

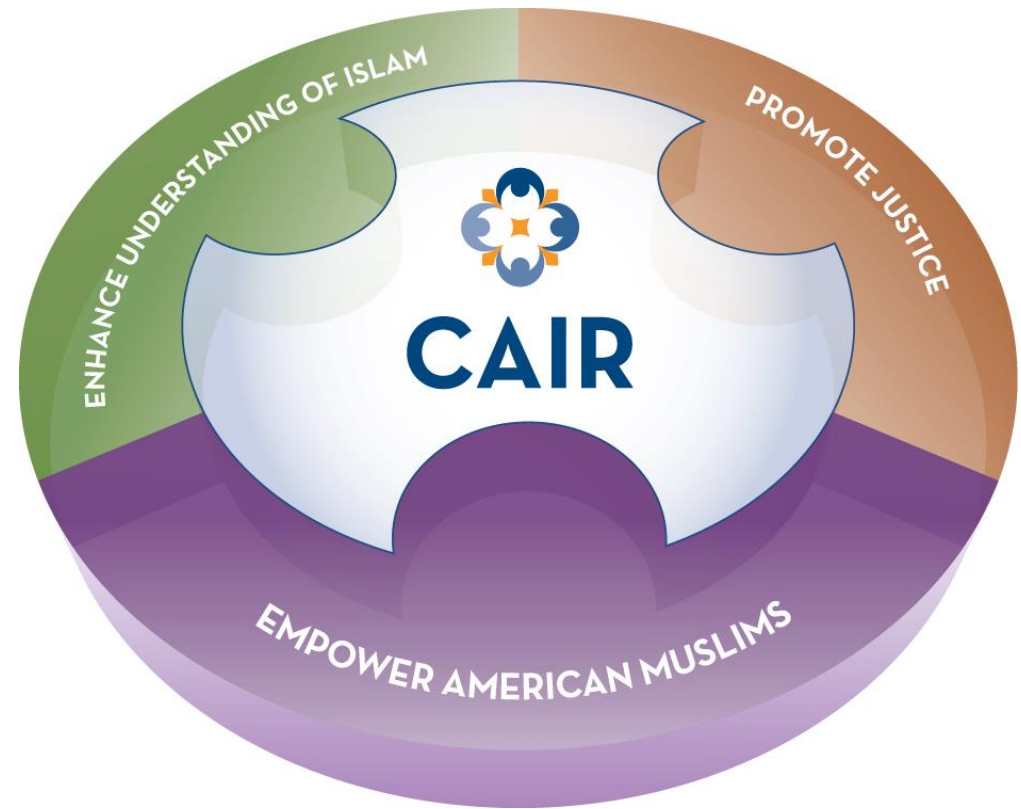
RAMADAN IN THE WORKPLACE: KNOW YOUR RIGHTS

PRESENTATION OUTLINE

- Welcome and Introduction
- Employment Discrimination Laws
- How to Request a Religious Accommodation
- Practice Scenarios

CAIR's Vision and Mission

- CAIR's vision is to be a leading advocate for justice and mutual understanding.
- CAIR's mission is to enhance understanding of Islam, encourage dialogue, protect civil liberties, empower American Muslims, and build coalitions that promote justice and mutual understanding.



