



Facts About Religious Discrimination

Nevada state law and Title VII of the Civil Rights Act of 1964 prohibit employers from discriminating against individuals because of their religion in hiring, firing, and other terms and conditions of employment. The law also requires employers to reasonably accommodate the religious practices of an employee or prospective employee, unless to do so would create an undue hardship upon the employer.

Religious Beliefs

State and federal laws define "religion" to include all aspects of religious observance and practice as well as belief. Religion includes not only traditional, organized religions such as Christianity, Judaism, Islam, Hinduism, and Buddhism, but also religious beliefs that are new, uncommon, not part of a formal church or sect, only subscribed to by a small number of people, or that seem illogical or unreasonable to others. An employee's belief or practice can be "religious" even if the employee is affiliated with a religious group that does not espouse or recognize that individual's belief or practice, or if few – or no – other people adhere to it.

Religious beliefs include theistic beliefs as well as non-theistic moral or ethical beliefs as to what is right and wrong which are sincerely held with the strength of traditional religious views. Although courts generally resolve doubts about particular beliefs in favor of finding that they are religious, beliefs are not protected merely because they are strongly held. Rather, religion typically concerns "ultimate ideas" about life, purpose, and death. Social, political, or economic philosophies, as well as mere personal preferences, are not "religious" beliefs protected by state or federal law.

Reasonable Accommodation

Flexible scheduling, voluntary substitutions or swaps, job reassignments and lateral transfers are examples of accommodating an employee's religious beliefs.

Employers cannot schedule examinations or other selection activities in conflict with a current or prospective employee's religious needs, inquire about an applicant's future availability at certain times, maintain a restrictive dress code, or refuse to allow observance of a Sabbath or religious holiday, unless the employer can prove that not doing so would cause an undue hardship.

An employer can claim undue hardship when accommodating an employee's religious practices if allowing such practices requires more than ordinary administrative costs. Undue hardship also may be shown if changing a bona fide

seniority system to accommodate one employee's religious practices denies another employee the job or shift preference guaranteed by the seniority system.

Mandatory "new age" training programs, designed to improve employee motivation, cooperation or productivity through meditation, yoga, biofeedback or other practices, may conflict with the non-discriminatory provisions of the law. Employers must accommodate any employee who gives notice that these programs are inconsistent with the employee's religious beliefs, whether or not the employer believes there is a religious basis for the employee's objection.

Charitable Contribution in Lieu of Union Dues

An employee whose religious practices prohibit payment of union dues to a labor organization cannot be required to pay the dues, but may pay an equal sum to a charitable organization.

Persons who file a charge, oppose unlawful employment discrimination, participate in employment discrimination proceedings, or otherwise assert their rights under the laws enforced by the Commission are protected against retaliation.

If You Think You Have Been Discriminated Against Because Of Religion, Contact The Nevada Equal Rights Commission

Nevada Equal Rights Commission
555 E. Washington Ave., Suite 4000
Las Vegas, NV 89101

PH: 702 486-7161
Fax: 702-486-7054

Nevada Equal Rights Commission
1325 Corporate Boulevard # 115
Reno, NV 89502

PH: 775-823-6690
Fax: 775-688-1292

Or visit us on the Internet

www.NVDETR.org

A complaint must be filed within 300 days of the date of the alleged discriminatory conduct.

You may also contact the federal Equal Employment Opportunity Commission (EEOC) at 1-800-669-4000 or on the Internet at <http://www.eeoc.gov/>