

University of Scranton

Executive Sponsor: Vice President
for Human Resources

Religious Accommodation Policy

Responsible Office: Office of Equity
and Diversity

Effective Date: November 1, 2019

Eligibility: This Policy applies to all faculty and staff only. Students must contact the Center for Teaching and Learning for Religious Accommodations <https://www.scranton.edu/academics/ctle/index.shtml>.

I. Statement

Consistent with the University of Scranton's commitment to recruiting and retaining a diverse workforce, to interfaith engagement, and to cura personalis, the University prohibits discrimination on the basis of religion. As expressed in Non-Discrimination and Anti-Harassment Policy <https://www.scranton.edu/equity-diversity/docs/nondiscrimination-antiharassment-policy.pdf>, the University is sensitive to the diverse religious practices and observances of its employees.

II. Purpose

The University of Scranton respects the religious beliefs and practices of its employees and does not tolerate religious discrimination. Consistent with these values, federal and state law, and University Policy, <https://www.scranton.edu/equity-diversity/docs/nondiscrimination-antiharassment-policy.pdf>, the University will attempt to make, upon request, reasonable accommodations to alleviate conflicts between employees' religious practices and work requirements, unless doing so imposes an undue hardship.

III. Definitions

Employees includes all faculty and staff.

OED is the Office of Equity and Diversity.

Interactive Process: The interactive process is the ongoing process by which the University, through the Office of Equity and Diversity, and the employee engage in a dialogue to determine what, if any, accommodations may be implemented to allow the employee to practice their religious beliefs and to perform the job duties with the University. The process may include obtaining and reviewing information about the tenets of the employee's religion.

Cabinet Approval: September 3, 2019

President's Approval: September 3, 2019

Religion is broadly defined by Title VII of the Civil Rights Act. Religious beliefs, practices, and observances include those that are theistic and non-theistic (moral or ethical beliefs as to what is right and wrong which are sincerely held with the strength of traditional religious views). Title VII requires employers to accommodate religious beliefs, practices, and observances if the beliefs are “sincerely held” and if the reasonable accommodation poses no undue hardship to the University.

Religious Accommodation: A reasonable religious accommodation is any adjustment to the work environment that will allow the employee to practice or otherwise observe a sincerely held religious practice or belief. Accommodations are determined on a case-by-case basis by the Office of Equity and Diversity.

IV. Requesting Accommodations

Students: Students seeking religious accommodations should contact the Center for Teaching and Learning (CTLE):

<https://www.scranton.edu/academics/ctle/disabilities/pages/nonacademic.shtml>

Employees: Employees seeking accommodations for sincerely held religious beliefs should contact the Office of Equity and Diversity (OED).

V. Procedures

Employees must complete the Religious Accommodation Request Form at <https://www.scranton.edu/equity-diversity/docs/religious-accom-form.docx> , and return the completed form to OED to start the interactive process. If OED receives information that an employee may require a religious accommodation, via email, telephone or third party, OED will contact the employee and request that the employee completed the Religious Accommodation Request Form. <https://www.scranton.edu/equity-diversity/docs/religious-accom-form.docx> . The form requires information related to the religious or seriously held belief or practice for which the employee is requesting an accommodation, as well as the requested accommodation or modification to policy, practice, or schedule. The employee must detail the nature of the work conflict. Whenever possible, employees should make the request at least 15 business days in advance of the desired accommodation.

Once OED receives the completed form, the Executive Director or Assistant Director of OED will determine if the employee is potentially eligible for an accommodation. OED will engage the employee, and if necessary, the employee’s supervisor, or faculty dean, or designee, in an interactive process to determine what religious accommodation, if any, is appropriate.

No specific accommodation is guaranteed. Rather, accommodations are determined on an individualized (case-by-case) basis and will be tailored to match the needs of the employee without placing an undue burden or hardship on the University.

In making this determination, OED in conjunction with the employee’s supervisor, faculty dean, or designee, may consider a number of relevant factors, including:

- The nature and duration of the requested accommodation.
- The impact of the requested accommodation on the performance of the employee’s job functions or core work-related duties.
- The financial impact of the requested accommodation on the University.

