

## Massachusetts Muslims, Know Your Rights! Ramadan & the Workplace

This information is intended to help you successfully observe Ramadan while at work. For more information on your rights as a Muslim employee, please see our flyer, [Workplace Discrimination and Harassment](#).

**The General Rule.** Under Massachusetts [law](#), an employer cannot force you to violate your religious beliefs and must “reasonably accommodate” your religious needs UNLESS that accommodation would create an “undue hardship” for the employer. In other words, you do not have an absolute right to religious accommodations while on the job. The most important advice we can offer is this: talk to your employer about what you need, to see what can be worked out.

### Possible Ramadan Accommodations.

- **Schedule changes:** Ask to work a different shift or to adjust your work hours. Before you approach your supervisor or employer, check with your co-workers to see if someone is willing to switch shifts or hours. If they are, that will make it easier for your employer to grant your request.
- **Time off:** Request a day off (or more, depending on your religious beliefs) for Eid al-Fitr. By law, with at least 10 days' notice, your employer must grant this request – unless it creates an undue hardship. You might need to use vacation or personal time for this absence, and your employer may require you to make up the work or hours at a later date.
- **Other changes:** Is there something else you need? Talk to your employer to see what may be possible.

**The “Undue Hardship” Test.** Each workplace situation is different, depending on the type of job, the size of the business, safety issues, etc. Problems are most likely to come up in very small businesses, in healthcare settings, or in law enforcement/public safety jobs. Under state law, your employer can deny your request for any of these reasons:

- Your services are needed to meet state or federal requirements,
- Your absence would create a health or safety problem,
- Your presence is “indispensable to the orderly transaction of business,”
- No other employee can do your job,
- You are needed at work due to an emergency.

However, Massachusetts courts have made it clear that when you request an accommodation, your employer must discuss your needs with you to see how you can practice your religion while at work. Your employer can suggest alternative ways to accommodate your needs, and may even end up denying your request, but they must make a good faith effort to find a solution to accommodate your needs.

In 2022, the U.S. Supreme Court weighed in on the “undue hardship” standard under federal law (which also applies to Massachusetts employees). In a case called *Groff v. DeJoy*, the Court said that an employer must show “substantial increased costs in relation to the conduct of its particular business” in order to deny a religious accommodation. The impact on other employees, in itself, does not rise to the level of undue hardship. (Learn more about the *Groff* case [here](#).)

If you have any questions or need help, please contact CAIR-MA at 617-862-9159 or [info@ma.cair.org](mailto:info@ma.cair.org).

*March 2024*