



A LEGAL REVIEW OF STEREOTYPES, BIASES, AND DISCRIMINATION AGAINST MUSLIM-AMERICAN EMPLOYEES

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Abstract

Approximately fifteen million Muslims live and work in the United States of America. Most of these Muslims are American by birth; yet some confront discrimination, harassment, and retaliation in the workplace because of their religion. Religious discrimination is illegal in the workplace in the United States pursuant to civil rights laws. This article examines the most common challenges that American Muslims face in the workplace. The article then offers pertinent recommendations to organizational leaders so they not only can fulfill their legal duties, but also attract and retain the most qualified workers regardless of their religious affiliations, beliefs, observances, and practices.

Key words: Religion, Islam, Muslims, Civil Rights Act, Title VII, discrimination, harassment, retaliation, accommodation, hijab, prayer, the United States.

Introduction

The workplace is an arena where the private life of an employee, encompassing his or her religious beliefs, and his or her work life can collide, thereby raising important as well as contentious issues of the role of religion in the workplace. The presence of religiously observant Muslim employees in the workplace, as well as employees of other religious beliefs, of course, can create conflicts between workplace policies and rules and religious observances and practices. These conflicts can become acute when the religious beliefs are held by, and the religious practices observed by, employees who are members of minority or nontraditional religions. Tension can also arise among employees when a particular employee's religious practices are perceived to impinge on another employee's work life. Examples of such conflicts and tensions are dress and grooming requirements, religious observances, prayer breaks, ritual washings, religious calendars and quotations, and prohibitions with certain medical examinations, testing, and procedures. Ruan (2008) points out that "as American workplaces become more diverse, it is inevitable that a growing number of workers will desire to express themselves in religious ways in the workplace" (p. 22). Zaheer (2007) adds that the Islamic religion will

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present “unique problems” for employers in seeking to fairly allow religious expression in the workplace due to the “practice intensive nature” of the faith (p. 497). Solieman (2009) points to a report by the Council on American-Islamic Relations (CAIR) concerning the state of Muslim-American civil liberties in the United States, and which includes information on Muslim-Americans in the U.S. workforce. In its 2008 report, the Council reported that discrimination in the workplace increased by 18% from the previous year; and furthermore that in 2003 only 196 cases of employment discrimination were related to the Council, but by 2007 the number increased to 452 (Solieman, 2009, p. 1072).

Religion is a central component to culture and is thus tied closely to cultural identity. The religion of Islam, like other religions, has certain beliefs, observances, and practices that may result in legal, ethical, and practical ramifications for believers who are employees in the modern day workplace. For example, appearance and grooming practices are regarded by many people as integral elements to their religious affiliation, beliefs, and practices. For example, some Muslim men may refuse to shave, and Muslim women may insist on wearing headscarves or head coverings, called hijabs, or refuse to wear certain pants that are not loose-fitting because of their religious beliefs. An employer’s appearance and grooming rules, therefore, may conflict with its employees’ religious beliefs, thereby raising important civil rights issues. Religious beliefs can also form the essence of one’s personal identity. Ruan (2008) explains that “religious expression in particular can communicate many deeply held views. What people wear (such as a head scarf or prayer beads), what and whether they choose to eat (including strict dietary guidelines such as no pork or no meat on certain days or abstaining from all meals for certain periods), and what holidays they find important (such as Rosh Hashanah, Eid-al-Adha, or Good Friday) are expressions communicating both religious identity and the level of commitment that person holds. In many instances, these expressions cannot be changed, at least without altering the core of one’s identity” (pp. 6-7).

