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Religious Practices in the Workplace

BY SIMON WEBLEY

Author   **Simon Webley** is Research Director at the Institute of Business Ethics.

He has published a number of studies on business ethics, the more recent being: *Making Business Ethics Work (2006), Use of Codes of Ethics in Business (2008), and Employee Views of Ethics at Work: The 2008 National Survey (2009).*

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Introduction and Context

1. Aims and scope

Religion or personal faith and the way it is expressed in public can generate strong emotions and opinions. The workplace is not exempt from this.

This IBE Paper reviews a number of ethical issues that arise in companies and other organisations when employees wish to pursue practices that express their religious convictions while at work.

The term 'religious practices' in the title, refers to the ways that faith and belief are communicated. Definitions of faith and belief, at least for legal purposes, are still evolving (see the end of Chapter 1). The paper explores situations where religious beliefs and practices impact the day-to-day operations of businesses and other organisations.

The topic has relevance for those involved with corporate governance, risk management and human resource management as well as those responsible for business ethics standards in their organisations.

After reviewing the context, the paper looks at how the expression of religion and faith in the workplace can be a business ethics issue. It goes on to suggest why organisations should take this seriously, describing how religious sensibilities are being accommodated by employers. It concludes with a short guide to good practice.

2. Context

There are six societal trends which make consideration of this topic relevant:

- Growth in UK immigration
- The internationalisation of business operations
- The diversity agenda
- Generational differences
- Employee well-being
- Recent legal developments in the UK.

Immigration

First, the growth of immigration to the UK in recent years has resulted in the prevalence of a wider range of religious beliefs and practices and what might be called faith activity generally. Table 1 shows the changes over the last decade in the religious make-up of the British population. The significant figure is the increase in the number (3.1m to 4.7m) and proportion (5.5% to 8.2%) of people saying they follow non-Christian religions. This change is likely to be reflected among the working population.

Table 2 indicates that Muslims in particular, say they take their religion more seriously than adherents of most other religions.

Table 1: **Percentage of the British population's stated religions**

Great Britain Religion	Percentage in 2001 %	Percentage in 2009/10 %
Christian	71.8	71.4
Buddhist	0.3	0.4
Hindu	1.0	1.4
Muslim	2.8	4.2
Sikh	0.6	0.6
Jewish	0.5	0.5
Other religion	0.3	1.1
No religion	15.1	20.5
Religion not stated	7.8	*

* Data unavailable.
Source: *Data derived from 2001 National Census and 2009/10 Integrated Household Survey*

Table 2: **Proportions of people stating they are actively practising their beliefs**

England and Wales Religion	Percentage Actively Practising in 2008/9 %
Christian	32
Buddhist	66
Hindu	70
Muslim	80
Sikh	66
Other religion	51

Source*: Data derived from Ferguson, C. and Hussey, D., Communities and Local Government (2010), 2008/9 Citizenship Survey: Race, Religion and Equalities Topic Report (Fig.3.2, p.35)*

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Internationalisation of business

The continuing internationalisation of business is also pertinent (see Fig 1). It is important that employers do not assume that the expressions of religious traditions accepted and accommodated in the 'headquarter' country will necessarily be recognised in their operations in other countries. There is a religious foundation to most local cultures and social practices[1] and an assessment of the way corporate values will interact with these is necessary if the investing company is to remain true to its core values.

Fig 1: **Global flows of foreign direct investment, by group of economies 1990 – 2009 (**_Billions of dollars_**)**
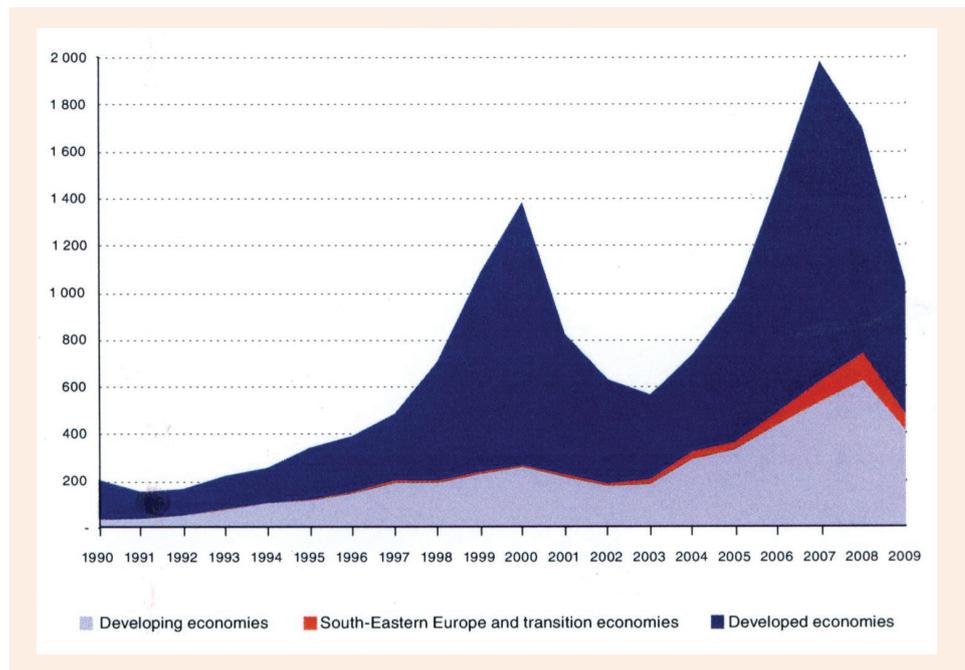
Source: _United Nations Conference on Trade and Development (UNCTAD), (2009), World Investment Report_

Diversity

There is increasing acceptance that workforce diversity is both ethically correct and economically beneficial. Survey material on this topic concludes that employees of different religious backgrounds generally work _"comfortably with each other"_. For instance, the 2008 report of the Society for Human Resource Management; _Religion in Corporate America: Stimulating Religious Sensitivity in the Workplace._

As employers recruit staff from a broader range of ethnic and religious origins and beliefs, religious sensibilities will need to be considered when updating operating practices.

