

The Religious Accommodation Knowledge Gap of Corporations and Employees: Does Company Size Matter?

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Abstract: The U. S. is the most diverse society religiously in the world as more immigrants arrive with new religions. Religion plays an important role in the values that people hold. Companies develop and disseminate discrimination and harassment policies, assuming that they are protecting their employees' religious beliefs and the companies' welfare from employee litigation and complaints. A major finding of our study is that 75% either reported no policy or they were unaware of a religious accommodation policy and 40% reported no policy or that they were not aware of a religious harassment policy. In analyzing the significance between size of company and religious issues, we found those employed by larger companies were more likely to be unsure as to whether or not their employer had religious policies.

Key words: religious accommodation; discrimination; corporate policy; education; religion and work

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1. Introduction

With over 1500 religions recognized in the US, the US is the most religiously diverse country in the world. As individuals continue to immigrate to the United States, they bring with them diverse religious faiths and beliefs (King, 2008). The freedom of religion enjoyed by the citizens of the U.S. are limited by the negative impact those freedoms may have on the freedom of others.

The workplace has often been viewed as off-limits to any type of religious demonstration (Morgan, 2004); however, this narrow view is changing as a direct result of the unique combination of people who now make up the American workforce. There are approximately 313.9 million people ("US current population", www.census.gov, August 2013); over 27 million firms ("Performance and accountability report", www.census.gov, 2013); and over 80 religious belief systems with over 60,000 members each in the United States (www.census.gov, December 2010).

Many companies are beginning to fully realize and understand the importance religion plays in the workplace. Religion is not merely the belief in some sort of theology or sacred text; rather it often helps shape and defines personal motivations and behavior in every facet of one's life including work life. This is obviously an important consideration in business, thus religion is a more than worthy area of special attention and accommodation within

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the workplace. A better understanding of religion can only help to improve a company's overall performance in relationships with customers and employees (Kim, Fisher & McCalman, 2009; King, 2008).

According to a national Gallup Poll, 95 percent of the national population says they believe in God or a universal spirit, and 90 percent say religion is important (Pew Forum on Religion and Public Life, 2008). Over the last twenty years, it has become common practice to express one's personal views about religious and spiritual topics and to seek religious accommodation in the workplace (Morgan, 2004). Laws governing religious diversity are unclear and corporate policies regarding religion are varied or absent.

Data compiled by the US Equal Employment Opportunity Commission (EEOC) indicates the religious discrimination claims against employers have increased from 1,939 in 2000 to 3,790 in 2010. Much like the number of cases, the monetary rewards over this 10 year period have almost doubled as well (\$9 million awarded in 2010, not counting benefits obtained through litigation) (www.eeoc.gov/eeoc/statistics/enforcement/religion.cfm). "The latest data tell us that, as the first decade of the 21st century comes to a close, the Commission's work is far from finished," said EEOC Acting Chairman Stuart J. Ishimaru. "Equal employment opportunity remains elusive for far too many workers and the Commission will continue to fight for their rights. Employers must step up their efforts to foster discrimination-free and inclusive workplaces, or risk enforcement and litigation by the EEOC." (www.eeoc.gov). With the EEOC putting businesses on notice that discrimination will not be overlooked, it is important to determine what policies exist and how they are communicated.

2. Literature Review

2.1 Religious Accommodation

According to King (2008), in a survey of the top 21 management journals, only four viable articles were found in a ten year period on the subject of religion accommodation at work. Various authors (Hicks, 2002; Grafton, Knowles & Owen, 2004; Ashmos & Duchon, 2000) have conflicting results from their studies of religion in the workplace. There is new interest in religion at work; however few have investigated the communication of religious accommodation policies or the attitudes and understanding of employees with these policies.

