

# “that’s what she said”

a ford & harrison blog about the popular television series “the office”

## Dwight. Pray. Love.

*June 16, 2011 - by: Brian Kurtz*

**Litigation Value: \$0.00. But Dwight needs to put at least \$20 in the collection plate.**

Sometimes The Office does not take place in the office. Such was the case in this week’s repeat broadcast of “Christening,” which takes place on a Sunday at Jim’s and Pam’s church. As guests file in, Dwight Schrute hands out his business cards with a whispered reminder of their need to buy paper. I’m pretty sure it’s not unlawful for Dwight to engage in selling activities at a house of worship. Tasteless, tacky and inappropriate, but not unlawful. Conversely, how should an employer deal with an employee who wants to engage in religious activities in the workplace?

The general rule is that an employer has an obligation to accommodate an employee’s sincerely held religious beliefs unless doing so would create an undue hardship. So, does a security company with a strict grooming policy have to permit a Rastafarian applicant to wear his dreadlocks? Does a manufacturing company with a rotating weekend schedule have to excuse a Jewish employee who cannot work on Saturday? Can a pharmacy terminate an employee who refuses to dispense contraception? Can Dunder Mifflin stop Angela from proselytizing to the Party Planning Committee (OK, made that one up)?

There is no one-size-fits-all solution to religious accommodation. The U.S. Equal Employment Opportunity Commission instructs employers to discuss the matter “fully and

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promptly” with the employee and seek alternatives if the employee’s requested accommodation won’t work. The process can take time, but not being patient and flexible is the surest way to invite a discrimination charge.

Or maybe it’s all so simple, like the way Angela put it: “Jesus is not your caterer.” That’s what she said. What do you say? Let us know.