Muslims in America

The United States of America is a very pluralistic and heterogeneous country that has traditionally welcomed immigrants from around the world; and thus is a country that contains many different religions. Accordingly, all the world’s principal religions are now observed and practiced in the United States. Gandara (2006) depicts Arab-Americans as “fast-growing minority” and notes that in the last two decades the Arab-American population has increased by at least 40% (p. 171). Gandara also relates that as of September 1, 2004, there were approximately three million Arab-Americans and seven



million Muslim-Americans residing in the United States (p. 171). Zaheer (2007) notes that Islam will soon surpass Judaism as the largest minority religion in the United States, thus “marking the first time in recent American history that a non-Judeo-Christian religion is the most practiced minority faith in the United States” (p. 498).

Abdullah Antepeli, the Muslim chaplain at Duke University, relates the challenges confronting Muslims in a post-9/11 United States:

Although it is the most recent face of discrimination, Islamophobia is nothing new. Islamophobia is very similar to anti-Semitism, homophobia, and racism, with which society has dealt with in the past. To view discrimination against Muslims as a unique issue pertaining only to Muslims would ignore the lessons of history. We must discuss Islamophobia as a human problem that has shown itself in different forms and shapes in other times and in different communities. Unfortunately, we human beings often seek a common enemy. And creating a common enemy is not without its benefits. Defaming and dehumanizing certain groups of people is often the best way to seize or hold power. It justifies certain foreign, domestic, and economic policies and unifies disharmonious factions....Even though it should be understood as a persistent human problem, Islamophobia has become a growing concern since 9/11.... why are things worse after 9/11? After the attacks, people were upset, people were confused, and they were questioning the nature of Islam....So, since 9/11, Islam has been decried as evil and a religion of terrorists. Muslims have been branded as primitive, vengeful, and angry people who oppress women, who are anti-gay, and who possess values that are irreconcilable with the Western Judeo-Christian civilization. This message has been repeated so many times that it is no longer just an idea or an unfounded claim. It has started sinking into the hearts and minds of many people as a reality (Antepeli, 2010, pp. 1-2).

Another challenge facing Muslims in the U.S. today is their stereotyped portrayal by Hollywood in movies and television shows. Yin (2010, p. 103) recounts that “long before the September 11, 2001 terrorist attacks, Muslims - especially Arab Muslims – had been a stock set of characters in American television shows and movies....Hollywood has long stereotyped Arabs as blonde-lusting sheikhs or uncivilized terrorists. Unsurprising, since 9/11 there has been an explosion of thriller programs focusing on terrorism, often with Arab and/or Muslim villains.” In reviewing the new programming by the entertainment industry, Yin (2010) concludes:

The results are mixed. On the one hand, while Arabs and Muslims are

still frequently depicted as terrorists, television and movie producers have made greater efforts to show Arab-Americans actively participating in counterterrorism. On the other hand, those ‘good’ Arab roles are still secondary characters whose contributions, though important on-screen, do not do justice to their real life counterparts. In addition, many of the new programs introduce a sinister new type of terrorist: the ‘sleeper.’ The new archetype is a seemingly normal Arab-American who insidiously plots to carry out terrorist attacks from inside the country.

Television shows and movies are, of course, stylized fiction, and their stereotyped depictions are not the same thing as actual discrimination against Arabs and Muslims. However, as one defender of movies with Arab villains notes: ‘Hollywood reflects the perceptions and anxieties of the times.’ It may be that Hollywood produces movies and television shows with Arab villains because that is what the audience expects (p. 104).

Muslims in the Workplace

The workplace is an arena where the private life of an employee, encompassing his or her religious beliefs, and his or her work life can collide, thereby raising important as well as contentious issues of the role of religion in the U.S. workplace. The presence of religiously observant Muslim employees in the workplace, as well as employees of other religious beliefs, of course, can create conflicts between workplace policies and rules and religious observances and practices.

Bader (2011, p. 274) thus concludes that “Muslims have faced great difficulty protecting their right to practice their faith in the workplace. This is particularly true because of the general American antipathy towards Muslims in recent history, especially since the terrorist attacks of September 11, 2011.”