Box 1 reproduces the comments of two observers of workplace behaviour on the implications of neglecting to take the religious beliefs of employees seriously.

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1 For a useful review of international differences in the way business operates, see: Scholtens, Bert and Dam, Lammertjan (2007), 'Cultural Values and International Differences in Business Ethics', _Journal of Business Ethics_, Volume 75, pp. 273-284

Box 1:

Accommodating diverse religious beliefs in the workplace

Charles Mitchell, Executive Director of Publishing at The Conference Board

Companies will have to accommodate various religious identities in the workplace somehow. How they frame the issue can very well determine whether it becomes a source of employee irritation and litigation or a step on the road to becoming an employer of choice to a new generation of workers.

Source: *The Conference Board, Executive Action Series (2006), Faith at Work*

Allen White, Senior Advisor at Business for Social Responsibility

Without recognizing the influence of cultural and spiritual traditions, company leaders may face unwelcome surprises that could jeopardize consumer and investor confidence in a company's management acumen.

Source: *Business for Social Responsibility (2008), Culture Matters: The Soul of CSR in Emerging Economies*

Generational differences

In the 21st century, generational differences have become more noticeable. Lord Griffiths puts it this way:

> *Employees today have very different expectations of the workplace from their predecessors. They are part of a culture which has placed a strong emphasis on the freedom to choose – not just for goods and services, but the freedom to choose their own value systems, beliefs and lifestyle. In a post-modern world which denies any sense of transcendence or absolute truth all choices in this area are equally valid. People today are more open about their views than previous generations and so expect the place at which they work to be a place where they can express their opinions openly[2].*

Those with convinced religious positions are likely to ask themselves how their faith relates to the work they are doing and the values of the organisation. They may be more sensitive to, and feel the need to challenge, apparent hypocrisy e.g. when a manager fails to live up to the standards in the organisation's code of ethics/conduct.

Two respected Christians sum up their position as follows - see Box 2.

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2   Griffiths, B. (2007), *Religion in the Workplace: Hugh Kay Memorial Lecture*, Christian Association of Business Executives

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> **Box 2:** | **Faith at work**
>
> **The Archbishop of York**
> *Asking someone to leave their belief in God at the door of their workplace is akin to asking them to remove their skin colour before coming into the office.*
>
> Source: *The Christian Institute (2009), Marginalising Christians*
>
> **Ken Costa, Chairman of Lazard International**
> *If the Christian faith is not relevant in the workplace, it is not relevant at all.*
>
> Source: *Costa, K. (2007), God at Work, Continuum*

Their statements could well have been echoed by leaders of and commentators on other religions.

Employee well-being

It is generally accepted that an active employee 'wellness' programme can generate beneficial outcomes for organisations. These programmes have traditionally focused on health and safety issues but they are being extended to address wider concerns such as work/home balance, stress at work and what are termed 'spiritual' needs. Thus the provision of 'quiet rooms' for religious contemplation is no longer confined to chapels at airports and hospitals - they are increasingly found in the workplace.

A Conference Board paper on this topic puts the business case succinctly[3]:

> *Strong moral and worker contentment often translates into higher productivity and more customer-friendly attitudes. The opposite is also true. Job performance can suffer if a worker's emotional well-being is neglected. Caring for both the physical and spiritual health of your workforce is becoming a part of good business practice.*

Recent UK legislation

In 2003, the UK Parliament enacted legislation on one aspect of religious practices in the workplace through the *Employment Equality (Religious or Belief) Regulations[4]*. These regulations were amended in the *Equality Act* (2006) so that 'philosophical belief' no longer had to be similar to religious belief – provided that it is "*worthy of respect in a civilised society*". Subsequently, in a court case (Grainger v Nicholson), it was held that a belief in the existence of man-made climate change could amount to philosophical belief to the extent that it governs the way someone lives their life, and thus would be protected against discrimination under the Act[5].

A further *Equality Act* was passed in 2010[6]. This addresses, among other things, discrimination in recruitment issues, pay and conditions, promotion and references. The primary purpose is to protect people from discrimination or harassment in the workplace. It specifies among others, "*those who hold religious convictions*".

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3 Mitchell, C. (2006), *Faith at Work: What Does it Mean to be a "Faith-Friendly" Company?*, The Conference Board Executive Action Series p2.

4 This originated from a European Directive (Council Directive 2000/78/EC). The Regulations are administered in the UK by the Equality and Human Rights Commission.

5 http://www.employmentlawwatch.com/tags/grainger-v-nicholson/

6 http://www.legislation.gov.uk/uksi/2010/2317/pdfs/uksi_20102317_en.pdf

However, the Act has left open the critical matter of the definition of religion and belief[7]. It is relying on case law, including decisions of employment tribunals, to produce a consensus on this.

It should be noted that although there is a legal basis for outlawing discrimination on, among other things, religion or belief, there is no obligation on an organisation in the UK or in many other countries to diversify their workforce to reflect the gender, age, ethnic origin or religion of those living in the locality or region.

As part of the *Equality Act 2010*, the government has issued a new public sector Equality Duty. This is due to come fully into force by summer 2011[8]. Under the Equality Duty, all public sector employees will be asked to state what their religion (and sexuality) is. This is because public organisations with more than 150 employees - including local authorities, health bodies, schools, police forces and Whitehall departments across Britain - must publish information on the effect their policies have on equality for customers, and disclose how diverse their workforces are. There is a proviso that this will only be done if "*no one can be identified as a result*". The aim is to "*eliminate unlawful discrimination, harassment and victimisation*" on grounds of age, disability, gender reassignment, pregnancy, race, religion, sex and sexual orientation[9].

