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RELIGIOUS ACCOMMODATIONS

PREPARED BY: DIVERSITY & INCLUSION
EXECUTIVE DIRECTOR: PAULA NASH
DATE: MARCH 2021

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ACKNOWLEDGEMENT OF REVIEW

REVIEWER	SIGNATURE	DATE
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TYPE:	Religious Accommodations
ISSUING DEPARTMENT:	Diversity & Inclusion
PREPARED BY:	Executive Director of Diversity & Inclusion
APPROVED BY:	Paula Nash, *Executive Director, Diversity & Inclusion* — DocuSigned by: Paula Nash E62B1E6BB6F348C... *Signature* 3/9/2021 *Date* Jeffrey A. Parker, *General Manager/CEO* — DocuSigned by: 1A3E11CD5F774C9... *Signature* 3/13/2021 *Date*
SUPERSEDES:	

I. General

A. *Scope*

MARTA is committed to providing a work environment that is respectful of the religious beliefs of its employees. As part of this commitment, MARTA will make good faith efforts to provide reasonable religious accommodation to employees (to include interns and contractors) who's sincerely held religious beliefs conflict with a MARTA policy, procedure, or other academic or employment requirement **unless such an accommodation would create an undue hardship.**

B. *Purpose*

MARTA is committed to observing and enforcing policies that establishes the rights of applicants and employees to engage in their respective religious beliefs and practices without discrimination or discriminatory harassment. Additionally, this procedure provides a framework for the request, review, approval and denial of requests for religious accommodations by MARTA employees and applicants.

C. *Review*

The contents of this document will be reviewed on **03-31-2022** and **03-31** of each even numbered year, thereafter. The **Executive Director of Diversity & Inclusion** will review this document with recommendations for revisions forwarded to the **General Manager** by **03-01**.

D. *Applicability*

This religious accommodations' procedure applies to all MARTA employees and applicants for employment.

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E. *Definitions*

TERM	DEFINITION
Religion or Creed	Includes traditional, organized religions but also religious beliefs, including those that are new, uncommon, not part of a formal church or sect. A aspects of religious belief, non-belief, and observance that are sincerely held will be consid as part of this policy.
Religious Accommodation	A reasonable change in the work environment that enables employee, intern or contractor to practice or otherwise observe a sincerely held religious practice or belief without undue hardship on MARTA. A reasonable religious accommodation may include but is not limited to time for prayer during a work day, the ability to attend religious events or observe a religious holiday, or other requirement for an employee's, contractor or intern religious beliefs, non-belief observance or practice, provided such accommodation is reasonable and does not cause undue hardship. A reasonable accommodation may not include permitting one person's religious beliefs to override or interfere with the beliefs of others.
Undue Hardship	Significant difficulty or expense based on MARTA resources and circumstances in relationship to the cost, operation or difficulty of providing a specific accommodation. Undue hardship may refer to financial or operational difficulty in providing an accommodation or accommodations that are unduly expensive, substantial, disruptive, or that would fundamentally alter agency operation requirements, the nature or operation of the MARTA business, or the essential functions of a job. Accommodations which interfere with the safe and efficient operation of the workplace or with a bona fide seniority system will often present an undue hardship.
Religious Accommodation Procedure	The administration of the Religious Discrimination and the Religious Accommodation Procedures are the responsibility of the Office of Diversity & Inclusion (D&I). The following are the listed steps and procedures in an employee requesting religious accommodation:

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F. *Responsibilities*

Employees

1. An employee who is seeking a reasonable change in the work environment to practice or otherwise observe a sincerely held religious practice or belief should request an accommodation from his/her manager, supervisor or the Office of Diversity and Inclusion through the process detailed below.
2. An employee who believes he/she has been improperly denied a religious accommodation should report such religious discrimination to the Office of Diversity and Inclusion.
3. Complaints of religious discrimination or harassment should be brought to the attention of the affected employee's management, and/or the Office of Diversity & Inclusion immediately. All employees are strongly encouraged to use this complaint procedure if they believe they have been subjected to religious discrimination (including the improper denial of religious accommodation), or religious harassment or have knowledge of any such treatment.
4. An employee may also, at any time, file a complaint with the U. S. Equal Employment Opportunity Commission (EEOC) within 180 days of the date of the last occurrence of alleged religious discrimination.

