

PATIENT RESTRICTED

Coalinga State Hospital

OPERATING MANUAL

SECTION – HUMAN RESOURCES
ADMINISTRATIVE DIRECTIVE NO. 910
(Replaces A.D. No. 910 dated 5/11/06)

Effective Date: April 17, 2007

SUBJECT: RELIGIOUS ACCOMMODATION

I. PURPOSE

To minimize the disparate impact which any employment practice or duty may have a differing practices or beliefs and ensure equal employment and career opportunities without regard to differences in religious belief or practice.

II. AUTHORITY

Government Code Section 12940; Title VII of the Civil Rights Act of 1964; DMH Special Order No. 425.01; and by the Order of the Deputy Director of Long Term Care Services.

III. POLICY

Coalinga State Hospital (CSH) shall accommodate sincerely held religious beliefs and practices unless the hospital can demonstrate that a good faith effort to accommodate has been made and that further accommodation would result in undue hardship.

IV. METHOD

- A. The term "religion" includes all aspects of religious observance and practice as well as belief.
- B. All current CSH employees and/or applicants may request accommodation for a current position, promotion, or lateral transfer. All former employees applying for reinstatement may also request religious accommodation.
- C. A copy of this policy and the procedure for requesting religious accommodation shall be provided to the employee at the time of their initial orientation, when revised, and during any related training.

V. REQUESTING RELIGIOUS ACCOMMODATION

- A. A request for religious accommodation shall be submitted in writing. The employee shall submit the request to the Equal Employment Opportunity (EEO) Office. Every situation shall be addressed on an individual basis.

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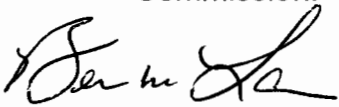
- B. The EEO Office working through an interactive process with the employee and his or her supervisor, then has twenty (20) working days from the date the request is received to approve or deny the request, and forward a written response to the employee.

VI. EVALUATING REQUESTS

- A. The EEO Office shall make all reasonable efforts to accommodate an employee's or applicant's request to exercise or practice his or her religion, unless it can demonstrate that it is unable to reasonably accommodate an employee's or prospective employee's religious observance or practice without undue hardship on the conduct of business.
- B. When a permanent accommodation without undue hardship cannot be immediately arranged, a temporary means of accommodation without undue hardship may be necessary while permanent accommodation is being sought. Temporary modification of duties may be considered if provided for in collective bargaining agreements.

VII. APPEAL PROCESS

- A. If an employee is dissatisfied with the decision, he or she may file a written appeal with the Department of Mental Health Office of Human Rights within ten (10) working days of receipt of the decision. The Chief of the Office of Human Rights shall respond to the employee in writing within fifteen (15) working days of receipt of the appeal.
- B. If an employee request for religious accommodation is denied by the Chief of the Office of Human Rights or twenty (20) working days elapse without an employer's response, the employee may appeal directly to the State Personnel Board (SPB) Merit Appeals Unit. Such appeals must be made within thirty (30) days of the notice of denial.
- C. Any violation of a job rule or requirement which occurs because of the employee's adherence to his or her religious practice or beliefs shall not be the basis of disciplinary action until the appeal provisions of this policy have been exhausted.
- D. If at any point an employee believes he or she has been discriminated against, he or she has the right to file a complaint through the discrimination complaint process with the EEO office, Office of Human Rights, SPB, Department of Fair Employment and Housing, and/or the U.S. Equal Employment Opportunity Commission.



BEN MCLAIN
Executive Director (Acting)

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Cross Reference(s):

DMH Special Order 425.01 Religious Accommodation

DMH Policy Directive 207 Religious Accommodation