Religion and Title VII of the Civil Rights Act

The Civil Rights Act of 1964 is the most important civil rights law in the United States. This statute prohibits discrimination by employers, labor organizations, and employment agencies on the basis of race, color, sex, religion, and national origin. (Civil Rights Act, 42 U.S.C. Section 2000-e-2(a) (1)). Regarding employment, found in Title VII of the statute, the scope of the statute is very broad, encompassing hiring, apprenticeships, promotion, training, transfer, compensation, and discharge, as well as any other “terms or conditions” and “privileges” of employment. The act applies to both the



private and public sectors, including state and local governments and their subdivisions, agencies, and departments. An employer subject to this act is one who has 15 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year (42 U.S.C. Section 2000e(b)). One of the principal purposes of the act is to eliminate job discrimination in employment (Cavico and Mujtaba, 2008). The focal point of this work is Title VII of the Civil Rights Act, which deals with employment discrimination.

Religion, like race, color, sex, and natural origin, is a protected category pursuant to Title VII of the Civil Rights Act of 1964. Consequently, employers are forbidden from discriminating against employees due to the employees' religious beliefs, observances, and practices when carrying out those beliefs (Civil Rights Act of 1964, 42 U.S.C. Section 2000e). Discrimination is forbidden regarding any aspect of employment, including hiring and discharge, layoffs, pay, job assignments, promotions, training, benefits, as well as any other terms or conditions of employment (Religious Discrimination, EEOC, 2010). The Civil Rights Act of 1964 in Title VII, as amended in 1972, broadly defines "religion" to include "all aspects of religious observance and practice, as well as belief" (Civil Rights Act of 1964, Title VII, 42 U.S.C. Section 2000e(j)). The U.S. Supreme Court defined religion as a "sincere and meaningful belief which occupies in the life of its possessor a place parallel to that filled by the God" (United States v. Seeger, 1965). The Supreme Court also required that the beliefs professed by a person be sincerely held (Welsh, 1970). Religious beliefs, however, include any religious beliefs, regardless of the religion being a "traditional" or "mainstream" one; religion also encompasses any set of ethical or moral beliefs as well as agnosticism and atheism or the right not to believe (Tiano v. Dillard Department Stores, 1998; Young v. Southwest Savings & Loan Association, 1975). The EEOC also notes that the protections against discrimination based on religion extend to people who hold sincere ethical or moral beliefs (Religious Discrimination, EEOC, 2010). There are certain exemptions to the religious discrimination provisions in Title VII. Religious corporations, associations, and educational institutions are allowed to discriminate based on religion if they choose to limit employment to persons of a particular religion (Civil Rights Act, 42 U.S.C. Section 2000e-1(a)). Also, colleges and schools that are run by religious organizations or whose curriculum is designed to propagate a particular religion have a similar exemption (Civil Rights Act, 42 U.S.C. Section 2000e-2(c)).

Religious discrimination claims can be based on the disparate treatment and disparate or adverse impact theories of discrimination law as well as the employer's failure to reasonably accommodate the religious beliefs

of the employee, as will be seen (Cavico and Mujtaba, 2009). There are several types of relief for an aggrieved employee pursuant to Title VII. The employee can receive back pay, reinstatement, front pay (that is, compensation the employee would have earned had he or she been reinstated where reinstatement is impractical), compensatory damages, including economic damages as well as damages for pain and suffering and emotional and mental distress, and punitive damages (where the employer has acted with malice or in reckless indifference to the employee's federally protected rights) (Houston, 2010). Courts can also order injunctive relief against specific illegal employment practices, such as discriminating against employees or retaliating against the employee or fellow employees in the protected category (Houston, 2010). Pursuant to Title VII, when the aggrieved employee seeks compensatory or punitive damages, either the employee or the employer may demand a jury trial; but if the plaintiff only seeks equitable remedies, such as back pay, reinstatement, or front pay (which are treated as equitable remedies pursuant to Title VII law), then neither party can demand a jury trial (Houston, 2010).