As interpreted by the EEOC, religious accommodation laws, "...require an employer to reasonably accommodate an employee's religious beliefs or practices, unless doing so would cause more than a minimal burden on the operations of the employer's business. This means an employer may be required to make reasonable adjustments to the work environment that will allow an employee to practice his or her religion. Examples of some common religious accommodations include flexible scheduling, voluntary shift substitutions or swaps, job reassignments, and modifications to workplace policies or practices." (www.eeoc.gov)

Recently there has been a trend in companies receiving increased requests from employees for various work related religious accommodations such as religious holiday observances, prayer requests, and dress code exceptions for religious belief attire (King, 2008; VonBergen, 2008). The legislation requires organizations and managers to recognize the importance of accommodating employees' diverse religious beliefs and practices and for hiring managers to be aware of discriminatory practices in regards to a candidate's religious affiliation when considering an applicant for an open position (Duffy, 2006; Ghumman & Jackson, 2008; Von Bergen, 2008).

Until recently, the pairing of research involving management related disciplines and religion have been sparse for theoretical and empirical studies, and diversity research regarding religion is lacking (King, 2008). King (2008) posits many scholars avoid studies regarding religion and work because they do not wish to become

involved in the socio-political aspects such as religious radicals or religion-affiliated political groups. The few management studies which have been conducted found a positive correlation between religion and employees' satisfaction, performance, and loyalty. They also found employees who are identified as religious are more open to new ideas and show greater confidence when they feel their organization is accepting of their religious expression (King, 2008). Duffy (2006) states that the majority of businesspeople claim their business decisions and career values are strongly influenced by their religious beliefs. This makes it important for organizations to understand the connection between the practice of religious accommodation and performance, cohesiveness, and effectiveness.

Employers can and do deny religious accommodation requests. However, these denials must be in accordance with the EEOC's standards and within the law as interpreted by the US Supreme Court. If an employer chooses to challenge an accommodation request, then that employer should consider two main points of accommodation laws when justifying their decision. The first is "Sincere Religious Belief". One of the most obvious, yet hardest to prove considerations is if the employee holds a sincere religious belief (Von Bergen, 2008). As Von Bergen (2008) highlights in his research, the religious belief in question does not have to make sense to the employer, but the employee must hold a sincere belief in the religion or principle. Second is "Undue Hardship on Employer". An employer may claim an undue hardship as the basis for denying a request for a religious accommodation. Yet the courts typically find fault with employers who make little or no attempt to accommodate the religious beliefs of their employees or if the employer refuses discussion of religious beliefs in question.

2.2 Increase in Immigrants

In 1970, 4.5% of the population was foreign-born and more than half of those (62%) were of European decent and were overwhelmingly Christian. By 2000, 12% were foreign born and only 16% of that population was of European decent. Many were from Africa or Asia and practiced religions vastly different from those in the U.S. (Grossman, 2008).

The Center for Immigration Studies estimates that the number of immigrants from the Middle East has grown eight times from 1970 to 2001 and is expected to double again before 2010. Almost 75% of these immigrants were of the Muslim faith. According to the 2005 edition of the World Christian Encyclopedia, there are 4.3 million Muslims living in the United States (www.adherents.com, 2005). Experts predict that Islam will surpass Judaism as the second most practiced religion in the United States (Coplan, 2005). Because most companies structure their holidays around the Judeo-Christian observances, the shift to other religious characterizations has caused an increase in the amount of requests for time off to observe alternative religious holidays (Estreicher & Gray, 2006).

2.3 Increase in Religious Accommodation Claims

The increase in the number of religious discrimination claims filed with the EEOC (doubled in the last ten years) reinforces the fact employers are not reacting fast enough when it comes to accommodating religious needs of employees. Some trends in the workplace which seem to be responsible for the increase in the religious accommodation requests and religious discrimination claims included increased employee spirituality, immigrant influx, employees are more knowledgeable of workplace rights, and employee/employer ignorance.

Title 7 of the 1964 Civil Rights Law applies to all companies with fifteen or more employees. Defending a suit can cost over \$100,000 (not counting fines or awards) and take 2-3 years to settle. The courts have generally held that interpretations of the law should err on the side of upholding religious freedom and expression which does not bode well for organizations when suits are filed by employees (Isgur, 2008).