Managers & Supervisors

1. All supervisors/managers are responsible for implementation of MARTA's Religious Discrimination and Religious Accommodation policies and procedures, and for ensuring that all employees they supervise have knowledge of and understand these policies.
2. All supervisors/managers must ensure location(s) are made available for employees seeking a religious accommodation to post notices soliciting for other employees to volunteer to change shifts.
3. After notification or learning of any employee's complaint of religious discrimination or harassment by formal/informal complaint, observation, or other means, the supervisor/manager must immediately report the matter to the Office of Diversity & Inclusion.

Office of Diversity & Inclusion

1. The Executive Director of the Office of Diversity & Inclusion shall ensure prompt and thorough investigation of all complaints of discrimination, harassment, or retaliation covered by Title VII filed by employees/applicants/customers.
2. The Executive Director of the Office of Diversity & Inclusion or designee shall inform the complaining individual of the outcome of the investigation in writing.

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Department of Human Resources

Documentation of all requests for religious accommodation will be forwarded to Human Resources and will be maintained in the confidential section of personnel files of the requesting employee.

II. Process

A. Requesting a Religious Accommodation

1. Any employee seeking a religious accommodation should complete the attached approved request form. Once completed, the employee should submit the completed form to their respective supervisor or manager for review and consideration. An employment applicant seeking a religious accommodation should also complete a request form. Upon completion of the form the applicant should submit the completed form to their Human Resources Recruiter.
2. Upon receipt of a completed form, any member of management should notify the Office of Diversity & Inclusion, via e-mail, of the request. The notice must include the name of the requesting individual, the date the request is received, and the management person who will be rendering the decision on the request. The Office of Diversity & Inclusion will provide guidance to management during the review process. The Office of Diversity & Inclusion will also consult with management to identify possible accommodation options, and management will select the best available option, if any, based on business needs.
3. Applicants' requests will be considered only once the requesting employment applicant has been identified as the candidate for hire. Such a request, however, is not an automatic disqualifier of hiring consideration. Where a Human Resources Recruiter receives a completed form from a selected candidate, he/she should notify the Office of Diversity & Inclusion, via e-mail, of the request. The notice should include the name of the requesting individual, the date the request is received, and the department to which the selected applicant will be assigned. The Human Resources Recruiter shall also forward the request to the hiring manager or training management for consideration and rendering of the decision on the request. Prior to the candidate's start of their work assignment, the Office of Diversity & Inclusion will provide guidance to management during the review process. The Office of Diversity & Inclusion will also consult with management to identify possible accommodation options and management will select the best available option, if any, based on business needs.

B. Approval Procedure

1. Directors/Managers shall review all requests and determine if the requested accommodation would affect the collectively bargained rights of other employees because of negotiated seniority rights or other privileges contained in the labor agreement.
2. If approved by management, an employee may solicit another employee to make any necessary shift change as part of the religious accommodation process. The

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3. requesting employee may post a notice soliciting volunteers to makeshift changes. Any represented employee volunteering to make a shift change will do so, in writing, for the mark-up in question only. Any non-represented employee volunteering to make a shift change must indicate the period for which they are volunteering to change shifts on the form. Management should take note of shift changes resulting in overtime hours.
4. Once the completed form and any volunteer documentation has been completed and submitted, the director/manager will review the request.
    a) If the requested religious accommodation can be approved, the director/manager will note, on the form, the approval, the date the approved accommodation will begin, and the anticipated duration of the accommodation.
    b) If the requested religious accommodation will present an undue hardship (i.e., violate any rights or privileges under the negotiated labor agreement, require overtime costs to replace the requesting employee, impede the work unit's performance or productivity, etc.), the director/manager will note on the form the denial of the religious accommodation and the reason.
5. Copies of the approved/denied religious accommodation form will be retained in the employee's departmental file, forwarded to the requesting employee, forwarded to Human Resources for retention in the employee's personnel file, and to the Office of Diversity & inclusion.

III. Enforcement Procedure and Guidelines

MARTA will make every reasonable effort to prevent and detect religious discrimination and harassment. MARTA will conduct complete and thorough investigations of all complaints and alleged instances of religious discrimination and harassment in a timely manner and to provide remedies to complaining parties as appropriate.

IV. Relevant Policies

The following policies, administrative guidelines and forms are used in conjunction with this procedure:

- Discrimination, Harassment and Retaliation Prevention Policy
- Equal Employment Opportunity Policy
- Religious Discrimination Procedure