The Equal Employment Opportunity Commission

Civil Rights laws are enforced in the U.S. by the federal government regulatory agency – The Equal Employment Opportunity Commission (EEOC). The EEOC is permitted to bring a lawsuit on behalf of an aggrieved employee, or the aggrieved employee may bring a suit himself or herself for legal or equitable relief. It also again must be stressed the Civil Rights Act is a federal, that is, national law. Since the U.S. is a federal system, it accordingly must be noted that almost all states in the U.S. have some type of anti-discrimination law – law, moreover, which may provide more protection to an aggrieved employee than the federal law does. Regarding claims of religious discrimination, The Civil Rights Act allows any person who is aggrieved by a violation of the statute to institute a civil action in any court of competent jurisdiction for any and all legal redress which will effectuate the purposes of the statute.

Religious Discrimination

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When the EEOC finds “reasonable cause” it grants the aggrieved party a “right-to-sue” letter which allows the employee to proceed to the federal courts. The agency itself actually may go to court on behalf of the complaining employee, or the employee may also choose to be represented by private legal counsel. Regardless, in either situation, the *prima facie* case is the required initial case that a plaintiff employee asserting discrimination must establish. Basically, *prima facie* means the presentment of evidence which if left unexplained or not contradicted would establish the facts alleged. Generally, in the context of discrimination, the plaintiff employee must show that: 1) he or she is in a class protected by the statute; 2) the plaintiff applied for and was qualified for a position or promotion for which the employer was seeking applicants; 3) the plaintiff suffered an adverse employment action, for example, the plaintiff was rejected or demoted despite being qualified, or despite the fact that the plaintiff was performing his or her job at a level that met the employer’s legitimate expectations; 4) after the plaintiff’s rejection or discharge or demotion, the position remained open and the employer continued to seek applicants from people with the plaintiff’s qualifications. These elements if present give rise to an inference of discrimination.

The burden of proof and persuasion is on the plaintiff employee to establish the *prima facie* case of discrimination by a preponderance of the evidence (Equal Employment Opportunity Commission v. The GEO Group, Inc., 2010; Gul-E-Rana Mirza v. The Neiman Marcus Group, Inc., 2009; Grisham, 2006). In the case of *Imtiaz v. City of Miramar* (2009), the plaintiff, a Muslim employee of Indian origin, alleged in his initial complaint that he was subject to “numerous discriminatory remarks and harassment” and was assigned “undesirable tasks” that were not assigned to other similarly situated non-Indian and non-Muslim employees (p. 3). He sued for religious, national origin, and racial discrimination and harassment; but the federal district court dismissed the lawsuit for the failure to establish a *prima facie* case due to the “vagueness” and factual inadequacy of the allegations in his complaint (*Imtiaz v. City of Miramar*, 2009, pp. 3-4). To compare, in the federal district court case of *Talibah Safiyah Abdul Haqq v. Pennsylvania Department of Public Welfare* (2010),



the plaintiff employee, a Muslim woman who practiced a form of veiling that required her to cover her whole body with the exception of her hands and face, was a probationary income maintenance employee, who was not hired for a permanent position due to negative performance evaluations. She claimed religious discrimination; and sustained a prima facie case by showing that non-Muslim trainees received better training, more attention from their training supervisor, and were granted more latitude to make mistakes without suffering repercussions (Talibah Safiyah Abdul Haqq v. Pennsylvania Department of Public Welfare, 2010, p. 18).

