

More Information

The information on Religious Accommodation in this pamphlet is provided by UNITED SIKHS.

If you feel that you or someone you know has been discriminated against because of their religious identity, contact UNITED SIKHS at law-usa@unitedsikhs.org or 1-646-688-3525 or for more information visit www.unitedsikhs.org.

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SIKHS

Recognize the Human Race as One

UNITED SIKHS

Know Your Rights: Religious Accommodation



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KNOW YOUR RIGHTS

What is a Religious Accommodation?

The term **religious accommodation** is commonly associated with employment rights that flow from Title VII of the Civil Rights Act. Under Title VII, the term “**religion**” includes “**all aspects of religious observance and practice**, as well as belief.”

Policies that accommodate religious beliefs and practices are however also implemented in public and private places of business outside of the employer/employee framework. **The necessity for policies that accommodate Sikh religious beliefs and practices is evident** not only in the workplace but in schools, testing centers, training facilities, government offices, holding cells, prisons, military training programs, and other private and public places of business.

Why do we need Religious Accommodation Policies?

Religious Accommodation policies are one of the keys to **achieving equality and inclusivity for minority religious communities** within our larger societal fabric. After the tragic events of 9/11, the national climate with respect to minorities with external religious identities became quite virulent as fear, hate and a practice of “othering” became commonplace. **The Sikh community has felt the pressure of this discrimination** not only in the workplace, but at airports, borders, train stations, schools, prisons, testing centers, and government buildings like courthouses and service centers.

UNITED SIKHS Cases Involving Religious Accommodation

Each year, **UNITED SIKHS receives numerous complaints from individuals whose religious practice and belief has been substantially burdened** due to policies that do not accommodate the Sikh religion. **UNITED SIKHS’ legal team works with businesses, both public and private, to craft accommodations policies** that protect a Sikh’s right to practice his/her religion freely without sacrificing his/her engagement in society at large. **These accommodation[s] policies are vital to the free exercise of minority religious practices like the manifestation of articles of faith**, and need to be more widely adopted.

UNITED SIKHS has seen several incidents indicative of a widespread pattern of non-accommodation for religious minorities, a disturbing trend that is growing rather than waning. Some examples of situations in which religious accommodations policies are needed are:

- In 2009, a **young man in high school who has aspirations of joining the Air Force** joined the Air Force Jr. ROTC (AFJROTC), but because this young man maintained his distinctive Sikh identity, including a turban and uncut hair, he **was found in violation of the AFJROTC uniform policy**.

➤ **What has UNITED SIKHS done?**

UNITED SIKHS has advocated on behalf of this young man at the Sikh Summit in Washington, DC and our legal team has brought his situation to the attention of congress people and government officials.

➤ **What can you do?**

Urge your Representatives to Petition the Air Force to Amend their Uniform Policy to Allow for Religious Accommodations:

The Army has already granted three accommodations to Sikhs and they are currently serving. One should not have to choose between serving one’s country and following the dictates of one’s faith. Write your representatives at: www.house.gov/writerep/.

- In January 2010, an **elderly Sikh taxi driver** mistaken for someone else was arrested and put in a holding cell, **was stripped of all his articles of faith**, not given an explanation for his arrest and subsequent detention, and never given a translator. Moreover, his *kirpan* (short sheathed religious sword) was never returned to him after he was released.

➤ **What has UNITED SIKHS done?**

We requested that an internal investigation into this incident be conducted and contacted the Department of Justice Community Relations Service to request cultural sensitivity courses for this police force.

➤ **What can you do?**

Encourage Rigorous Adherence to Religious Land Use and Institutionalized Persons Act (RLUIPA): According to the holding in *Khatib v. City of Orange*, the free exercise of one’s faith extends to pre-charge holding cells. This is essential; otherwise, individuals in holding cells risk having their religious freedoms restricted before even being charged with a criminal act. Write your representatives about this issue at: www.house.gov/writerep/.

- In August 2010, a **Sikh gentleman** seeking to address a traffic ticket he received **was denied entry into the courthouse** by security agents **because of his kirpan**. The only option he received was to make a written submission to the court. **Access to courts is a fundamental right and to preclude Sikhs from entering with their faith intact is an affront to our constitutional rights of due process and the free exercise of religion.**

➤ **What has UNITED SIKHS done?**

UNITED SIKHS has consistently raised this issue in advocacy work in Washington, DC and raised the issue at the Sikh Summit.

➤ **What can you do?**

Voice your opinion about the importance of access to the courts and access to justice by writing your representatives at www.house.gov/writerep/.

- In September 2010, a **freshman student** at a large California university **was told not to return to campus with his kirpan**.

➤ **What has UNITED SIKHS done?**

UNITED SIKHS continues to work with the university to ensure this young man’s education is not impeded and his identity is not compromised.

➤ **What can you do?**

Are you or someone you know facing religious discrimination in your college/university? Please contact UNITED SIKHS at law-usa@unitedsikhs.org.