

Religious Accommodation in the Communal Refrigerator

QTPi Production Company provides employees with a refrigerator to use in the employee break room/kitchen.

Except for the occasional complaint, (e.g. “My leftover meatloaf is missing!”) there have not been any significant issues – until now.

Samuel, a new employee has gone to Susie, the HR Manager and requested the company prohibit employees from storing non-kosher meats in the lunch room refrigerator. When Susie asks why, Samuel explains his religious beliefs forbid him from storing his food with non-kosher foods.

Susie immediately recognizes that religious accommodations are required and jumps into action. Susie assures Samuel that the company will make the change immediately. After Samuel leaves, Susie prepares a sign, “NO MEAT ALLOWED IN REFRIGERATOR – effective immediately” and sticks it to the refrigerator.

Within minutes, Susie’s in-box is full of emails from other employees complaining about the new policy.

What, if anything, should Susie have done differently?



- A. Nothing
- B. Speak with Samuel about his religious beliefs to determine if there is a solution that will satisfy him and other employees.
- C. There is no reason to talk to Samuel any further. Take the sign off the refrigerator and buy him a small refrigerator where he can store his food.
- D. Send a reply to the complaining employees and explain that they should take up their issues with Samuel. After all, it was his request.

The correct answer is B:

Explanation

Employers with 15 or more employees are required under federal law to reasonably accommodate an employee’s religious beliefs. The employee threshold is lower in many states. The law, however, does not require the employer blindly implement the employee’s first request. As with disability accommodations, the employer must talk to the employee to determine the specific needs of the employee and how the employer can accommodate those needs.

Here, the employer should have spoken with the employee to get more information on his belief. You cannot discuss an accommodation without understanding the employee’s needs. Do not judge the beliefs and needs. Perhaps in the situation above, the employee would have been able to clarify what he means by non-kosher meat. At a minimum, the employer should have explored other options before immediately putting the sign on the refrigerator.