

How can an employer enforce safety regulation on employees who wear religious attire that could pose hazards?

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Employers must implement a specific policy to enforce safety regulations regarding dress/grooming requirements. The policy must be distributed and/or accessible to all employees, such as in an employee handbook.

Under federal and most state antidiscrimination laws, an employer is required to reasonably accommodate an employee's religious beliefs, including religious attire. If an employee's religious attire violates the safety policy, the employer must evaluate whether any reasonable accommodation can be made that would safely permit the employee to wear the religious attire. For example, a medical instrument manufacturer that requires employees to be clean-shaven so that facial hair does not contaminate the sterile facility may reasonably accommodate an employee who does not shave for religious reasons by permitting him to wear a facial mask.

However, if there is no accommodation that would resolve the safety issue, the accommodation is unreasonable because it poses an undue hardship on the employer. In that case, the employer may prohibit the employee from wearing attire that violates the safety regulation. For example, a factory may prohibit employees from wearing dresses that can get caught in machinery because no reasonable accommodation is possible.