Claims of discrimination under the law typically fall into one of two categories. The first concerns religious beliefs and practices that conflict with rules and conditions in the work place. Typically, these claims involve either work schedules that conflict with religious observances, or employee appearance policies that affect individual decisions in which religion has sway, such as hair length, clothing selection, food accommodations, and religious symbols worn by workers. This would also include requests for activities outside of work such as permission to be excused for religious observances. The second category of religious issues for which employees seek protection relates to harassment. These claims involve incidents where a worker is singled out for hostile treatment because of his or her religious beliefs or incidents where a worker is subject to behavior that is religious in nature, which the worker views as an unreasonable intrusion into his own right to practice or not practice religion (Pearce, Kuhn, & DiLillo, 2005).

2.4 Job Satisfaction

Correlation analysis has shown a strong positive relationship between sales professionals' spirituality at work and job satisfaction. The sales professionals who align their self-concept to their spiritual identity (inner life) express their spiritual identity by meaningful work and by belongingness to the community. Thus, there is an alignment between who one is and what one does, resulting in satisfaction. The same reason holds true for the positive relationship between sales professionals' spirituality at work and commitment to the job. There is a strong negative relationship between sales professionals' spirituality at work and intentions to leave. When there is belongingness, i.e., the feelings of existing together in the community and when one is happy with the work, then one may not intend to leave the job and the organization (Chawla & Guda, 2010).

Kolodinsky, Giacalone, and Jurkiewicz (2008) posited the theory of spillover applying to satisfaction. Spillover, when used in this context, is when a person is satisfied with one part or aspect of their life that satisfaction spills over to another part of their life. This is typically applied to quality of life studies. They found workers who bring strong spiritual values to work will have positively related experiences in work related matters.

In sum, people want their own religion, their particularity, personal respect, and this is more complicated matter than at first it may appear. It is essential to understand the importance and complexity of a person's religion in terms of her or his identity (Sorrentino, 2010).

2.5 Communication

Internal communication plays a key role in organizations. Effective communication contributes to improved teamwork, safety, innovation and quality of decision-making in organizations. Firms that communicate well are 4.5 times more likely to report high levels of employee engagement and 20% more likely to report lower turnover rates than their peers (Wyatt, 2006). Communication between employees and senior management ranks among the top five "very important" aspects of job satisfaction, as reported by both employees and HR professionals in the SHRM Survey in 2007.

Research suggests that effective communication is a leading indicator of financial performance: shareholder returns of companies with effective communication strategies have been found to be more than 57% higher than returns of less effective communicators (Wyatt, 2006). However, trying to pinpoint the benefits of specific communication programs can be a difficult task. Effective communication can have a profound impact on minimizing expenses incurred by employee turnover, customer turnover, decreased product quality, sexual harassment and workplace discrimination, among others. If an effective communication program saves the company even 1% to 5% of these costs, it will justify the time and resources required (Sprague & Del Braccio, 2002).

In an age of increased competition for talent, communication has become a strategic tool for increasing employee engagement, satisfaction and retention. Through effective communication programs, HR professionals can significantly contribute to the success of their organization (Graebner, Lockwood, & Williams, 2007). Research has shown that satisfaction with communication is imperative to job performance and satisfaction as well as overall organizational effectiveness (Ettorre, 1996; Garcia-Zamor, 2003).

An employer's failure to keep up with religious accommodation requests over time can cause a chain reaction of employee dissatisfaction, discrimination claims and negative publicity. Experts say the monitoring of such requests should be built into continuing employer-supervisor communications (Fyock, 2010).

3. Methodology

Our research was focused on understanding the current state of the practice and communication of religious accommodations in the workplace. In particular, we were interested in the relationship of size of company and job satisfaction as they relate to presence of policies, and communication and knowledge of such policies. What is happening in the workplace as far as what employers are willing to accommodate, what employees are requesting, and the communication of policies guided our research.

The participants were alumni from a regional university located in the southeastern U.S. The survey was electronically submitted to all alumni for the time period 1975 through 2008 for whom email addresses were available, resulting in a total of 7664 individuals. Of the 1169 alumni who opened the survey, 1041 responded to the initial question: "Does your company have an official written policy regarding religious accommodation?"

