

University of Central Florida
Office of Institutional Equity
Discrimination: Descriptions, Prevention
DISCRIMINATION BASED ON RELIGION

The University of Central Florida promotes access to its educational programs and activities, including employment, consistent with federal and state statutes as well as UCF Regulation 3.001, *Non-Discrimination; Affirmative Action*. The University takes prompt action to investigate complaints of discrimination based on religion or non-religion, providing corrective actions when appropriate.

Religious discrimination involves treating people unfavorably because they practice or observe a particular faith or no faith. An individual might take an adverse action against someone based on an inaccurate perception of religion or non-religion: it is still discrimination based on religion. If an individual makes an assumption about a religious affiliation or non-religious affiliation because of the religion or non-religion of someone's friend, or their support of a group, an adverse action on that basis still is discrimination based on religion.

Just as with other protected classes, complaints still may be valid when an individual from the same religion or non-religion practices discrimination on that basis. "Sharing the same protected class" is not a valid defense to the conduct.

That conduct includes decisions to hire, terminate, set a particular salary, assign certain tasks, promote, lay off, train, or any other term or condition of employment. Common examples of religious discrimination include:

- making offensive or derogatory remarks about someone's religion or non-religion
- requiring employees to engage in religious practices as part of the assigned workload or during work time
- basing a negative employment decision on a candidate's religion or non-religion failing to provide a reasonable accommodation when a qualified individual requests something reasonable regarding observance of their religion

The best systems for employment decisions consider job-related factors such as qualifications, experience, education, interview success, reference-check results, performance in current and previous positions, potential for success in higher-level or reorganized positions, abilities, and interest. UCF incorporates those factors into employment selection decisions (as an example), using the Faculty Hiring Guide, A&P Hiring Guide, Search and Screen Guidelines, pre- and post-hire monitoring of rationale, and training programs for hiring officials, search committee members, and interviewers.

Harassment based on religion is more of a pattern than specific acts of discrimination. It may take the form of "joking around" or "teasing." If it substantially interferes with an employee's performance, however, it is an area for the University to take action.

The following example may contain offensive material because it is provided as an example of a hostile or offensive environment.

If the “jokes” can be stopped by the target early in the pattern because it is a miscommunication about what is funny, the target may be able to tell the individual, “Nicknaming me ‘The Rabbi’ is getting old. Why don’t we go back to when I was still David.” If the pattern stops, there is no basis for a harassment claim.

If the nicknaming based on religion continues, and colleagues join in despite requests to stop, and souvenirs from that faith or belief system (or a more extreme version of it) are left on the individual’s desk, and her colleagues ask if they can get some work done or is it time to pray, yet again: the individual is responsible for reporting this pattern of harassment related to religion and the University is responsible for addressing it. It is unlawful when it is so severe or frequent that it creates a hostile or offensive working environment.

The University’s non-discrimination regulation prohibits acts of retaliation, as well as harassment, within the definition of discrimination. Retaliation consists of an adverse action, taken against an individual who complained or threatened to complain or who served as a witness in a discrimination complaint, based on that individual’s involvement.

Students seeking religious accommodation should see:

- **Undergraduate Catalog**, Religious Observances, at page 59:
<http://catalog.sdes.ucf.edu/ucfugrdcatalog1213.pdf>
- **Graduate Catalog**, Religious Observances, within General University Policies:
http://www.graduatecatalog.ucf.edu/content/policies.aspx?id=5702#Religious_Observances
- **Faculty Handbook**, Religious Observances, at page 29:
<http://www.facultyrelations.ucf.edu/docs/FacultyHandbook.pdf>
- **Faculty Center for Teaching and Learning Holiday Calendar 2012-2015**:
http://www.fctl.ucf.edu/TeachingAndLearningResources/CourseDesign/majorreligiousholidays/content/religious_holidays_handout.pdf
- **Faculty Center for Teaching and Learning**, list of major religious holidays and reminder to faculty regarding interpretation of University policy. This reminder differentiates observance from personal travel outside the local area.
<http://www.fctl.ucf.edu/TeachingAndLearningResources/CourseDesign/majorreligiousholidays/>

Departments seeking guidance to accommodation requests for religious accommodations from employees should see separate reference within this website, “Religious Accommodation: Guidelines for Departmental Procedures for Requests.”

For additional questions and resources for filing a report, complaint, or discrimination grievance, utilize the following contact information:

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12701 Scholarship Drive
Suite 101
University of Central Florida Orlando, FL
32816-0030
(407) 823-1336
<http://www.ois.ucf.edu/>

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