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**Accommodations for Employee Religious Beliefs or Conscience
Policy Series: 5000 Personnel**

Policy No. 5160

Purpose:

The purpose of this policy is to ensure that employees' religious beliefs and right of conscience are protected in the workplace.

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Definitions:

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1. "Conscience" means a sincerely held belief as to the rightness or wrongness of an action or inaction.
2. "Task" means a specific job, duty, or function.
3. "Undue hardship" means a substantial burden, privation, or adversity on the District that would result from granting an employee's request to be relieved from performing a certain task when considering all relevant factors, including:
 - a. The practical impact on the District in light of the nature, size, and operating cost of the District;
 - b. The disruption of the District's operations;
 - c. The nature of the employee's duties;
 - d. The number of employees the District would be required to grant a request to if the District grants the employee's request;
 - e. The type of workplace; and
 - f. The number of requests by the employee in the 12 months preceding the request.

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Request for Accommodation

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District employees may request to be relieved from performing a certain task if doing so would conflict with the employee's conscience or sincerely held religious beliefs. The request shall be made in writing. The request shall specifically identify the task and describe when and how it is to be performed and shall explain why the task would conflict with the employee's conscience or sincerely held religious belief. The request shall be given to the employee's supervisor. The

41 request shall be made as soon as practicable but not more than two days after the day on which
42 the employee first receives the assignment to perform the task. If the employee is asked to
43 begin performing the task sooner than two days after the employee first received the
44 assignment, then the employee may immediately request to be relieved from performing the
45 task by either oral or written request to the employee's supervisor stating that performing the
46 task would conflict with the employee's conscience or sincerely held religious beliefs and why it
47 would conflict. The employee shall provide the District with a reasonable opportunity to grant the
48 request or otherwise address the employee's concerns. If the time to begin performing the task
49 is sooner than the District is able to respond to the request, the employee will not be required to
50 perform the task until the District responds unless the task is required for safety or to preserve
51 property and arranging for another employee to perform the task while the request is pending
52 creates a substantial burden on the District.

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55 **Response to Request for Accommodation**

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57 A supervisor who receives a request for accommodation shall immediately forward that request
58 to the District Human Resources Director or to an individual designated by the Superintendent.
59 The individual receiving the request shall evaluate the request as provided in this policy,
60 determine whether it will be granted, and provide a written response. The written response shall
61 refer to this policy. If the request is denied, the response shall include an explanation of the
62 decision and state either why granting the request would impose an undue hardship on the
63 District or which exception supports the denial. The written denial shall also inform the
64 employee that if the employee appeals to the Superintendent and the appeal is denied, the
65 employee may file a court action seeking review of the decision within 120 days of the decision
66 as provided for under [Utah Code § 67-27-106\(6\)](#).

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68 The District's response shall be provided as soon as practicable but at least five days before the
69 day on which the task is to be performed. The employee and District may by mutual agreement
70 waive or extend this time requirement. If no response is provided within the required time and
71 there is no agreement to waive or extend the deadline, the request will be deemed denied and
72 the employee may appeal to the Superintendent as provided below.

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74 If the request is denied, the employee may appeal the denial to the Superintendent in writing
75 within two days of the denial, explaining why the employee believes the denial was in error. The
76 Superintendent shall evaluate and respond to the appeal in writing as soon as practicable but in
77 any event not more than two working days after receiving the appeal. The Superintendent's
78 decision is final and not subject to further appeal.

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81 **Standards for Granting Accommodation**

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83 If the employee has met the time and content requirements for making a request, a request will
84 be granted unless one of the exceptions apply or unless granting the request would impose an

85 undue hardship on the District. A request need not be granted if any of the following exceptions
86 apply:

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- 88 1. The employee's assertion of religious belief or conscience is done for an improper
89 purpose;
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- 91 2. Granting the request would create an unavoidable conflict with an existing legal
92 obligation of the District;
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- 94 3. The request is to be relieved from performing a task that is part of training or safety
95 instructions directly related to the employee's employment; or
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- 97 4. Granting the request would result in a deficit in the amount of work for which the
98 employee is compensated.
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100 In making the determination, the person evaluating the request shall consider the specifics of
101 the employee's request and all relevant information available to the person, including the
102 employee's particular work assignment responsibilities. In evaluating whether granting the
103 request would impose undue hardship on the District, the person shall consider all relevant
104 factors, including but not limited to the factors listed above in the definition of "undue hardship."
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106 **No Retaliation**

109 The District shall not take any retaliatory action against an employee for requesting an
110 accommodation under this policy. Retaliatory action includes dismissal, reduction of
111 compensation, failure to increase compensation by an amount the employee would otherwise
112 be entitled to or was promised, failing to promote the employee if the employee would otherwise
113 be promoted, or threatening to take any of these actions. However, this restriction does not
114 preclude disciplinary action against the employee if the request is determined to be without
115 merit.

116 **Notice to Employees**

120 Each current employee of the District shall be informed of and given access to a copy of this
121 policy upon its adoption by the Board of Education. Thereafter, each new employee shall be
122 informed of and given access to a copy of this policy at the time of hire.
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124 **Private Information**

127 Records which contain information about an employee’s request for an accommodation under
128 this policy, including but not limited to the written request and the response to the request, are
129 classified as private records under GRAMA.

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131 **Legal References:**

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133 [Utah Code § 67-27-106\(1\) \(2024\)](#)

134 [Utah Code § 67-27-106\(3\) \(2024\)](#)

135 [Utah Code § 67-27-106\(4\), \(5\) \(2024\)](#)

136 [Utah Code § 67-27-106\(2\) \(2024\)](#)

137 [Utah Code § 67-27-106\(5\)\(b\)\(v\) \(2024\)](#)

138 [Utah Code § 67-27-106\(1\)\(f\), \(8\) \(2024\)](#)

139 [Utah Code § 67-27-106\(5\)\(c\)\(i\) \(2024\)](#)

140 [Utah Code § 67-27-106\(1\)\(a\), \(7\) \(2024\)](#)

141 [Utah Code § 63G-2-302\(1\)\(ee\) \(2024\)](#)

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144 **Board Approved:**

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