Disparate Treatment

“Disparate treatment,” as noted, in essence means intentional discrimination. That is, the employer simply treats some employees less favorably than others because of their protected characteristics. The Equal Employment Opportunity Commission provides an example of disparate treatment of religious expression in the workplace, to wit: an employer allowing one secretary to display a Bible on her desk at work, while telling another secretary in the same workplace to put the Quran on his desk out of sight “because co-workers will think you are making a political statement, and with everything going on in the world right now, we don’t need that around here” (Questions and Answers about Religious Discrimination in the Workplace, EEOC, 2010, p. 3). Proof of a discriminatory intent on the part of the employer is critical to a disparate treatment case. The plaintiff employee can demonstrate this intent by means of direct or circumstantial evidence; but the employer’s liability hinges on the presence of evidence that discrimination actually motivated the employer’s decision. A disparate treatment case will not succeed unless the employee’s protected characteristic actually formed a part to the decision-making process and had a determining affect on the outcome.

The federal district court case of Mohammed Karim v. The Department of Education of the City of New York (2010) will serve as an example of disparate treatment. In that case, a Muslim teacher, teaching English as a second language, was discharged, purportedly for a sufficient and non-discriminatory reason of unsatisfactory teaching based on performance reports. However, the evidence indicated that the school’s principal made a number of discriminatory comments about the plaintiff teacher, for example, stating that Muslim men treated women badly, and that during Ramadan plaintiff’s breath was “foul.” Moreover, the evidence indicated that the principal purposefully delayed the plaintiff’s performance report

in order to give it to him on a Muslim holiday so as to cause him distress. The court ruled that these comments and actions raised an inference of a discriminatory animus against the plaintiff teacher (*Mohammed Karim v. The Department of Education of New York*, 2010, p. 25).

Direct v. Circumstantial Evidence

Direct evidence is evidence that clearly and directly indicates the employer's intent to discriminate; that is, such evidence is the motivating factor, and thus the proverbial "smoking gun," that directly discloses the employer's discriminatory intent (*Nazeeth Younis v. Pinnacle Airlines, Inc.*, 2010; *Gul-E-Rana Mirza v. The Neiman Marcus Group, Inc.*, 2009). To illustrate, in the case of *Yussef Johnson v. Comer Holding LLC and CL Automotive LLC* (2010), a Muslim employee, an operations manager at an automotive facility, was discharged for certain performance issues. He claimed discrimination and claimed as direct evidence of discrimination three instances: 1) the company's director of human resources forwarded to the plaintiff employee along with nine other employees, and knowing that plaintiff was a Muslim, a "chain-letter" with a Christian religious theme and a Biblical verse; 2) the director of human resources saying in the context of another employee who was complaining of a malady and contemplating taking medication that the director of human resources saying he would take the medication if "Man, I'm hurting like a Muslim"; and 3) the plant manager saying to plaintiff that he wanted to have a "Come to Jesus meeting" with him to discuss performance issues (pp. 17-19). The court, however, found that the three aforementioned incidents did not constitute sufficient evidence of a discriminatory animus to the plaintiff employee. The court explained that the "chain-letter" did have a Christian context, and could be construed as "impolite and insensitive," but was not demeaning or derogatory toward Muslims or non-Christians; that the term "come to Jesus" in the context of a meeting had a neutral meaning; and that term "hurting like a Muslim," though "peculiar," was not derogatory toward Muslims (*Yussef Johnson v. Comer Holding LLC and CL Automotive LLC*, 2010, pp.19-21).

Yet as emphasized by Solieman (2009): "Of course, clear proof of an employer's intent simplifies a Title VII case. For the most part, however, cases with proof are few and far between" (p. 1093). Accordingly, as one court noted, the term, "direct method," is a bit "misleading" since it encompasses not only "direct" direct evidence, such as admissions of discriminatory motive, but also indirect circumstantial evidence that suggests or raises an inference of discriminatory motive (*Abuelyaman v. Illinois State University*, 2011, pp. 809-10). To illustrate, in the case of



Abuelyaman v. Illinois State University (2011) an Arab Muslim professor who was not granted tenure claimed that he was not granted tenure due to religious discrimination; and offered as evidence the fact that the tenure determination was based in part on student evaluations of his teaching, which he felt were unduly prejudicial due to his religion and nationality. However, the university rebutted any inference of discrimination by showing that three other non-tenured assistant professors, who were not in a protected class, were also denied tenure due to average or below-average marks on evaluations (*Abuelyaman v. Illinois State University*, 2011).