7   In the explanatory notes to the 2006 Act, the Article 9 definition of the European Charter of Human Rights (ECHR) is cited.

8   Equality and Human Rights Commission
     http://www.equalityhumanrights.com/advice-and-guidance/public-sector-duties/the-new-public-sector-equality-duties/

9   The Telegraph, 12th January 2011, *Millions of state workers to be asked about sexuality and religion*
     http://www.telegraph.co.uk/news/newstopics/politics/8255625/Millions-of-state-workers-to-be-asked-about-sexuality-and-religion.html

02

Religion and Business Ethics

Why should religion in the workplace be a concern for businesses in general and corporate ethics practitioners in particular?

The answer most commonly heard is that, as it can be the source of controversy, it is right to provide guidance on how to accommodate different (often strongly held) convictions about religious practice.

Some argue that you can usually rely on a common humanity and commonsense to resolve any problems that arise. They base this on there being a universal value common to all major religions and cultures: the Golden Rule or "*do unto others as you would want them to do to you*".

But this is not of itself enough to ensure that all employees understand what is expected of them in their working relationships when faced with an ethical dilemma. The slightly modified version of the 'Rule': "*Treat others as they want to be treated*" does recognise the possible diversity in others.

The concepts of diversity and non-discrimination have their roots in the ethical value of justice. Translated into everyday parlance, this means fairness, a word found in many CEO's introductions to their company's code of ethics. In applying this value in day-to-day business relationships, the concepts of 'non-discrimination', 'equality of treatment' and 'respect' are used when providing guidance to staff on what conduct is expected and what is not.

One of the roles of business ethics practitioners is to provide support for employees facing ethical dilemmas in the course of their daily work. It is good practice to provide guidance through a corporate code of ethics which sets out what the company's policy is with respect to the most common ethical challenges that are likely to arise[10] .

1. The business case

So, what is the business case for having a company-wide policy on religious practices in the workplace?

Elements that make up the business case have been set out by the Chartered Management Institute[11]. They are:

- Improved employee morale
- Improved recruitment and retention of staff[12]
- Positive public image
- Financial benefits (generally associated with avoiding costly law suits, hearings etc.)

10 See for instance, Webley, S. and Werner A. (2008), *The IBE Illustrative Code of Business Ethics - Updated* for a summary of these challenges

11 Chartered Management Institute (2008), *Religion and Belief at the Workplace*

12 For further evidence of this, see survey result in US Society for Human Resource Management (2008), *Religion and Corporate Culture*

But this is only one side of the matter.

A Home Office Citizenship Survey in 2003 for England and Wales produced some information about the characteristics of those who follow a religion[13].

The main findings with reference to religion were:

• People who follow a religion were significantly more likely to be trustful, participate in civic activities by formally or informally volunteering.

• Certain independent socio-demographic variables (including religion, educational attainment and household size), showed a consistent relationship with trust and participation in formal activities.

This perhaps suggests that those who practice a religion are more likely to have a sense of community - a quality valued in any workforce.

As we will see below, the recruitment of those who actively practise a faith does raise challenges around religious expression in the workplace because of the controversy and unforeseen reactions which it may provoke.

2. Some examples of controversy in the UK

In a survey of a structured sample of British churchgoers in 2009[14], 19% said they had faced opposition at work because they were Christians. A further 6% felt they had been passed over for promotion and the same percentage said they had been reprimanded or cautioned for sharing their faith while at work.

A 2008-9 Communities and Local Government Citizenship Survey enquired about perceptions of discrimination[15]. 52% believed there was more prejudice in 2009 than five years before, a decrease from the 2007-8 figure (62%). 88% of people who felt religious prejudice had increased between 2004 and 2009, believed Muslims were the most discriminated against, with only 11% associating prejudice with Christians. The perceptions of Muslims and Christians directly contrasted to this: 53% of Christians compared to 49% of Muslims thought there is more religious prejudice in 2009 than five years before.

These perceptions are reflected in attitudes and practice in the workplace.

Research on this issue by the Trades Union Congress include results and commentary about employment tribunal cases in 2005 and 2006 involving religious or belief discrimination. Their conclusion suggested that firstly, tribunals were unwilling to treat issues of religious adherence as a direct discrimination issue. Secondly, the 'Genuine Occupational Requirement' (GOR) principle (which states that where a role requires certain characteristics in the person undertaking it, there will be no grounds for a case of discrimination to be brought), will be difficult to invoke. This is especially true when a position requires the individual to have a specific belief i.e. the role of a hospital chaplain.

13 Home Office Research Study 289 (2004), *2003 Home Office Citizenship Survey: People, Families and Communities*
http://rds.homeoffice.gov.uk/rds/pdfs04/hors289.pdf

14 ComRes survey on behalf of the Sunday Telegraph, May 2009
http://www.comres.co.uk/resources/7/Social%20Polls/Sunday%20Telegraph%20Cpanel%20June%2009.pdf

15 Ferguson, C. and Hussey, D., Communities and Local Government (2010), *2008-09 Citizenship Survey: Race, Religion and Equalities Topic Report*
http://www.communities.gov.uk/publications/corporate/statistics/citizenshipsurvey200809equality

Since then, there has been a significant increase in the number of cases brought to court concerning workplace discrimination on religious grounds. Between March 2007 and April 2008 the courts considered more than 600 cases[16]. To put this into perspective, only about one thousand of the 236,000 employment tribunal cases brought from April 2009 to April 2010, involved religious discrimination claims[17].

