

## 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 all 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

- 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).
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- **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.

\*These steps should be incorporated into religious accommodation policy.

**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.*