



WHAT IS CREED ?

Creed has been broadly defined by the Ontario Human Rights Commission (OHRC) to mean “religious creed” or “religion”, but also includes bodies of faith such as the spiritual/faith practices of Aboriginal cultures, as well as more recently established religions (e.g. Wicca). York University policies primarily use the term “religion” and not “creed” in internal policies and guidelines; however, both terms have been used interchangeably, as they are in this fact sheet.

YORK UNIVERSITY POLICY

York University is committed to ensuring that all York community members, including students, staff, faculty, and visitors to the university, receive equal treatment without discrimination on the basis of creed. York University’s Senate Policy governing the setting of sessional dates and examination schedules includes a statement on religious observances.

In addition, York’s list of Religious Observance Dates notes the commonly recognized days upon which individuals belonging to these faiths typically do not work or study, or may have some ritual observance to perform that are incompatible with full attendance on those dates.

This list does not purport to be definitive or all-inclusive, and York recognizes that there may be dates and religions that are not listed.

Religious, Aboriginal and spiritual observances are often highly personal and subjective and requests for accommodation need to be assessed on a case by case basis.

WHAT IS THE DUTY TO ACCOMMODATE ?

When an individual’s religious beliefs conflict with a requirement, qualification or practice in the areas of employment or services such as those in an academic setting like York’s, the Code imposes a duty to accommodate. Provided that they are sincerely held, personal religious beliefs, practices or observances are protected by York University policies and the Code even if they are not considered by all as essential elements of a creed.

For example, even though not all members of the Hindu religion commemorate Diwali, there are those that do consider it to be a holy occasion requiring certain practices to be observed on that day. Religious, Aboriginal and spiritual observances are often highly personal and subjective and requests for accommodation need to be assessed on a case by case basis.

A request for accommodation on a date included in York’s list of Religious Observance Dates may need to consider the extent of conflict between the observance required or belief held on the one hand, and the academic or workplace obligation on the other.

Examples of religious accommodation requests:

- Absence from work or from class, an examination or an assignment, with or without an obligation to make up a test or assignment or work task at another date.
- Absence from scheduled exams with a deferral
- Following a specific dress code

- Temporary absence from class or work for daily prayers, fasting or breaking a fast
- Absence and/or deferral of other required activities outlined in a course syllabus or in an employee’s job description.

PRACTICING ACCOMMODATION

The Ontario Human Rights Commission’s (OHRC) guidelines on accommodation are a useful reference tool in guiding religious accommodation requests:

Person Requesting:

- Take the initiative to request accommodation
- Explain why accommodation is required
- Provide notice of request in writing, and allow a reasonable time for reply
- Explain what measures of accommodation are required
- Deal in good faith
- Be flexible and realistic
- If desired, request details of the cost of accommodation if undue hardship may be a factor





Person/organization Responsible:

- Respect the dignity of the person seeking accommodation
- Assess the need for accommodation based on the needs of the group of which the person is a member
- Reply to the request within a reasonable time
- Grant requests related to the observance of religious practices
- Deal in good faith
- Consider alternatives
- If accommodation is not possible because of undue hardship, explain this clearly to the person concerned and be prepared to demonstrate why

YORK POLICIES & GUIDELINES

Senate Policy on Religious Observance and Religious Accommodation Guidelines

<https://www.yorku.ca/secretariat/policies/policies/academic-accommodation-for-students-religious-observances-policy-guidelines-and-procedures/>

LINKS TO YORK RESOURCES

For more information, contact the Centre for Human Rights, Equity & Inclusion (CHREI).

YorkU Human Rights Policy

<https://www.yorku.ca/secretariat/policies/policies/human-rights-policy-and-procedures/>

YU DEDI Strategy

<https://www.yorku.ca/dedi-strategy/>

YU DEDI Toolkit

<https://www.yorku.ca/dedi-strategy/toolkitdev/>

Religious Accommodations Guidelines (Final Exams)

<https://w2prod.sis.yorku.ca/Apps/WebObjects/cdm.woa/wa/regobs>

EXTERNAL RESOURCES

Ontario Human Rights Commission

<https://www.ohrc.on.ca/en/policy-preventing-discrimination-based-creed>

York University's Centre for Human Rights, Equity and Inclusion (CHREI) promotes and builds a respectful, equitable, diverse, and inclusive university community. We strive to be a leader in providing accessible, impartial, non-adversarial, and confidential programs and services that uphold human rights, facilitate equitable access to opportunities, and champion diversity and inclusion.

We provide free services to current York students, faculty, and staff. To consult our team, call, leave us a message or e-mail us. Leave your name, email, and/or phone number and we will respond within 3 business days.

CONTACT US:

CENTRE FOR HUMAN RIGHTS, EQUITY & INCLUSION (CHREI)

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