In seeking to build a case, another commentator noted that “offering direct proof of motive in the form of ...slurs or other incriminating behavior is a more common approach, and one that is likely to be more effective. Such evidence must, however, be evaluated on a case-by-case” (Labriola, 2009, p. 380). A very instructive illustration is the federal appeals case of *El-Hakem v. BUY, Inc.* (2005), where the fact that a company’s CEO gave an employee, a native of Egypt and a practicing Muslim, a “Westernized” nickname, “Manny,” and continued to use that nickname for over a year despite repeated objections from the employee, who wanted to be called by his given name, “Mamdouh,” was deemed to be sufficient evidence of an intent to discriminate based on race, even though the name “Manny” is not a racial insult or epithet. The federal appeals court also found that the CEO’s conduct was severe enough for a finding of a hostile work environment (*El-Hakem*, 2005). One legal commentator noted that the requisite level of the conduct varies inversely with the frequency and duration of the conduct; and “therefore, although (the CEO’s) conduct may not seem severe on its face, the required level of severity is lower because of the higher frequency and pervasiveness of (the CEO’s) conduct” (Milz, 2006, pp. 289-90). Another example of a direct evidence case provided by Solieman (2009) dealt with an Arab plaintiff who was able to establish a *prima facie* discrimination case against his employer by submitting evidence that the employer stated that she wanted to “get rid of all the Arabs” (p. 1083). To compare, in the federal district court case of *Yassim Mohamed v. Public Health Trust of Miami Dade County* (2010, pp. 21-22), the following statement by a supervisor made to a Muslim employee of Indian descent who requested and received a religious accommodation to attend Friday worship services was not construed by the court as sufficient evidence of direct discrimination, to wit: “So you went over my head....This is a Christian country. If I give you time off to go to the mosque, I have to give everybody time off to go to church. We don’t kill people here. Your religion is your problem.” The employee who was a probationary employee was ultimately terminated for performance reasons.

Circumstantial evidence can also be used in a discrimination case. Illegal discrimination is an intentional legal wrong. Since proof of this wrongful intent – discriminatory or otherwise - is notoriously difficult for a plaintiff to obtain, the courts at times permit discriminatory motive to be inferred from the facts of the case (*Gul-E-Rana Mirza v. The Neiman Marcus Group, Inc.*, 2009).

Problematical discriminatory situations would arise from suspicious timing of or even from the fact of differences in treatment, such as better treatment of similarly situated employees not in the protected class (*Nazeeth Younis v. Pinacle Airlines, Inc.*, 2010; *Gul-E-Rana Mirza v. The Neiman Marcus Group, Inc.*, 2009).

Recommendations for Employers and Managers

A multi-religious workplace in the “best of times” presents legal, ethical, and practical challenges to employers and managers, especially regarding how to prevent conflict, avoid discrimination, accommodate religion, and yet maintain a profitable business. However, the terrorist attacks on September 11, 2001 surely have contributed to a culture of bias and discrimination against Muslim and Arab-American employees in the workplace.

As national security prerogatives filter perceptions of Muslims through the prism of terrorism, the Muslim ‘veil’ has become a symbol of terror. The critical shift in perception results in palpable adverse consequences to a Muslim woman’s freedom of religion, freedom of individual expression, and physical safety.... The shift in meaning of the Muslim headscarf is due in large part to a recasting of Islam as a political ideology as opposed to a religion. Once this definitional shift occurs, acts that would otherwise qualify as actionable religious discrimination are accepted as legitimate, facially neutral national security law enforcement measures or protected political activity by private actors. Recasting thus serves as the basis for calls to deny Muslims rights otherwise protected under the law. Moreover, mundane religious accommodation cases become evidence of stealth, imperialistic designs of hostile ideology. Contrary to America’s traditional deference to religious precepts in personal affairs, opponents of mosque construction and Muslim religious accommodation dismiss religious freedom for Muslims as inapplicable by focusing on extremist Muslims to shift the debate to Islam’s alleged pathological violence (pp. 193-94).

