to celebrate.



Employee Dress and Personal Appearance

Head coverings, robes, and religious insignias may deviate from employer dress codes and from co-worker expectations. In these circumstances, it's appropriate to reevaluate the workplace dress code. In the past, companies have received legal reprisal for forbidding religious dress or head coverings, long hair or beards, and other tokens of faith.

Regardless of local and state jurisdictions, the courts are unlikely to be sympathetic to an employer who makes an issue of religious dress – especially if the employee's personal appearance does nothing to interfere with business operations.

Additional Tips

- ❖ Make an effort to avoid major religious holidays when planning major work-related projects and deadlines.
- ❖ Be sensitive, respectful, and understanding of an employee's religious beliefs. It's important that all employees are treated fairly and are comfortable in the workplace – for everyone's benefit.

Source: TriNet Group Inc.