EMPLOYMENT DISCRIMINATION LAW

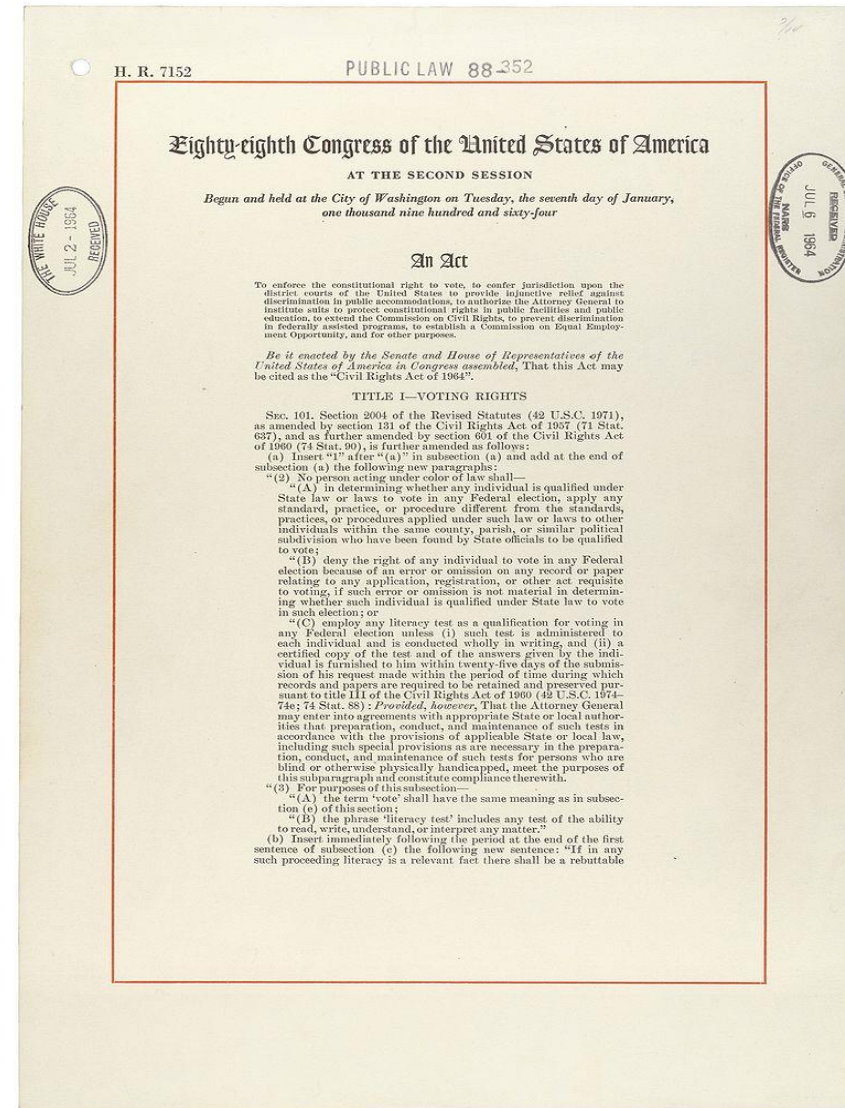
A Brief Overview

What is Employment Discrimination?

- **Unfair treatment** because of your race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, or genetic information.
- **Harassment** by managers, co-workers, or others in your workplace, because of your race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, or genetic information.
- **Retaliation** because you complained about job discrimination, or assisted with a job discrimination investigation or lawsuit.
- **Denial of a reasonable workplace accommodation** that you need because of your religious beliefs or disability.

Federal Statutes

1. **Title VII of the Civil Rights Act of 1964 (Title VII)**
2. **The Equal Pay Act of 1963 (EPA)**
3. **The Age Discrimination in Employment Act of 1967 (ADEA)**
4. **Title I of the Americans with Disabilities Act of 1990 (ADA)**
5. **The Genetic Information Nondiscrimination Act of 2008 (GINA)**



THRESHOLD DISCRIMINATION ISSUES

Must Be Satisfied Before Considering the Merits of Discrimination Claims

Threshold Requirements

There are a number of threshold requirements that must be satisfied *before* considering the merits of discrimination claims, such as:

1. Coverage
2. Timeliness
3. Tangible Harm
4. Employee/Employer Relationship
5. Required number of Employee

Threshold Issues

Employer/Employee Relationship

An individual is only protected if s/he was an "employee" at the time of the alleged discrimination, rather than an independent contractor, partner, or other non-employee.

The question of whether an employer-employee relationship exists is fact-specific and depends on **whether the employer controls the means and manner of the worker's work performance.**

Required Number of Employees

An employer is covered under Title VII or the ADA if it has **15 or more employees** for each working day in each of 20 or more calendar weeks in the same calendar year as, or in the calendar year prior to when, the alleged discrimination occurred.

If the employer does not have 15 or more employees, contact your local CAIR chapter or attorney to see if state or local laws exist that will protect you from employment discrimination.

Religious Accommodations

The law requires an employer to **reasonably accommodate** an employee's religious beliefs or practices, unless doing so would cause more than a **minimal burden** on the operations of the employer's business.

This means an employer may be required to make reasonable adjustments to the work environment that will allow an employee to practice his or her religion.



Commonly Provided Religious Accommodations During Ramadan



- Flexible Scheduling
- Voluntary Shift Substitutions or Swaps
- Job Reassignments
- Modifications to Workplace Policies or Practices

HOW TO ASK FOR A RELIGIOUS ACCOMMODATION

Some Guidelines, Dos, and Don'ts

Requesting a Religious Accommodation

1. Familiarize yourself with your employer's procedures for requesting religious accommodations.
2. Make the formal request to your direct supervisor or to the person designated by company policy.
3. Follow up your formal request in writing.
4. Continue the conversation with your employer.



Helpful Tips

DO:

- Familiarize yourself with your rights outside of your employer's handbook. Not every employer's handbook has the appropriate guidelines according to state and federal law.
- Make clear that you are requesting the accommodation because of your sincere religious belief or practice.
- Keep personal written records of how and when your request was made and whether it was accommodated.

DON'T:

- Become aggressive with your employer!
- Threaten to quit unless your request is accommodated – unless you have already consulted with an attorney.
- Give up if your request is not initially accommodated.
- Wait until the last minute to make certain requests. Ask early if you can.

TO RECAP:



- Federal law prohibits discrimination in the workplace
- Take note of your rights
- Ask your employer according to policy
- Write everything down
- Contact your local CAIR chapter for more help!