Some recent high profile cases concerning religious practice in the workplace have included:

- An employee's insistence that she be able to wear a hijab in public because it is part of her religious belief[18]
- An employee wishing to leave work early on a winter Friday in order to be home before Shabbat begins at sunset[19]
- An employee asking to be allowed to continue to wear a crucifix at work[20]
- A nurse being suspended after offering to pray for a patient[21]
- Requests to opt out from duties that offend against strongly held beliefs, for instance, the sale and distribution of alcoholic beverages[22], officiating civil partnership ceremonies[23] or providing relationship guidance for homosexual couples[24].

These have received wide media coverage mainly around accusations of religious discrimination.

'Flash points' with religious roots that can lead to problems include:

- Dress and jewellery
- Devotions and religious observance
- Proselytising issues
- Food
- Holidays and time-off
- Recognition of affinity groups or networks
- Collecting data about employees' beliefs.

Dress and jewellery
What is permissible to wear at work, whether as part of a uniform or an accessory has sparked many stories in the media.

For illustrations of guidance on this topic see Boxes 3 and 4.

16 The Times, 26th September 2008, *Faith and Business: A New Deal for the Modern Workplace*

17 Personnel Today 2010 *What recent tribunal decisions mean for employees*

18 The Guardian, 20th October 2006 *Tribunal dismisses case of Muslim woman ordered not to teach in veil*
   http://www.guardian.co.uk/uk/2006/oct/20/politics.schools1

19 Daily Mail, 21st December 2007, *BA stop Jewish worker from observing Sabbath by making him work Saturdays*
   http://www.dailymail.co.uk/news/article-503705/BA-stop-Jewish-worker-observing-sabbath-making-work
   Saturdays.html#ixzz0w6SluAOw

20 Daily Telegraph, 9th January 2008, *BA woman loses crucifix battle*
   http://www.telegraph.co.uk/news/uknews/1575008/BA-woman-loses-crucifix-battle.html

21 The Guardian, 2nd February 2009, *Nurse may face sack for prayer offer to patient*
   http://www.guardian.co.uk/uk/2009/feb/02/nurse-prayer-suspended

22 The Times, 30th September 2007, *Muslim checkout staff get an alcohol opt-out clause*
   http://www.timesonline.co.uk/tol/news/uk/article2558198.ece

23 BBC, 10th July 2008, *Registrar wins same-sex tribunal*
   http://news.bbc.co.uk/1/hi/england/london/7499248.stm

24 The Guardian, 29th April 2010, *Christian counsellor loses court fight over sacking*
   http://www.guardian.co.uk/uk/2010/apr/29/court-dismisses-christian-employment-appeal

Box 3: **NHS Foundation Trust dress guidance**

5.8 Allowance on the grounds of religious or cultural beliefs

5.8.1 The wearing of items arising from cultural or religious norms is in most circumstances welcomed by the Trust, providing that the health and safety and security of patients or staff is not compromised.

5.8.2 Staff who wear facial coverings for religious reasons are required to remove these while on duty. This is to ensure that the member of staff is identifiable, and to enhance engagement and communication with patients, visitors and colleagues.

5.8.3 Hijabs and Jilabs are permitted provided that they do not affect health and safety, or prevent the employee from doing their job effectively.

5.8.4 *Headwear*
Turbans and kippots, veils (Christian or Nikab) and headscarves are supported on religious grounds. The latter should be shoulder length and must be worn unadorned and secured neatly.

5.8.5 Symbols, badges and jewellery such as a crucifix are permissible provided that the dress code guidelines […] are adhered to.

Source: *Guys' and St Thomas' NHS Foundation Trust (2008), Dress Code and Uniform Protocol*

Box 4: **British Airways' uniform policy**

British Airways announced today that it will modify its uniform rules to allow staff to wear a symbol of faith openly.

The decision follows a comprehensive review of the airline's uniform policy and extensive consultation with a wide range of religious groups including representatives from the Church of England, the Catholic Church and the Muslim Council of Britain.

The views of staff and customers and the uniform policies of other organisations were also taken into account.

The review concluded that the uniform policy should be amended to allow a lapel pin symbol of faith such as a Christian cross or a Star of David, with some flexibility for individuals to wear a symbol of faith on a chain.

British Airways chief executive, Willie Walsh, said: *"Unintentionally, we have found ourselves at the centre of one of the hottest social issues in current public debate.*

"Most of those consulted felt that a lapel pin was an acceptable and reasonable option. For the majority of our staff, this was the preferred option. However, some respondents believed that limiting the change to a pin would not satisfy all Christians.

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"Comparisons were made between the wearing of a cross around the neck and the wearing of hijabs, turbans and Sikh bracelets. For this reason, we have decided to allow some flexibility for individuals to wear a symbol of faith on a chain.

"Our uniform is one of the most powerful symbols of our company and heritage. Our staff wear it with pride and our customers recognise and value it. This modification will enable staff to wear symbols of faith openly without detracting from the uniform."

Source: *British Airways Press Release*
          http://press.ba.com/?p=101

Devotions (religious observance)
This includes the provision of places to pray and the granting of time off to do this.

Proselytising
This addresses the imperative of some religions for their adherents to try to convince others of the importance of their personal beliefs.

Religious proselytising takes various forms. These can range from the giving of literature and meeting invitations to 'witnessing' by speaking about faith to anyone – not only colleagues. An example is that of a nurse who shared her religious convictions with a patient and offered to pray with them (see footnote 21).

Food
This involves the provision of workplace cafeteria/canteen food for those with religious sensitivity about what they may or may not eat.

Holidays/time off
World religions do not share the same 'holy days'. Issues arise at the workplace when employees ask for additional days off to celebrate a festival which in the UK is not an official bank holiday.

