OLD DOMINION UNIVERSITY
University Policy

Policy #6501
RELIGIOUS ACCOMMODATIONS POLICY (INTERIM POLICY)

Responsible Oversight Executive:	Vice President for Human Resources, Diversity, Equity, and Inclusion
Date of Current Revision or Creation:	July 1, 2024

A. PURPOSE

The purpose of this policy is to establish the University's guidelines and parameters for providing an accommodation of an employee's sincerely held religious beliefs, observation, and practices unless such an accommodation is not reasonable and would create an undue hardship for University.

B. AUTHORITY

Virginia Code Section 23.1-1301, as amended, grants authority to the Board of Visitors to make rules and policies concerning institution. Section 7.01(a)(6) of the Board of Visitors Bylaws grants authority to the President to implement the policies and procedures of the Board relating to University operations.

Virginia Department of Human Resource Management Policy 2.05 – Equal Employment Opportunity

Title VII of the Civil Rights Act of 1964

Commonwealth of Virginia Executive Directive Six (2023)

C. DEFINITIONS

Clinical Employee – AP Medical Faculty, AP Restricted Faculty, TR Medical Faculty, and Classified Medical Staff, and AP Faculty, TR Faculty, Classified Employees, and Wage Employees who work in a department of the school of medicine that provides patient care, whether or not such employee provides direct patient care.

Religious Accommodation – Any adjustment to the work environment that will allow an employee or applicant to practice his or her religion when the employee's specific tasks or requirements of their position conflict with such practices.

D. SCOPE

This policy applies to all ODU employees. Employees include all staff, administrators, faculty, full- or part-time, and classified or non-classified persons who are paid by the University.

E. POLICY STATEMENT

Old Dominion University is committed to religious diversity and non- discrimination and supports the employment of qualified individuals, regardless of religious affiliation, consistent with the requirements of Title VII of the Civil Rights Act of 1964 ("Title VII"). Old Dominion University will, in good faith, provide reasonable accommodations for its qualified applicants and employees as required by Title VII, and consistent with University and Commonwealth anti-discrimination policies.

Retaliation against an individual with for requesting or using a religious accommodation is prohibited. The University takes strong action to protect individuals from retaliation and to address any retaliatory behavior that occurs.

F. PROCEDURES

1. Initiating a Request

    a. Employees are responsible for initiating a request for any desired religious-related workplace accommodation by contacting the Office of Institutional Equity and Diversity (OIED) using the Employee Request for Accommodation Form on the OIED website. This form is used to record the accommodation request and to explore possible workplace accommodations. Absent extenuating circumstances, all requests must be made at least 30 days in advance of the desired accommodation.
    b. Supervisors are responsible for immediately notifying OIED of any employee who requests a Religious Accommodation or brings a need for a Religious Accommodation to their attention.

2. Review

    a. Upon receipt of the request, OIED or the Virginia Health Sciences division of Human Resources will reach out to schedule an information session.
    b. The employee must meet with the Assistant Vice President for Institutional Equity (AVPIE) or designee, or the Associate Vice President of Human Resources for Health Sciences (AVPHRHS) or designee (in the case of a Clinical Employee), who will facilitate an interactive process between the employee and the supervisor to determine if a reasonable accommodation can be provided to the employee.
    c. Review of the request shall be in accordance with Title VII and factors to be considered for accommodation include but are not limited to: (a) the accommodation requested; (b) duration of the request; (c) alternative accommodations; (d) financial cost and funding of the requested accommodation; (e) employee performance, effectiveness and efficiency issues; and (f) other related factors. In addition, the University will assess the impact of the requested accommodation on the performance of the essential functions of the employee's position as outlined in the job description, on other employees, and on operations, and analyze whether the requested accommodation is reasonable or would cause an undue hardship
    d. The AVPIE or AVPHRHS, or their designees, may request documentation from the employee in support of their request that is related to the tenets of their religion, practice, or belief.
    e. Using the position description to identify the essential functions of the position, the supervisor will also provide input on the effectiveness each potential accommodation would have in allowing the employee to perform the essential functions of the position.

f. Upon completion of the interactive process, OIED (or the AVPHRHS in conjunction with OIED as applicable) is responsible for assessing whether or not the employee's requested workplace accommodation is reasonable and determining what, if any, accommodation is most appropriate for both the employee and the University. While consideration is given to the employee's preference, the University will balance the preference of the employee with the needs of the department in determining effectiveness.

g. If a request for a reasonable Religious Accommodation is denied or not plausible, the employee will be notified in writing.

3. Implementation

a. Once an accommodation has been deemed appropriate and reasonable, both the employee and the supervisor are notified. Approved accommodations are not applied retroactively.

b. When Religious Accommodations are approved, supervisors are responsible for implementing the reasonable accommodations as indicated by OIED. To the extent possible, the employee's department will be responsible for funding the accommodation. The department can seek resources from the University to support the accommodation when the cost of the accommodation is beyond the department's available resources.

c. Supervisors shall keep the employee's request confidential except as necessary for the implementation of the accommodation and to help to ensure the accommodation's work-related effectiveness

G. RECORDS RETENTION

Applicable records must be retained and then destroyed in accordance with the Commonwealth's Records Retention Schedules.

H. RESPONSIBLE OFFICER

Assistant Vice President for Institutional Equity

I. RELATED INFORMATION

DHRM Policy #4.57- Virginia Sickness and Disability Program

POLICY HISTORY

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Policy Formulation Committee (PFC) & Responsible Officer Approval to Proceed:

Responsible Officer	Date

Policy Review Committee (PRC) Approval to Proceed:

Chair, Policy Review Committee (PRC)	Date

Executive Policy Review Committee (EPRC) Approval to Proceed:

Responsible Oversight Executive	Date

University Counsel Approval to Proceed:

/s/ Allen T. Wilson	June 28, 2024
University Counsel	Date

Presidential Approval:

/s/ Brian O. Hemphill, Ph.D.	June 28, 2024
President	Date

Policy Revision Dates: July 1, 2024

Scheduled Review Date: July 1, 2025