



MUSLIM ADVOCATES

KNOW YOUR RIGHTS:

A Guide to Seeking Religious Accommodations for Ramadan at Work

Legal Rights

Title VII of the 1964 Civil Rights Act prohibits an employer with 15 or more employees from engaging in discriminatory practices on account of one's race, color, religion, sex and national origin, and protects an individual who reports discrimination from retaliation. Most states – and many municipalities – have laws that protect employees, a number of which offer additional protections (e.g., covering workplaces with less than 15 employees; shielding additional protected categories from discrimination.)



Religious Accommodation

A religious accommodation is an agreement with your employer that enables you to practice your religious beliefs in a manner that does not severely interfere with your employment.

Religious accommodations may include adjustments to the work environment. Common examples include schedule changes, reassigning job responsibilities and tasks and modifying workplace policies and practices.

Reasonable vs. Undue Hardship

Under Title VII, employers are required to provide an employee with a “reasonable accommodation” for religious observances provided it does not cause an “undue hardship” to the business.

An “undue hardship” is decided on a case-by-case basis. Factors that are considered in evaluating whether an accommodation would pose an “undue hardship” include the cost of the accommodation, if the accommodation jeopardizes workplace safety or efficiency and whether the accommodation would infringe upon the rights of other employees.



WHAT ARE MY RIGHTS?

Requesting Accommodation for Ramadan?



Prior to requesting a religious accommodation, you should familiarize yourself with your employer's policies for guidance on how to proceed. Such policies are typically contained in an employee handbook.

If you are unable to find any guidance, send your request to your direct supervisor or Human Resources representative.

When submitting your request, specify that you are seeking accommodation for a religious belief. You do not have to explain the basis for your belief or cite a source.

Your request should specify the type of religious accommodation needed as well as the relevant time period.

You should ensure all correspondence is in writing. For example, if your request was approved verbally, it is a best practice to send a follow-up email thanking the person who approved it and briefly stating the agreed-upon accommodation to avoid any misunderstanding.



Facing Retaliation for Request?



An employer cannot take action against you because you complained about discrimination in the workplace or because you requested an accommodation to practice your religious beliefs. For example, they can't cut your hours or demote you because you requested an accommodation for iftar.

Under Title VII, employers must maintain a workplace free from religious harassment. Religious harassment can take the form of: (1) coercing or pressuring an employee to abandon, alter or adopt a religious practice as a condition of employment; and/or (2) creating a hostile work environment where the employee is subjected to religiously based unwelcome statements and/or conduct that is so severe or pervasive that the employee finds the work environment to be hostile.



Protect Your Rights At Work



Employers are required to make sure that you do not suffer discrimination or retaliation in the workplace and have a reasonable accommodation for religious practices. You have the right to work in an environment that is fully compliant with the law, and employers are prohibited from taking any action against you for asserting your rights.

If you believe your rights may have been violated, a lawyer can provide additional information and advice.

You can also file a Charge of Discrimination with the U.S. Equal Employment Opportunity Commission (EEOC). Many states and municipalities have similar agencies where you can file a complaint. Be advised that there are strict time limits for filing such complaints.