Recognition of affinity groups or networks
Some companies formerly recognise religious affinity groups at the workplaces as a means of informing management of issues around discrimination of a religious minority. For instance, the Ford Motor Company has supported these for more than a decade.

Collecting data about employees' beliefs
It is being argued by government that in order to verify that anti-discrimination laws are working, it is necessary to find out the religious affiliation of employees (see footnote 8 & 9).

In summary

It is important for employers to recognise that employees do not leave their religious beliefs (or any other beliefs) at the entrance to their place of work: it is integral to their lives. For an employee, the issues listed above may involve a conflict between strong personal values, including religious expression, and either a specific corporate value or an established practice or way of doing things. In this sense, the issue can be experienced as an ethical dilemma for the individual concerned, but also for the company as it tries to resolve the matters sensitively and responsibly.

Sensitivity toward those who take faith issues seriously and the risk of discriminating between those who do and do not have such convictions needs careful management. For instance, granting an employee time off for a religious holiday may appear as discriminatory to those remaining.

It is clear that companies need to consider how they would handle such situations and dilemmas, and what guidance they need to provide for their staff.

It is an aim of most boards of directors to create and maintain a consistent ethical culture throughout the organisation. They have to be aware that those from different religious traditions may have dissimilar ways of behaving and these may be in conflict with currently drafted corporate policy and guidance.

03

Current Corporate Practice

1. Corporate codes

Guidance to staff on responding to ethical issues usually takes the form of a code of ethics/conduct/practice. Based on the organisation's core business and ethical values, it covers matters of responsibility in the relationships with those with whom it operates including colleagues. A review by the Institute of Business Ethics of 155 company codes of ethics showed that only 57 contain some mention of religion[25]. The majority of these were confined to the organisation's policy of non-discrimination.

Two typical examples are:

We treat everyone equally regardless of age, gender, gender reassignment, colour, ethnic or national origin, disability, hours of work, nationality, religion or belief, marital or civil partner status, disfigurement, political opinions or sexual orientation.
We will always try to make sure our labelling, advertising and other forms of communication are clear, honest and accurate and we will always work to respect cultural and ethical beliefs.

Source: *Marks and Spencer (2010), Code of Ethics*

Harassment will not be permitted or condoned within GSK, whether it is based on a person's race, colour, ethnic or national origin, age, gender, real or suspected sexual orientation, religion or perceived religious affiliation. Managers are also expected to embrace diversity as an integral part of business strategy and to ensure that harassing, discriminatory, or offensive behaviour based on differences of background, culture, beliefs, or characteristics is not permitted or tolerated.

Source: *GlaxoSmithKline (2008), Employee Guide to Business Conduct, seventh edition*

Only eight corporate codes went further than this. They set out how the company actively undertakes to make reasonable accommodation for the religious preferences of their employees – see Box 5.

Box 5:

> ### Accommodating religious preferences in codes of ethics
>
> *Qwest is committed to making reasonable accommodations for religious practices and disabled job applicants as required by law.*
>
> Source: *Code of Conduct, Qwest, 2009*
>
> *We [Reed Elsevier] recruit, hire, develop, promote, discipline and provide other conditions of employment without regard to race, colour, religion, national origin, gender, sexual orientation, marital status, age, disability or any other category protected by law. This includes providing reasonable accommodation for employees' disabilities or religious beliefs or practices.*
>
> Source: *Code of Ethics and Business Conduct, Reed Elsevier, 2009*
>
> *Thomson Reuters is also committed to reasonably accommodating employees' sincerely held religious practices. For purposes of this policy, a 'reasonable accommodation' is a modification or adjustment to a job, the work environment, or the way things usually are done that does not pose an undue hardship to Thomson Reuters. If you believe you [...] need a*

25 The fieldwork for the survey was conducted in 2010, and covered company codes from eight countries and eight industry sectors.

religious accommodation, you should contact your Human Resources department or manager to request an accommodation. Thomson Reuters will work with you to identify any reasonable accommodations.

Source: *Code of Business Conduct and Ethics, Thomson Reuters, 2008*

We recruit, hire, train, promote, compensate, discipline and provide other conditions of employment on the basis of merit, and without regard to a person's race, color, sex, sexual orientation, national origin, marital status, veteran status, disability, age, religion, or any other legally protected characteristic. We will provide reasonable accommodations, which do not create an undue hardship for the company, for individuals' disabilities and religious beliefs and practice.

Source: *Code of Business Conduct and Ethics, Campbell's Soup Company, 2004*

USF aspires to be an industry leader in our cultural diversity and the quality of our workplaces. USF recruits, hires, trains, promotes, disciplines and provides other terms and conditions of employment without regard to a person's race, color, religion, sex, sexual orientation, age, national origin, disability, special disabled veteran or Vietnam veteran's status or other basis protected by federal, state and/or local laws. This includes providing reasonable accommodation for associates' disabilities or religious beliefs and practices.

Source: *Serving up Good Conduct, U.S. Foodservice, 2005*

2. Management policy

There are very few examples in the public domain of guidance around what is not acceptable in the context of the working environment.

In a 2007 survey, KPMG with the Chartered Institute of Personnel and Development (CIPD) shed some light on management policies relating to employees' religious beliefs[26]. Corporate respondents were asked about their policies on this topic and in particular, whether they have a positive impact on staff recruitment and retention. What is clear from this survey is that in the UK, while most large organisations have policies around diversity, only one in three has explicit policies about managing religious beliefs at work.

The survey asked UK employers about seven specific practices relating to religion/belief in the workplace. It showed that only one in ten organisations impose restrictions on religious dress or jewellery and most of these are driven by health and safety regulations in the manufacturing sector.

