

Insights, News & Events

## MY PREACHER MADE ME DO IT! RELIGIOUS EVANGELIZING IN THE BIBLE BELT WORKPLACE

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Courtney Leyes' article "My Preacher Made Me Do It! Religious Evangelizing in the Bible Belt Workplace" was featured in *HR Professionals* magazine on June 30, 2015.

Down South, it is no secret that many of us are deeply religious. Referred to as the "Bible Belt," we have a workforce that is predominantly Judeo-Christian, and many are members of churches that encourage, if not require, their members to evangelize, or proselytize – to "share the Word" with the world, which includes other employees in your workforce. This includes wearing shirts and buttons, sharing pamphlets, recruiting other members for church services and Bible studies, having religious quotes as part of e-mail signature blocks, etc. And not only is our workforce predominantly Judeo-Christian, but there are small businesses that have established Christian, family-oriented business cultures. Personally, I have attended luncheons at a client's workplace, where the luncheon was opened with prayer by management.

Where is the rub? While Title VII requires an employer (of 15 or more employees) to provide reasonable religious accommodations, which may include the proselytizing activities described above, Title VII also requires an employer to maintain a workplace free from unlawful harassment. If you are a public employer, your headache is about to get worse. If you are a public employer, not only must you strike the delicate balance between the requirement to reasonably accommodate and provide a workplace free from unlawful harassment, but you have

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**Courtney Leyes**

Partner

615.488.2902

constitutional obligations as well. Public employers, under the United States Constitution (and their state's constitution), are prohibited, under the Free Exercise Clause of the First Amendment, from "prohibiting the free exercise" of religion. The "exercise of religion" can include proselytizing. So how do employers, either public or private, strike this balance? To get to that answer, we must first examine briefly your obligations under the law. Then, we will examine some exemplar cases on both sides of the issue. And finally, I will provide you with some practical advice (which will include utilizing the policies you probably already have!), so that you can adequately address some real-life problems involving some form of proselytizing in your workplace.

In the article, Courtney discusses what HR professional can do regarding an employee's proselytizing in the workplace.

Courtney advises employers to use their anti-solicitation policies to prohibit this conduct during work time. Additionally, when faced with a complaint about an employee's proselytizing, employers should conduct an investigation, just as you would do in a complaint alleging sexual harassment. Does the complaint involve a single comment? A single instance? Remember: it is an employer's obligation to take reasonable steps to maintain a workplace free from unlawful harassment. If the complained-of conduct is unwelcome proselytizing, remember that you are not required to permit proselytizing at the expense of your other employees. "My preacher made me do it" is not a valid excuse under the law.

To read the full article, please visit [HR Professional magazine](#).