



METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY

RELIGIOUS DISCRIMINATION

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



 POLICY	ISSUE DATE 03-08-2021 Revision No.: 00	REFERENCE NO. DI-PO-0041	Page 2 of 8
TYPE: Religious Discrimination			

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ACKNOWLEDGEMENT OF REVIEW

REVIEWER	SIGNATURE	DATE
ELIZABETH M. O'NEILL CHIEF LEGAL COUNSEL	DocuSigned by: <i>Elizabeth M. O'Neill</i> 6D49C2012083429...	3/12/2021

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TYPE: Religious Discrimination							
ISSUING DEPARTMENT: Diversity and Inclusion							
PREPARED BY: Paula Nash, Executive Director of Diversity & Inclusion							
APPROVED BY: <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> Paula Nash <hr/> Executive Director, Diversity & Inclusion </td> <td style="width: 50%; vertical-align: top;"> DocuSigned by:  3/9/2021 <hr/> Signature <small>5E62D4E69D8F348C...</small> Date </td> </tr> <tr> <td style="width: 50%; vertical-align: top;"> Jeffrey A. Parker <hr/> General Manager/CEO </td> <td style="width: 50%; vertical-align: top;"> DocuSigned by:  3/13/2021 <hr/> Signature <small>1A3E11CD5F774C9...</small> Date </td> </tr> </table>				Paula Nash <hr/> Executive Director, Diversity & Inclusion	DocuSigned by:  3/9/2021 <hr/> Signature <small>5E62D4E69D8F348C...</small> Date	Jeffrey A. Parker <hr/> General Manager/CEO	DocuSigned by:  3/13/2021 <hr/> Signature <small>1A3E11CD5F774C9...</small> Date
Paula Nash <hr/> Executive Director, Diversity & Inclusion	DocuSigned by:  3/9/2021 <hr/> Signature <small>5E62D4E69D8F348C...</small> Date						
Jeffrey A. Parker <hr/> General Manager/CEO	DocuSigned by:  3/13/2021 <hr/> Signature <small>1A3E11CD5F774C9...</small> Date						
SUPERSEDES:							

I. General

A. Scope

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.

B. Purpose

The Metropolitan Atlanta Rapid Transit Authority (MARTA) prohibits discrimination based on religion, in accordance with Title VII of the Civil Rights Act of 1964 (as amended). It is the policy of MARTA to afford any employee every available opportunity to engage in their sincerely held religious beliefs or no beliefs at all, while maintaining their employment. This policy reaffirms MARTA's zero tolerance for discrimination based on religion. MARTA's management will act to ensure the rights and privileges of its employees by fulfilling its duty to provide reasonable accommodation of applicant's and employees' religious observances, practices, and/or beliefs; so long as such accommodation does not present an undue hardship to MARTA, its business practices, operations, or compromise safety or security.

C. Revision/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**.

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D. *Applicability*

This religious discrimination policy applies to all MARTA employees and applicants for employment.

E. *Definitions*

TERM	DEFINITION
Religious Beliefs	Religion includes not only traditional, organized religions, such as Christianity, Judaism, Islam, Hinduism, and Buddhism, but also religious beliefs that are new, uncommon, not part of a formal church or sect, only subscribed to by a small number of people, or that seem illogical or unreasonable to others. An employee's belief or practice can be "religious" even if the employee is affiliated with a religious group that does not espouse or recognize that individual's belief or practice, or if few – or no – other people adhere to it. Protection also extend to those who are discriminated against or need accommodation because they profess no religious beliefs.
Religious Observances or Practices	This includes, for example, attending worship services, praying, wearing religious garb or symbols, displaying religious objects, adhering to certain dietary rules, proselytizing or other forms of religious expression, or refraining from certain activities. Whether a practice is religious depends on the employee's motivation. The same practice might be engaged in by one person for religious reasons and by another person for purely secular reasons (e.g., dietary restrictions, tattoos, etc.)
Religious Accommodation	Any change or adjustment to an employment practice, rule, procedure, or condition of employment undertaken to accommodate or permit a prospective or current employee to exercise his/her religious beliefs or practices. Such accommodations may include adjustment to dress code or uniform requirements, shift or work schedule changes, or other adaptations to meet an