- The impact of the requested accommodation on other employees, students, or University operations. Note that this may include consideration of seniority within the same unit or department.
- Any alternative accommodations.

OED may require an employee to submit additional documentation related to the tenets of the religious practice or sincerely held belief to support the request. Documentation requested may vary depending on the nature of the accommodation requested.

Employees will be notified whether an accommodation is approved, denied, or partially approved by OED.

An employee who fails or refuses to participate in the process may be denied a religious accommodation.

VI. Accommodation Plan

If an accommodation is deemed appropriate and reasonable, both the employee and the departmental representative will be notified of the accommodation plan.

VII. Supervisor Obligations

Supervisory employees of the University are required to refer employees who may require a religious accommodation to OED within 48 hours of the request, or as soon as reasonably possible, for processing in accordance with this policy.** OED will work directly with the employee, and consult with the Department, as necessary, to determine an appropriate accommodation.

During the interactive process, a Department supervisor must work with OED to provide a suggestion for an alternative accommodation if called upon by OED.

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**This policy is not intended to conflict with the Faculty Absence Policy. If there is a conflict between this policy and the Faculty Absence Policy, the Faculty Absence Policy shall prevail.

VIII. Forms of Religious Accommodations

Religious accommodations can take many forms. Some examples include:

- Permitting an employee to take a particular day or time period off for a religious holiday.
- Providing an employee with a time and place to pray.
- Permitting a flexible schedule.
- Permitting employees to wear certain religious garb, beards or hairstyles.

Any time provided as a reasonable accommodation will be without pay unless the time is covered under another University Policy.

A reasonable accommodation does not need to be the specific accommodation requested by the employee.

IX. Confidentiality

Information relating to the underlying reason for an individual's accommodation request, which includes written requests for an accommodation, notes or report, or other supporting documentation, is confidential information and is maintained in a locked cabinet in OED.

Accommodation related information is only shared with those who have a legitimate business need to know, or as required by law. University managers, administrators, supervisors, department chairs, etc. may be provided information related to the accommodation if deemed necessary or appropriate to meet the individual's needs.

X. Retaliation Is Prohibited

The University prohibits retaliation against employees requesting religious accommodations, participating in an approved accommodation or otherwise engaging in protected conduct under this policy. Any person who violates the anti-retaliation provision may be subject to disciplinary and/or corrective action, including termination.

XI. How to File an Appeal if Denied an Accommodation

If an employee is denied an accommodation by OED, an appeal can be filed with the Vice President for Human Resources. The appeal should include the accommodation requests, the accommodation provided (if any), documentation in support of the accommodation, any and all communication between the employee and OED, and a brief summary of what occurred during the interactive process with OED. The appeal must be filed within 15 business days of being denied a religious accommodation. The Vice President for Human Resources will contact the OED for a written response to the appeal within 10 business days. OED will have 15 business days to provide a response to the Vice President. The Vice President for Human Resources will issue a decision within 15 business days of receiving OED's response to the appeal.

XII. How to File a Discrimination Complaint with the Office of Equity and Diversity

Applicants denied a job or an equal opportunity to apply for a job based on a religious belief or practice, can process a complaint pursuant to the University's Non-Discrimination and Anti-Harassment policy <https://www.scranton.edu/equity-diversity/docs/nondiscrimination-antiharassment-policy.pdf>.

Employees who believe they have been discriminated against because of their religious or their religious beliefs, can process a complaint pursuant to the University's Non-Discrimination and Anti-Harassment policy <https://www.scranton.edu/equity-diversity/docs/nondiscrimination-antiharassment-policy.pdf>

XIII. Other Resources

The Office of Human Resources oversees other policies that may overlap with this policy, including but not limited to, family medical leave, short term and long term disability, medical benefits and other University leaves and benefits. For more information, please contact Office of Human Resources in St. Thomas Hall, Room 100.