The percentage of respondents indicating that they made provision for different practices was as follows:

Allow special time off	76%
Time off in addition to annual leave	14%
Provide time/facilities for religious observance	61%
Allow staff to meet religious dress code	65%
Provide different dietary requirements	61%
Support religious networks in workplace	38%
Impose restrictions on religious dress	13%
Impose restrictions on wearing of religious jewellery	9%

26 KPMG/Chartered Institute of Personnel and Development Survey (2007) 'Chapter 5 Focus: Management Policies Relating to Employees' Religious Beliefs' *Labour Market Outlook*

Within these totals, the public and voluntary sectors were found more likely to allow time off and provide facilities, while private sector services and those in manufacturing were the least likely.

Anecdotally, it seems that 'speaking out' about personal beliefs is only tolerated when the topic is introduced by another person. For instance, if the patient in the above example had asked the nurse to pray for them or a colleague asks why someone goes to church.

The Advisory, Conciliation and Arbitration Service (ACAS) issued advice on this matter in response to a question on whether to ban discussions about religion and belief in the workplace because of the fear of complaints to management about harassment. They say:

> *If harassment has been explained to the staff they should be able to distinguish between reasonable discussion and offensive behaviour. Staff should be aware that if their discussions cause offence then this may be considered to be harassment and therefore unlawful. A ban on discussion about religion or belief may create more bad feeling amongst staff and cause more problems than it solves* [27].

3. Other examples of good practice

A classification of the characteristics of 'faith friendly' organisations produced by the Princeton University *Faith and Work Initiative* includes [28]:

- Welcoming, inclusive, affirming of all faith traditions
- Recognising and affirming the constructive role faith can play as an ethical anchor
- Welcoming the whole person, body, mind and spirit
- Supporting an integrated, holistic life.

Characteristics of 'faith friendly' organisations

It has been suggested that a 'faith friendly' company is more likely to have a written policy on the subject which includes guidance on religious holiday leave, dress code, food provided in staff cafeterias and religious practices in the workplace e.g. decoration of office space during religious holidays. The author stresses that such a list is not a formula but a frame of mind "*in which religious people feel appreciated rather than just tolerated*" [29].

In this regard ACAS has pointed out that:

> *Not all members of each religion follow all the practices and observances. […] In some instances, an adjustment to the working day to allow time to attend a prayer meeting before or after work may be all that is requested. In many instances none will be requested* [30].

Faith networks

In addition to the issuing of clear guidance concerning issues such as dress, wearing of religious insignia, taking of religious holidays etc., the encouragement of networks as a means of promoting understanding is being increasingly regarded as good practice. These faith and inter-faith networks in

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27 ACAS (2009), *Religion or Belief and the Workplace*, Appendix 2

28 David Miller, The Conference Board Workforce Diversity Council, September 2006 in Mitchell, C. (2006), *Faith at Work: What Does it Mean to be a "Faith-Friendly" Company?*, The Conference Board Executive Action Series.

29 Hugh Kay Memorial Lecture op. cit

30 ACAS: op. cit

the workplace act as a channel to bring concerns to the attention of management, as well as an additional way of supporting individuals who have work, personal or family difficulties.

In the US, the growth in the Faith and Work movement has been significant[31].

4. Policy guidelines

Two UK organisations have provided guidelines for developing policy concerning the expression of religion in the workplace.

i. The **Employers Forum on Belief** (EFB) suggests that the key steps to success in developing a corporate policy on religion or belief issues are[32]:

1. Create a workforce profile
2. Establish your boundaries
3. Audit your policies
4. Enforce a culture of respect
5. When asked to make an adjustment, don't be afraid to say 'yes' or 'no'
6. Always look twice at a problem
7. Raise awareness with all stakeholders
8. Measure the impact.

These policy procedures are a useful checklist. Examples of how they work out in practice can be found in the Forum's literature and on their website: www.efbelief.org.uk

The Forum also presents an annual award to organisations that have shown innovative ways of tackling religious discrimination and ways of accommodating the needs of individuals employed by them. Citations for the awards in 2010[33] illustrate the way in which issues are being addressed in these organisations – see Boxes 6a and b.

Box 6a:

EFB 2010 Award for best private sector – overall

Winner: Sodexo UK & Ireland
In December 2009 as part of their new diversity and inclusion communication strategy, Sodexo UK & Ireland embarked on raising awareness of religion and belief through the launch of a series of Inclusion Fact Sheets e.g. December festivals, Ramadan, Easter. As a result of efforts to raise awareness of religion and belief in the workplace, a major client was able to successfully make accommodations for a number of Sikh staff potentially affected by a 'bare below the elbows' policy, because they wear the Kara bracelet. As a result of the negotiations between Sodexo UK & Ireland and the client, the outcome was a satisfactory compromise that allowed staff to continue wearing the bracelet while still achieving the aim of infection control.

31 See: Miller, D. (2007), *Faith at Work,* Oxford University Press
32 For an exposition on each of these headings, see www.efbelief.org.uk
33 EFA & EFB Awards Brochure, 2010

Box 6b:

> **EFB 2010 Award for best private sector – innovation**
>
> **Winner: National Grid**
> Through 2008 the Islam@Work network, part of Faith@Work (faith employee resource group) gave a number of presentations aimed at raising awareness and understanding of Islam. It became apparent that a lot of people wanted to understand the recent terrorist acts in the UK and abroad and the ongoing wars and conflicts around the world, particularly where Islam was being referenced. The diversity team along with the Group Director of Security produced documentation on this subject and then a Q & A session, entitled: Faith & Security: Perception vs. Reality. The event was a great success and subsequently copies of the presentation have been requested by other companies and by the UK Government Security Service to use as an example of the way forward in promoting inclusion and working together to dispel misconceptions.

ii. **The ACAS Guidance**[34] on the application of the *Employment Equality (Religion and Belief) Regulations 2003* issued in April 2009 is the most comprehensive review of this topic so far issued by a UK government agency.

