

RELIGIOUS ACCOMMODATION CHECKLISTS

CHECKLIST 1:

STEPS FOR EFFECTIVE AND SUCCESSFUL MANAGEMENT OF RELIGIOUS ACCOMMODATION IN YOUR WORKPLACE

- ☐ 1. Organizational commitment to creating a fair, inclusive workplace and accommodating employee religious observances
- □ 2. A clear and effective accommodation policy

Contents of Policy:

- Statement of the organization's commitment to providing an environment that is inclusive and barrier-free, and to providing accommodation to the point of undue hardship.
- Procedures and processes to be followed to assess and respond to religious observance needs by <u>all</u> parties
 - rights and duties of the person requesting accommodation
 - role and duties of the organization responsible for providing accommodation
 - role and duties of the union in accommodation process.
- Examples of appropriate accommodations.
- Define scope of undue hardship.
- Address who collects and keeps documentation related to any accommodation requests.
- Stress confidential nature of all accommodation requests.
- 3. Educate supervisors, managers and staff on organizational commitment to accommodation of religious observances
 4. Train supervisors and managers on how to effectively and respectfully deal with religious accommodation requests (train on procedures and processes in policy)
- 5. Monitor the success of the strategy and review and update policy and procedures accordingly and in accordance with changes to the law



CHECKLIST 2:

STEPS FOR DEALING WITH SPECIFIC ACCOMMODATION REQUESTS IN YOUR WORKPLACE*

The following steps are intended to provide guidance to employers in dealing with an employee request to accommodate a religious observance need in the workplace.

☐ Has a request for accommodation of a religious observance need been made?

 An employee requiring accommodation has an obligation to initiate and request accommodation.

Ideally the request should:

- be in writing
- explain why accommodation is required nature of sincerely held belief and nexus to religion, and
- explain what measures of accommodation are required.

□ Reply to request within a reasonable time

- Acknowledge that a request has been received and that management is reviewing it.
- Confirm general organizational commitment to accommodation.
- Provide an outline of the process for dealing with the request and a timeframe for final determination of the request.
- At all times deal in good faith and respect dignity of employee making request.

☐ If needed, request further information from employee

- Seek clarification or further details to investigate the employee's need for accommodation to determine legitimacy of request and/or to determine adequate scope of accommodation.
- Remember at all times to deal in good faith, respect the dignity of the employee and act in timely manner.



 Assess the need for accommodation based on the religious observance needs of the employee

Dress codes

- i. What is the exact nature of the religious observance?
- ii. What is the reason for the uniform or dress code?
- iii. What measures can be taken to accommodate the person? Are there alternatives?
- iv. Are there health and safety factors involved?
- v. If so, do they involve the health and safety of the employee alone or are there consequences for other employees?
- vi. If so, can you show that to accommodate the employee would create a health or safety hazard that would amount to undue hardship for the employer?

Scheduling

- i. What is the exact nature of the religious observance?
- ii. How does the religious observance need conflict with your regular work hours or daily work routines?
- iii. What measures can be taken to accommodate the person? Are there alternatives?

Possible forms of accommodation:

- a modified break policy
- flexible hours
- shift changes, and/or
- providing a private area for devotions.

Religious Leave

- i. What is the exact nature of the religious observance? What religious holy day(s) is the employee requesting off?
- ii. How does the request for time off to observe the holy day conflict with the regular work schedule?
- iii. What measures can be taken to accommodate the person?

Possible forms of accommodation:

- scheduling shift changes
- compressed work week



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- make up time some where else use of banked time
- individual arrangements to make up time, and/or
- paid time off (scheduling changes that do not result in a loss of pay can satisfy an employer's duty to accommodate and an employer does not have to pay for the religious leave).
- Consult with relevant parties during the accommodation assessment process (employee & union)
- ☐ If accommodation is not possible because of undue hardship, explain this clearly to the person concerned
 - Make sure details are provided in writing.
 - Employee may request details of cost of accommodation if undue hardship is the reason for denial of accommodation.

For further information on the issue of accommodating religious observance in the workplace please contact:

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The information above is for general information only and should not be relied upon as a substitute for legal advice or opinion.

^{*}These steps should be incorporated into religious accommodation policy.