

Religious Freedom in the Workplace

Religious freedom in the workplace is protected by federal and state law. Under Title VII of the Civil Rights Act, 42 U.S.C. § 2000e et seq., and Tennessee's Human Rights Acts, § 4-21-101 et seq., **you have a right to:**

Be free from discrimination in the workplace.

State and federal law prohibits employers from discriminating on the basis of race, color, religion, sex, or national origin. These provisions apply under federal law if your employer has more than 15 employees and under state law if your employer has more than 8 employees. *If you work for the local, state, or federal governments, additional legal protections may apply.*



- Have you been demoted, fired, not hired, or denied a promotion for a job you were qualified for?
- Were you replaced by someone of a different religion or treated differently from similarly-situated employees?
- Is there evidence this action was motivated by your faith (e.g., anti-Muslim comments by a supervisor or similar treatment of other Muslim employees)?

Be safe from harassment in the workplace.

An employer can be liable for religious harassment of an employee if the harassment is so pervasive that it creates a hostile work environment. This determination is very fact-driven and whether you have a legal claim for harassment will depend on the circumstances of your particular situation.



- Have you been harassed at work because of your faith?
- Has the harassment been so severe that it interfered with your work by creating an intimidating, hostile, or offensive work environment?
- Does your employer know about the harassment?

Have certain religious practices accommodated in the workplace.

If asked, an employer must provide reasonable accommodations for the religious practices of employees. An accommodation is not reasonable if it will cause your employer an undue hardship (i.e. it compromises safety or would impose more than minor costs on the employer). This determination is very fact-driven and whether you have a legal claim for the denial of an accommodation will depend on both the circumstances of your particular situation and those of your employer.



- Has your employer refused to give you a religious accommodation (e.g., a change in schedule so you can celebrate a religious holiday or an exemption from a clothing or grooming policy to allow you to wear a hijab or beard)?
- Does your employer know that you need the accommodation for religious reasons?
- Would the accommodation create only a small or nonexistent burden for your employer (e.g., allowing you to switch shifts with another employee)?

If the answer to all the questions in one of these sections is yes, your employer may be violating the law. For more information, contact the ACLU of Tennessee online at <http://www.aclu-tn.org/gethelp.htm> or by phone at (615) 320-7142.

