

**TITLE: ACCOMMODATION OF RELIGIOUS OBSERVANCES PROCEDURE (Employees)**

**Date of Approval: Nov 1, 2022**  
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**Mandatory Review**  
**Date: Nov 1, 2027**

**Approved By:**  
President and Vice  
Presidents

## 1. Purpose

The purpose of this Procedure is to outline the steps that will be taken to address requests for the accommodation of an employee's religious observances in accordance with Sheridan's *Accommodation of Religious Observances Policy*.

If this document is required in an accessible format or with communication supports please contact [equity@sheridancollege.ca](mailto:equity@sheridancollege.ca)

## 2. Scope

This procedure applies to Sheridan Community Members as defined in the Policy and to situations where an employee's religious observances may affect their ability to participate fully in their employment, and thus require accommodation.

This procedure is distinct from the *Accommodation of Religious Observances Procedure (Students)*.

## 3. Definitions

**Accommodation:** Any adjustment or modification to features of the work or learning environment to address the individual needs of community members to allow them to meet the essential requirements of their position or academic course or program of study.

Accommodation based on creed is considered appropriate if it results in equal opportunity to enjoy the same level of benefits and privileges experienced by others, or if it is proposed or adopted to achieve equal opportunity, and meets the person's individual creed-related needs.

**Creed:** The *Code* does not explicitly define creed. In the Ontario Human Rights Commission's *Policy on the prevention of discrimination based on creed* (2016) the term creed includes religion in its broadest sense (religious or spiritual beliefs and practices), rather than only identification with a formal set of religious views, and may also include other non-religious belief systems that substantially influence a person's identity, worldview and way of life. Creed includes the spiritual beliefs and practices of Indigenous cultures.

**Discrimination:** Any intentional or unintentional act, conduct, standard or policy which creates a distinction between certain individuals or groups based on one or more of the prohibited grounds as defined in the *Code* and results in negative, adverse or differential treatment, which may include imposing extra burdens or denying benefits. It may involve direct actions that appear to be discriminatory, or it may involve rules, practices, or procedures that appear neutral, but have the effect of disadvantaging certain groups of people. It may be obvious, or it may occur in subtle ways.

To establish discrimination on the basis of creed, a person must show that they have been

adversely affected by a requirement, qualification or factor in a *Code* social area such as employment, services (including education), housing etc. at least in part, because of their sincerely held creed belief.

**Employee:** Includes a person under the employ of Sheridan either: on a full-time, ongoing basis under the terms of the Academic Employees Collective Agreement, the Support Staff Collective Agreement, the Part Time Support Staff Collective Agreement, or the Terms and Conditions for Administrative Employees; on a less than full-time, and/or temporary basis under the terms of an employment agreement; on a cooperative or work-term placement educational training program; and/or on a volunteer basis.

**Religious Observance:** Refers to commitments or obligations based on a person's creed. This can include, but is not limited to: observance of dates of religious significance, specific dress requirements, daily prayers or prayers at particular times throughout the day, fasting or breaking of fast, etc.

**Sheridan Community Members:** include students, course participants, employees, supervisors, student workers, Board of Governors members, members of committees, societies or associations established or recognized by Sheridan, contractors/sub-contractors hired by Sheridan (including Sheridan's Work-Integrated Learning Partners), providers of service or research, volunteers, visitors or guests, applicants for admission or employment, and others who attend on campus, or who are otherwise connected to Sheridan's operations.

**Student:** means any individual who is admitted, enrolled or registered for study at Sheridan. Individuals who are active in a program, but not enrolled in classes for a particular term (e.g., on vacation, or coop term) are considered to have a continuing student relationship and are included in the definition of a student.

**Supervisor:** A person(s) who has charge of a working environment or authority in the case of an employee, or of the learning environment in the case of a student. In certain circumstances the term "Manager" may be used.

**Undue Hardship:** The legal limit of the duty to accommodate. It applies to situations where severe negative effects outweigh the benefits of providing accommodation. The factors determining whether an accommodation creates undue hardship are limited to:

- costs
- outside resources or sources of funding, if any
- health and safety requirements, if any

Undue hardship must be considered individually, and in the full context in which each accommodation request is made by a community member.

**Working or Learning Environment:** Any land, premises, location or thing at, upon, in or near which an individual works or studies, including Sheridan-sanctioned events.

## **4. Procedure**

### **4.1 Request for accommodation to observe a day of religious significance**

An employee may request accommodation by following these steps:

## **Step 1: Employee requests accommodation**

An employee will notify their supervisor in writing (email is acceptable), as early as possible, but normally not later than two (2) weeks prior to the date for which accommodation is sought. Note: Providing documentation from faith leaders is not required to support requests for accommodation.

Written notification should include:

- the nature of the accommodation requested
- the particular circumstances and requirements
- suggestions or alternatives concerning how the observance can be accommodated

Where time off work is requested, an employee should notify their supervisor far enough in advance of the date(s) to allow the supervisor sufficient time to assess the request.

Where the date(s) of religious significance repeat on an annual basis the employee will be required to resubmit their request for accommodation.

There may be circumstances where the date(s) of religious significance are not yet confirmed (lunar calendar) or known significantly in advance (funerary rituals). The employee should contact their supervisor as soon as they become aware of the need for accommodation, even if the specific date/time is not yet known.

