

Religious Garb and Grooming in the Workplace

UC ANR Affirmative Action Office

Linda Marie Manton

ANR Affirmative Action



Title VII of the Civil Rights Act of 1964

- Prohibits employers from discrimination on the basis of race, color, religion, sex or national origin
- With respect to religion, it prohibits among other things
 - Disparate treatment based on religion
 - Denial of reasonable accommodations
 - Prohibits job segregation based on religion
 - Prohibits retaliation for requesting a religious accommodation
 - Prohibits workplace harassment based on religion.



What is AB 1964?

- On September 8, 2012, California Governor Jerry Brown signed into law Assembly Bill 1964
- Seeks to solve problems associated with religious discrimination in workplace
- Contains provisions that prohibit California employers from segregating certain employees from others because of religious affiliations.





- The bill strengthens the “Reasonable Accommodations” provisions of Fair Employment and Housing Act (FEHA)
- The aim of AB 1964 is to ensure employees and job applicants -- who are practicing their religion -- receive fair and equal employment opportunity.



What Does it Mean to You as the Employer/Supervisor/Manager?

- Clarifies that wearing religious clothing or a religious grooming practice is protected by the FEHA
- “Religious Creed”= all aspects of religious belief, observance, and practice, including **religious dress and grooming practices**
- Reasonable accommodations does NOT include segregating the individual from other employees or the public.



- **Religious Dress Practices**= wearing or carrying of religious clothing, head or face covering, jewelry, artifacts, and any other item that is part of the observance by an individual of his or her religious creed
- **Religious Grooming** = all forms of head, facial and body hair that are part of the observance by an individual of his or her religious creed.



Accommodation of Religious Dress and Grooming Practices

- Employer must accommodate religious dress and grooming practices
- Undue hardship
 - What constitutes undue hardship?
 - significant difficulty or expense
 - Unduly extensive, substantial disruption or those that would fundamentally alter the nature or operation of a business
 - Case-by-case basis and in discussion with UC ANR AA Office
 - Employer must explore all reasonable means of accommodating the religious belief.



For More Information

Contact the ANR Affirmative Action Office

- Linda Marie Manton at Immanton@ucanr.edu or 530-750-1318
- John Sims at jsims@ucanr.edu or 530-750-1397
- David White at dewhite@ucanr.edu or 530-750-1286

Website Reference, Fact Sheet, and FAQs

http://www.eeoc.gov/eeoc/publications/qa_religious_garb_grooming.cfm

Thank you for participating in this training!