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TERM	DEFINITION		
	employee's religious needs. An accommodation must only meet the prospective or current employee's religious needs and does not have to be the accommodation requested, even if the requested accommodation does not present an undue hardship to the authority. Any accommodation which presents an undue hardship to the authority is not reasonable and will not be approved.		
Undue Hardship	Can include, without limitation, any accommodation that results in disruption of MARTA's work environment, impedes the provision of transit services, and/or infringes on the rights and privileges of other MARTA employees, or results in significant financial burden to the authority. Furthermore, undue hardship may refer to 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 Discrimination	Any of the following can constitute religious discrimination: 1) treating applicants or employees differently based on their religious beliefs or practices – or lack thereof – in any aspect of employment, including recruitment, hiring, assignments, discipline, demotion, promotion, and benefits (disparate treatment); 2) subjecting employees to harassment because of their religious beliefs or practices – or lack thereof – or because of the religious practices, beliefs, -or lack thereof- of people with whom they associate; 3) denying a requested reasonable accommodation of an applicant's or employee's sincerely held religious beliefs or practices.		
De Minimis	Any insignificant incurred costs, in labor or other materials, and any insignificant		

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TERM	DEFINITION												
Harassment	disruption to the Authority. An act or pattern of conduct which serves to create an offensive, intimidating, demeaning, or hostile environment, including but not limited to: <table border="0" data-bbox="836 514 1461 703"> <tr> <td>Offensive Comments</td> <td>Epithets</td> </tr> <tr> <td>Offensive Jokes</td> <td>Derogatory Names</td> </tr> <tr> <td>Slurs</td> <td>Insults</td> </tr> <tr> <td>Cartoons & Posters</td> <td>Pictures</td> </tr> <tr> <td>Texts, IMs, Emails</td> <td>Social Media Posts</td> </tr> </table>			Offensive Comments	Epithets	Offensive Jokes	Derogatory Names	Slurs	Insults	Cartoons & Posters	Pictures	Texts, IMs, Emails	Social Media Posts
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Texts, IMs, Emails	Social Media Posts												

F. *Responsibilities*

The individual(s) responsible for performing this policy is/are ...

Employees

Each employee is responsible for his/her own behavior. Employees are expected to respect the religious beliefs of their co-workers. Employees are expected to report any discrimination based on religion which they believe they have been subjected to. Employees are expected to report any discriminatory treatment or harassment, to management or to the Office of Diversity & Inclusion, which they have witnessed or that they feel has occurred.

Managers & Supervisors

All supervisors/managers are responsible for implementation of the Authority's nondiscrimination policies, including this policy, and for ensuring that all employees they supervise have knowledge of and understand the policy. Supervisors/managers shall advise employees seeking religious accommodation to review this policy and complete required forms. After notification or learning of any employee's complaint of discrimination under this policy, the supervisor/manager must immediately report the matter to the Office of Diversity & Inclusion.

Office of Diversity & Inclusion

The Office of Diversity & Inclusion's responsibility will be to conduct training sessions and ensure wide dissemination of this policy and its provisions to all employees.

The Office of Diversity & Inclusion will conduct complete, thorough, and timely investigations of all complaints and alleged instances of religious discrimination and harassment and provide remedies to complaining parties as appropriate.

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II. Process

GUIDELINES ON RELIGIOUS & UNRELIGIOUS EXPRESSION IN THE WORKPLACE:

These guidelines seek to address the religious and unreligious expression of MARTA's prospective and current employees when they are acting in their personal capacity within the workplace. The guidelines do not address whether and when MARTA employees may engage in religious or unreligious speech directed at the public. Such expression may be restricted if it interferes with workplace efficiency.

1. Employees are permitted to engage in private religious or unreligious expression in personal work areas not regularly open to the public to the same extent that they may engage in nonreligious private expression, subject to reasonable restrictions.
2. Employees are permitted to engage in religious or unreligious expression directed at fellow employees, to the same extent that they may engage in nonreligious private expression, subject to reasonable restrictions. Such expression may be restricted if it interferes with workplace efficiency. Employees must refrain immediately from such expression when a fellow employee asks that it stop or otherwise demonstrates that it is unwelcomed or offensive.
3. Employees should not engage in religious or unreligious expression directed at fellow employees when they are already aware that their coworker finds such expression unwelcome or offensive. At all times employees should be guided by general principles of civility and workplace efficiency and tolerance.
4. MARTA's Office of Diversity & Inclusion policies and procedures prohibit employees from being subjected to a hostile work environment or from religious harassment, whether by supervisors or fellow workers. However, a hostile work environment is not created by the bare expression of speech with which some employees might disagree. In a country founded on freedom of speech and religion, employees should at times expect to be exposed to ideas with which they disagree. Please refer to MARTA's policies and/or contact the Office of Diversity & Inclusion for more specific direction.

III. 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 Accommodation Procedure