In the section on religious observance in the workplace, ACAS suggests eight elements of good practice:

1. Employers should consider whether their policies, rules and procedures indirectly discriminate against staff of particular religions or beliefs and if so whether reasonable changes might be made.

2. An employer should sympathetically consider a request (for holiday) where it is reasonable and practical for the employee to be away from work, and that they have sufficient entitlement in hand.

3. As some religions or beliefs have specific dietary requirements, food may have to be brought into workplaces and kept and heated separately from other food. Mutually acceptable solutions will need to be found to dietary issues.

4. Some religions require extended periods of fasting. Employers may wish to consider how they can support staff through such a period.

5. Some religions require their followers to pray at certain times during the day. Employers are not required to provide prayer rooms but it is good practice to provide a quiet place if possible where it does not cause problems for other workers or the business.

6. Where organisations adopt a specific dress code, careful consideration should be given to the proposed code to ensure it does not conflict with the dress requirements of some religions.

7. If organisations have a policy of wearing jewellery, having tattoos or other markings they should try and be flexible and reasonable concerning the items which are traditional within some religions or beliefs.

8. If organisations decide to include religion or belief in their equality monitoring process, staff should be told why such information is being collected and how it will be used.

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34 Op. cit

04

Concluding Remarks

It is sensible to consider issues around the practice of religion in the workplace before they become a matter of public concern. It is always preferable to address sensitive issues in a constructive and calm way rather than having to make up policy under time constraint without careful thought about the consequences of its implementation.

Allegations of discrimination on the grounds of religion are increasing in the workplace. Merely to include a clause in the corporate code of ethics that this will not be tolerated is insufficient.

As research cited in this paper shows, employing staff with a religious faith can be the source of tangible benefit to any organisation. A senior manager with many years of service in a large multinational company summed up his experience in these words:

I do believe a more faith friendly workplace, managed with appropriate policies, can allow for more productive work by employees and a higher retention rate of employees. My experience is that employees that have appeared 'more religious' than others, are, for the most part, some of the company's most productive workers.

What is required then is a positive approach to the sensitive issues set out in this paper and helpfully elaborated in the Tanenbaum Center's Checklist for Religious Diversity reproduced as Appendix 1.

This positive approach to these matters not only deters adverse publicity and exposure to legal cases, it also enhance harmonious relations at work - a condition necessary for enhancing productivity.

To take this matter seriously is the right (ethical) thing to do.

Appendix 1
A Religious Diversity Checklist developed by the Tanenbaum Center

The Tanenbaum Center is an organisation that looks at diversity and intergroup relations for interreligious understanding. As part of their Religion at Work programme they have developed this religious diversity checklist, which will serve as an excellent way to begin looking at this topic within organisations.

For more information on the work of the Tanenbaum Center see www.tanenbaum.org

A great place to start if you're just beginning to address religious diversity is by assessing where your organisation is right now. Use this checklist to figure out where you stand:

Policies
- Does your company have an official policy regarding diversity?
- Does your company's diversity policy specifically include religious diversity?
- Does your company have a method of communicating this policy to employees and the public (through the employee handbook, information packets, etc.)?
- Do you know the general religious demographics of your employees?

Holidays/time off
- Does your company have a clearly articulated policy regarding religious holiday leave (paid or unpaid)?
- Is this policy clearly explained to employees (in the employee handbook, information packets, etc.)?
- Do you have an avenue of communication between employees and management to address scheduling conflicts resulting from religious needs and to find co-workers who can cover or switch shifts?
- Does management take into account employees' various religious holidays when planning meetings, workshops, trips, dinners, etc.?
- Does your company hold any holiday-related events?
- Does management take into account the different faiths of employees when planning these holiday events?

Dress
- Does your company have a dress code?
- Is this dress code communicated to all employees (through the employee handbook, information packets, etc.)?
- If an employee's religious practice conflicts with the dress code, does the company have policies in place regarding attire accommodations?
- Do employees know what avenues are available to them for communicating with management regarding their special religious attire needs?

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Food
- Does your company provide food for employees (in the cafeteria, through an office discount meal program, etc.)?
- Do these meals accommodate unique religious and ethical needs of your employees (kosher, halal, vegetarian, etc.)?
- Does your company hold special events involving food and/or drink (banquets, dinner meetings, cocktail parties, etc.)?
- Do these special events accommodate the unique religious and ethical needs of your employees (kosher, halal, vegetarian, etc.)?

Employee networks
- Does your company allow the formation of on-site affinity groups (employee networks)?
- Does your company allow the formation of on-site religion-based affinity groups?
- Does your company clearly communicate the policy regarding these groups and their relationship to the company as a whole (whether through the employee handbook, information packets, etc.)?

Office space
- Does your company have a policy regarding decoration of personal workspace (within one's office/cubical, walls in public areas, the employee lounge, etc.)?
- Does this policy include religious decoration?
- Does your company clearly explain this policy to employees (through the employee handbook, information packets, etc.)?
- Does your company allow special decoration of office space for holidays (Christmas party decorations, Hanukkah decorations, etc.)?
- Do these decorations accommodate the needs of a religiously and culturally diverse employee base?
- Do your employees have avenues to communicate their reactions to these decorations?

Religious practice
- Does your company allow religious practice in the workplace (prayer, meditation, etc.)?
- Does your company effectively communicate their policy regarding religious practice in the workplace to the employees (through the employee handbook, information packets, etc)?
- Do your employees have avenues of communication by which they can express their specific religious practice needs?

