

PERSONNEL

Personnel

Religion (6.34)

PURPOSE

The purpose of this policy is to establish guidelines in compliance with applicable state and federal laws.

POLICY

It shall be the policy of Tennessee State University to provide equal employment opportunities to individuals regardless of religious beliefs. Further, it shall be the University's policy to provide reasonable efforts to accommodate religious beliefs or practices to the extent that the University's operations are not compromised.

PROCEDURE

The definition of religious practices is not confined to theistic concepts or to traditional religious beliefs but also includes moral and ethical beliefs. Under the guidelines, a belief is religious not because a religious group professes that belief but because the individual sincerely holds that belief with the strength of traditional religious views. This definition is based on the Supreme Court decision in Seegar and Welsh and on the standards applied in Equal Employment Opportunity Commission Decisions. The obligation to accommodate begins when an employee notifies the employer of the need for an accommodation. Once notified, the employer shall consider the alternatives available for accommodating the religious practices of the individual involved. If there is more than one alternative available which would not cause undue hardship, the employer must offer the alternative which will least disadvantage the employment opportunities of the individual requiring the accommodation. When considering alternatives, guidelines suggest the use of voluntary substitutes and swaps, flexible scheduling, lateral transfer and change of job assignment.

Tennessee State University shall justify refusal to accommodate an employee's religious practices by demonstrating that undue hardship in fact results from each available alternative.

The use of pre-selection inquiries which determine an applicant's availability has an exclusionary effect on persons whose religious practices conflict with an employer's working hours. The University shall, therefore, justify the use of pre-selection inquiries by business necessity. Prior to denial by a University supervisor to accommodate the religious practices of an employee, the supervisor shall contact the Personnel Department for assistance.

REFERENCE

Supersedes "Religion" Policy No. 5:05 in the University Wide Policy Manual