

Religious Accommodation Guidelines

The State of Tennessee is committed to the principle of fair and equal employment opportunities for its citizens and strives to protect the rights and opportunities of all people to seek, obtain, and hold employment. As part of this commitment, the State of Tennessee will make good faith efforts to provide a reasonable accommodation of an employee's sincerely held religious belief, unless such accommodation would create an undue hardship.

These guidelines explain the process for assisting individuals desiring a workplace accommodation for religious reasons.

Definitions

Reasonable accommodation – a reasonable religious accommodation is any adjustment to the work environment that will allow an employee to act in accordance with the employee's religious beliefs.

Religious Practice or Belief – Religion includes all aspects of religious observance and practice, as well as belief. Religious beliefs are not only those beliefs held by traditional, organized religions, but also include moral or ethical beliefs as to what is right or wrong which are sincerely held with the strength of traditional religious views.

Undue hardship – An undue hardship may be shown if the accommodation would impose more than a minimal cost or burden on operations. Factors for making an analysis include but are not limited to: the nature and cost of the requested accommodation; the impact on resources and business operations; the impact on workplace safety; and the number of employees requesting similar accommodations at the same time.

Requesting an Accommodation

A request for a religious accommodation must be made within a reasonable amount of time, when possible at least 30 days in advance of the need for the accommodation, in order to minimize the impact to the agency/division operations. Employees and applicants should complete the *Request for Reasonable Religious Accommodation Form* and submit it and any supporting documentation to their supervisor or human resources representative. Upon receipt, the supervisor should notify the agency's human resources representative.

Discussing the Request

Once an agency becomes aware of the employee's request for a religious accommodation, the agency's human resources representative should promptly obtain whatever additional information is needed to determine whether an accommodation is available that would address the employee's religious belief without posing an undue hardship on the operation of the agency's business. The human resources representative is encouraged to discuss the basis of the request and the accommodation process with the employee. Both the agency representative and the employee are likewise encouraged to exercise a

good faith effort in making a decision regarding requests for a religious-related workplace accommodation.

Analysis of the Request for Accommodation

Reasonable accommodations are determined on an individual, case-by-case basis. Some common religious accommodations include: flexible scheduling, voluntary substitutions or swaps, job reassignments and lateral transfers, modification of grooming requirements, and other workplace practices, policies, and/or procedures.

In determining whether a request for a particular accommodation imposes an undue hardship, the human resources representative may consider relevant factors such as the nature and cost of the requested accommodation; the impact on resources and business operations; the impact on workplace safety; and the number of employees requesting similar accommodations at the same time.

The agency's human resources division may consult with the Department of Human Resources Equal Employment Opportunity Division to evaluate a request and determine whether an accommodation is available which is reasonable and which will not create undue hardship on the agency's operations.

Notification and Implementation of an Accommodation

The agency's human resources division shall provide a written response either granting or denying the request to the employee within seven (7) business days of receipt of the request. If the accommodation request is determined to be unreasonable and cannot be granted, then an alternative accommodation may be proposed to the employee or the employee. The employee may submit a modification of the request within five (5) business days of receiving the agency's written response.

In those instances for which a request for a religious accommodation is denied, an employee may file a request for administrative review with the agency's appointing authority or designee within five (5) business days of receipt of the agency's written response. Employees who believe they have been discriminated against on the basis of religion by the denial of a requested religious accommodation may contact the Department of Human Resources Equal Employment Opportunity Division to learn about filing a discrimination complaint.

Retention of Documents

All documentation related to a religious accommodation request shall be maintained by an agency in the same manner as workplace discrimination and harassment documents, separate from an employee's personnel file.

Questions regarding these guidelines may be directed to the Department of Human Resources Office of the General Counsel.

REQUEST FOR REASONABLE RELIGIOUS ACCOMMODATION FORM

In accordance with federal and state laws and Department of Human Resources policies, discrimination on the basis of religion is prohibited. Reasonable accommodations will be granted for an employee's sincerely held religious beliefs unless doing so would impose an undue hardship on an agency, division, or work unit. A reasonable accommodation is any adjustment to the work environment that will allow an employee to act in accordance with the employee's religious beliefs.

Contents of this request will be shared only as necessary to consider the approval and/or implementation of an appropriate accommodation. This document should be completed by the person requesting a reasonable religious accommodation.

Date: _____

Name: _____

Department/Division: _____

Employee's Title: _____ Immediate Supervisor: _____

Contact Information: Phone: _____ Email _____

Explain conflict between your religious practice and your work responsibilities.

What specific workplace accommodation do you request?

Identify your religious practice or belief and state how this accommodation enables you to participate in your religious practice or belief without impacting your ability to meet the required functions of your position.

State the date(s)/frequency of the requested accommodation (e.g. daily, weekly, etc.) _____

(IF NECESSARY, PLEASE USE ADDITIONAL SHEETS FOR ANY OF THE INFORMATION REQUESTED ABOVE)

Religion Tenets Documentation

Please note: In some instances, your agency may need to obtain documentation or other authority regarding your religious practice or belief. This includes, but is not limited to, discussing the nature of your request with your religious spiritual leader (if applicable) or other scholars to address your request for an accommodation.

I verify that the above information is complete and accurate to the best of my knowledge and I understand that any intentional misrepresentation contained in this request may result in disciplinary action.

Signature: _____

Date: _____