Source: *https://www.tanenbaum.org/resources/workplace-tools/religious-diversity-checklist*

Appendix 2
Useful Sources

Center for the Study of Religion: Princeton University (see Faith and Work Initiative in particular)
http://www.princeton.edu/csr/index.xml

The Christian Institute
http://www.christian.org.uk/

Employers Forum on Belief (EFB)
www.efbelief.org.uk

Equality and Human Rights Commission (EHRC)
http://www.equalityhumanrights.com

Faith in Business Quarterly
http://www.fibq.org/

Society for Human Resource Management
http://www.shrm.org/Pages/default.aspx

Tanenbaum Center for Interreligious Understanding
http://www.tanenbaum.org

Yale Center for Faith and Culture
http://www.yale.edu/faith/

Appendix 3
Further Reading

ACAS (2009), *Religion or Belief and the Workplace: A Guide for Employers and Employees*
http://www.acas.org.uk/CHttpHandler.ashx?id=107&p=0

Bouchard, Gérard and Taylor, Charles (2008), *Building the Future: A Time for Reconciliation*, Consultation Commission on Accommodation Practices Related to Cultural Differences
http://www.accommodements.qc.ca/documentation/rapports/rapport-final-integral-en.pdf

Boucher, Daniel (2010), *A Little Bit Against Discrimination? Reflection on Opportunities and Challenges Raised by the Equality Bill 2009-10* CARE Research Paper, Equalities Series Paper 2
http://www.care.org.uk/wp-content/uploads/2010/10/CARE_AgainstDiscrimination_Layout-1.pdf

British Council Diversity Unit (2008), *Religion or Belief Equality Guide*
http://www.britishcouncil.org/religion_belief_guide.doc

Chartered Management Institute (2008), *Religion and Belief in the Workplace*
http://www.managers.org.uk/page/best-practice-religion-and-belief-workplace-guidance-managers

ComRes Survey of CPanel on behalf of *The Sunday Telegraph* (May 2009),
http://www.comres.co.uk/resources/7/Social%20Polls/Sunday%20Telegraph%20Cpanel%20June%2009.pdf

Employers Forum on Belief (2010), *A Guide to World Religions and Beliefs*, London

Employment Equality (Religious or Belief) Regulations (2003),
http://www.legislation.gov.uk/uksi/2003/1660/contents/made

Griffiths, B (2007), *Religion in the Workplace: Eighteenth Hugh Kay Memorial Lecture*, Christian Association of Business Executives
http://www.principlesforbusiness.com/resources.php

Henneman, Todd (2004), *A New Approach to Faith at Work*, Workforce Management
http://www.intheworkplace.com/apps/articles/default.asp?articleid=12866&columnid=1935

KPMG/Chartered Institute of Personnel and Development Survey (2007), 'Chapter 5 Focus: Management Policies Relating to Employees' Religious Beliefs' *Labour Market Outlook*
http://www.cipd.co.uk/pressoffice/_articles/relig_190207pr.htm?IsSrchRes=1

Miller, David W (2007), *God at Work: The History and Promise of the Faith at Work Movement,* New York: Oxford University Press

Mitchell, Charles (2006), *Faith at Work: What Does it Mean to be a "Faith-Friendly" Company?*, The Conference Board
http://www.yale.edu/faith/downloads/Faith%20at%20Work%20-%20Conference%20Board.pdf

Scholtens, Bert and Dam, Lammertjan (2007), 'Cultural Values and International Differences in Business Ethics', *Journal of Business Ethics*, Volume 75, pp. 273-284

Society for Human Resource Management (2008), *Religion and Corporate Culture: Accommodating Religious Diversity in the Workplace*
http://www.shrm.org/Research/SurveyFindings/Documents/08-0625ReligionSR_Final_LowRez.pdf

Tanenbaum Center for Interreligious Understanding, *Religious Diversity Checklist*
https://www.tanenbaum.org/resources/workplace-tools/religious-diversity-checklist

Occasional Paper 3

The Institute of Business Ethics

The IBE was established in 1986 to encourage high standards of business behaviour based on ethical values.

Our vision **To lead the dissemination of knowledge and good practice in business ethics.**

What we do **We raise public awareness of the importance of doing business ethically, and collaborate with other UK and international organisations with interests and expertise in business ethics.**

We help organisations to strengthen their ethics culture and encourage high standards of business behaviour based on ethical values. We assist in the development, implementation and embedding of effective and relevant ethics and corporate responsibility policies and programmes. We help organisations to provide guidance to staff and build relationships of trust with their principal stakeholders.

We achieve this by
- Offering practical and confidential advice on ethical issues, policy, implementation, support systems and codes of ethics

- Delivering training in business ethics for board members, staff and employees

- Undertaking research and surveys into good practice and ethical business conduct

- Publishing practical reports to help identify solutions to business dilemmas

- Providing a neutral forum for debating current issues and meetings to facilitate the sharing of good practice

- Supporting business education in the delivery of business ethics in the curriculum

- Offering the media and others informed opinion on current issues and good practice. Please contact us if you would like assistance.

The IBE is a charity based in London. Our work is supported by corporate and individual subscribers. The IBE's charity number is 1084014.

ibe

Institute of Business Ethics

Religious Practices in the Workplace

Today's diverse workforce means that religion and the way it is expressed in the workplace can generate strong emotions and opinions, as well as headlines and legal cases for employers.

This IBE Paper explores situations where religious beliefs and practices impact the day-to-day operations of organisations and reviews the ethical issues which can arise. It describes how religious sensibilities are being accommodated by employers and includes a short guide to good practice.

The topic has relevance for those involved with corporate governance, risk management and human resource management as well as those responsible for business ethics standards in their organisations.

www.ibe.org.uk