## **Step 2: Acknowledgement of request by Supervisor**

The supervisor will acknowledge receipt of the request in a timely manner and respond to the request within a reasonable time period. In addition, they should:

- ensure the employee is permitted time off without penalty to observe the date(s) of religious significance
- provide accommodation without loss of pay or benefits, where possible

Supervisors should provide employees with options where time off is requested and avoid arrangements where an employee must use vacation or other earned benefits to take time off without loss of pay.

Accommodation measures may include but are not limited to:

- allowing the employee to make up the time
- adjusting shift schedules
- making up the time on another day the employee would not be regularly working
- offering a compressed work week
- providing an altered schedule

The supervisor and employee should strive to come to a mutually agreeable form of accommodation. No request should be unreasonably denied.

The Human Resources department may be contacted for consultation by an employee or supervisor to discuss requests for accommodation of religious observances.

### **Step 3: Supervisor notifies employee**

Where an appropriate accommodation has been identified, the supervisor will notify the employee in writing (email is acceptable).

If the supervisor determines that it is not appropriate in a specific case to grant the request for accommodation, they will provide the employee with the reasons for this determination in writing.

### **Step 4: Supervisor and employee are unable to reach agreement**

At any point during the process, an employee or supervisor may seek informal advice or assistance from the Centre for Equity and Inclusion (CEI).

An employee wishing to file a complaint related to a denial of appropriate accommodation of a religious observance may do so with CEI under Sheridan's *Discrimination and Harassment Policy*. The office responsible for administering this policy is CEI. CEI can be reached at [equity@sheridancollege.ca](mailto:equity@sheridancollege.ca) or ext. 2229.

## **4.2 Other religious observances that may require accommodation**

An employee may have creed-based commitments or obligations that can include, but are not limited to:

- specific dress code requirements (e.g., head covering, items of ceremonial dress, etc.)
- temporary absence for daily prayers, fasting or breaking a fast
- dietary restrictions

## **4.3 Inclusive Design**

“Inclusive design” or “universal design” means proactively creating environments that are welcoming and useful to people who are diverse in many ways including gender, race and ethnicity, age, creed, socio-economic status, disability, etc. Sheridan applies these design principles in environments that are newly constructed or redeveloped, where possible.

Multi-faith prayer rooms are provided at each Sheridan campus where students and employees may go to communally or individually pray, meditate, reflect, or worship. For further information on Sheridan's Multi-faith prayer rooms please contact the Centre for Equity and Inclusion at [equity@sheridancollege.ca](mailto:equity@sheridancollege.ca) or ext. 2229.

## **5. Roles and Responsibilities**

The accommodation process is a shared responsibility that requires various stakeholders to engage in meaningful dialogue towards finding solutions. This section outlines the specific roles and responsibilities of key stakeholders.

## **Sheridan**

- a) Sheridan recognizes its responsibility to accommodate employees in accordance with its legislative obligations, applicable collective agreements and Sheridan's policies
- b) Sheridan is committed to ensuring that each community member is made aware of the Policy through information dissemination, education and training

## **Centre for Equity and Inclusion**

- a) Interpret and administer the Policy and its Procedures
- b) Support the roll-out of the Policy and its Procedures
- c) Provide advice, guidance and consultation to all participants under the Policy and its Procedures to facilitate the resolution of concerns and complaints

## **Human Resources**

- a) Respond to requests for consultation from employees or supervisors to discuss requests for accommodation of religious observances and to ensure fairness and consistency in the application of the Policy and Procedure
- b) Support the employee, their supervisor and the applicable workplace parties (including where appropriate, the Union representative) to determine an appropriate accommodation in light of the employee's creed-based needs

## **Supervisors**

- a) Accept requests for accommodation in good faith
- b) Enable the employee to meet their creed-based commitments or obligations, while ensuring accommodations are implemented in a manner that will minimize disruption to Sheridan academic programs, services and operational requirements, and allow the employee to fulfil the essential duties of their job
- c) Consult the list of **Commonly Observed Days of Religious Significance** to minimize any potential conflict between religious observances and employment

## **Employees**

- a) Request accommodation of religious observance on the basis of good faith
- b) Provide notification of the need for creed-based accommodation following the steps outlined in this Procedure

## **Facilities and Sustainable Infrastructure**

- a) Embed the principles of inclusive (universal) design in physical spaces that are newly constructed or redeveloped, where possible
- b) Respond to space requests to meet individual or communal creed based needs of students, as applicable
- c) Oversee the ongoing maintenance of the Multi-Faith Prayer rooms at each campus location

## **6. Responsible Office and Executive**

6.1 The Responsible Office: The Centre for Equity and Inclusion (CEI). CEI can be reached at [equity@sheridancollege.ca](mailto:equity@sheridancollege.ca) or ext. 2229

6.2 Responsible Executive: Vice-President, Inclusive Communities

## **7. Related Documentation/Links/Forms**

- [Accessibility Policy](#)
- Accommodation of Religious Observances Policy
- [Centre for Equity and Inclusion](#)
- [Discrimination and Harassment Policy and Procedures](#)
- [Employee Relations](#)
- [Indigenous Ceremonial Burning Protocol](#)
- [Ontario Human Rights Code](#)
- [Ontario Human Rights Commission - Policy on the prevention of discrimination based on creed](#)
- [Ontario Human Rights Commission - Creed and the duty to accommodate – a checklist for accommodation providers](#)
- [Ontario Human Rights Commission - Creed and Human Rights for Indigenous People](#)
- [Privacy Policy](#)