Nonetheless, Civil Rights laws exist to protect the rights of all employees in the workplace. The EEOC and the courts have been enforcing such laws



to prevent discrimination against Muslim and Arab-American employees. Accordingly, employers must comprehend the importance of educating and training employees, including and especially managers and supervisors, to act in a legal manner as well as the consequences for not acting legally. Employers also must instruct their employees to be culturally competent, that is, to be cognizant of and sensitive to their employees' religious beliefs, observations, and practices as well as their cultures, heritage, and ethnic backgrounds. Regarding the employer's duty to make a reasonable accommodation to an employee's religious observations and practices, it must be emphasized that when the employer makes no effort to accommodate the employee the employer places itself in a very precarious legal position. As noted, the courts in such a case will be very skeptical of any subsequent undue hardship claim. The employer must at the least attempt to accommodate the employee in a reasonable and good faith manner. Bader (2011) sets forth the religious context:

Failure to accommodate prayer is the one of the most common complaints by Muslim employees. Muslims pray five times a day, for a few minutes each time. Muslim men also participate in special prayers held each Friday at a mosque. Islamic grooming and dress standards also cause friction between employer and employee. Men are encouraged to wear beards as a show of piety. Some interpretations of Islam hold that women should dress in body-covering clothing that hides their female form, including khimars, which cover head and neck. Some Muslims...believe this dress style to be mandatory to protect women's modesty (pp. 274-75).

Accordingly, accommodation suggestions would be whenever possible and practical to allow Muslim women to wear headscarves, to wear shirts untucked to accommodate a desire for modesty in appearance, for men to wear beards, and to allow Muslim employees to pray during their breaks (Bader, 2011).

The authors hope that the review of laws and management commentary provided in this article will provide some guidance to employers in promulgating policies, procedures, and standards in the effort to reasonably accommodate the religious beliefs, observances, and practices of their Muslim employees. Furthermore, it must be emphasized that educating the workforce is a critical element to legally, morally, and practically solving religious issues and potential conflicts in the workplace. Accordingly, awareness of, tolerance to, and respect for other religions and their observances and practices should be included by the employer in the employees' diversity, sensitivity, and cultural competency education and

training (Mujtaba, 2010). The goal should be for the employees to embrace religious diversity, as they are inculcated to do, and hopefully will do, with other forms of diversity.

Summary

Muslim-Americans face many challenges in the United States today, particularly after the attacks of September 11, 2001 and America's ongoing commitment to Iraq, and the continuing war in Afghanistan. One of these challenges will be religious and national origin discrimination in the workplace. Furthermore, the number of Americans practicing Islam has increased substantially, and will continue to increase. Consequently, employers too very likely will find themselves confronted with the contentious issue – legally, morally, and practically – on how to deal with Muslim employees in the workforce and especially how to accommodate the religious needs of their diverse employees in an equitable and efficacious manner.

One “theme” to this work is surely that the prudent and wise managers are well-advised to be cognizant of important civil rights anti-discrimination statutes. Accordingly, a primary objective of this article was to make sure managers treat employees in a legal, fair, and ethical manner. Another objective of this article was to provide to managers practical suggestions and recommendations on how to solve the accommodation v. burden dilemma; and thus to help managers accommodate in a reasonable manner the religious beliefs, observances, and practices of their Muslim employees without undergoing any undue hardship. The authors hope that the information, examples, and insights they provided will be helpful to managers who seek to attain a legal and ethical, fair and equitable, efficient and effective, and value-maximizing workplace.

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