3.1 Respondent Profile

Slightly fewer than 55% of the respondents are male. The median age range is between 41 and 50 years. The year of graduation from the institution ranges from 1975 to 2008, with a slightly heavier concentration over the past 10 years from 1998 to 2008. More than 60 percent of the respondents earned a bachelor's degree, while 38.6 percent earned a master's degree from the institution. Majors include the following fields: accounting, economics, finance, management, marketing, technology, manufacturing systems technology, electronics technology, occupational safety, emergency management, criminal justice, social work, psychology, nursing, communications, mathematics, computer science, computer information systems, political science, geography, and chemistry.

The vast majority of respondents (86.2%) are employed full-time, with 7.1 percent indicating that they are self-employed. Whereas 31 states are identified as employment locations of these graduates, most are employed in Alabama, followed by a distant second in Georgia. Tennessee, Florida, Texas, and Virginia are also indicated with some degree of frequency as employment locations. Over half the respondents indicated that they are employed in a professional occupation, with the next highest response coming from those classified as managers. The largest percentage of respondents (20.8%) is employed in governmental organizations, followed by educational institutions (17.7%), and service organizations (12.8%). The largest group (21.2%) is employed in organizations with more than 5000 employees. The remaining groups were 1-15 employees (15.8%), 16-99 (16.3%), 100-499 (17.9%), 500-999 (11.6%), and 1000-2499 (10.7%). Eighty-seven percent of respondents are Caucasian-American, while only 7.6 percent are African-American. Eighty-nine percent describe their religious affiliation as Christian.

3.2 Existence/Communication of Religious Accommodation Policies

Of the 1,041 alumni who responded to the initial survey question, "Does your company have an official written policy regarding religious accommodation?", 26 percent indicated their company does have such a policy;

34.6 percent said their company does not have such a policy, and the remaining 39.4 percent indicated they were not sure about such a policy. Of those whose company does have a religious accommodation policy, 218 or 83.9 percent indicated that the policy is included in the company's overall diversity policy. Sixteen percent indicated their religious accommodation policy is a separate policy. The majority (71.3%) indicated the policy is enforced, while almost a quarter of the respondents indicated they didn't know whether or not the policy was enforced. Sixty-five percent believe their company's policy does work as intended.

Of the 1,022 respondents to the question: "Does your company have a written policy regarding religious discrimination/harassment?" 607 or 59.4 percent indicated that their company does have such a policy. The remaining responses were divided evenly between those who indicated that there was no such policy and those that were not sure whether or not their company had such a policy. However, 75% either reported no religious accommodation policy or they were unaware of it. The religious discrimination/harassment policy is, for the most part, included in the overall harassment policy, with 94.7 percent making this indication. Only 5.3 percent indicated that their company has a separate policy for religious discrimination and harassment. Almost two-thirds of those indicating a policy exists believe it to be enforced by company officials. The remaining one-third is not sure, while only 12 individuals or 2 percent indicated the policy was not properly enforced. Over half (51.8%) believe that the policy does work as intended.

3.3 Size of Company

Survey responses were analyzed based on number of employees. The categories were: companies with less than 100 employees (small), those with 100 to 500 (medium), and those with 500 or more employees (large), resulting in totals of 268, 150, and 418 respectively. Key survey questions were then analyzed looking at the relationships between these groups. The chi-square test of independence was utilized for the data analysis and a .05 level of significance was determined to be an appropriate parameter for the data analysis.

When asked if their company had an official written policy regarding religious accommodation, we found a significant relationship between number of employees and knowledge of religious policy. In companies with 99 or fewer employees, 18.7% reported a policy, in companies of 100-499, 26% reported a policy, and in companies of 500 or greater, 35.5% reported a policy ($X^2 = 120.5$, $df = 4$, $p\text{-value} = .000$). The remainder of the respondents indicated no policy or that they did not know whether or not there was a company policy. When asked if the policy worked as intended, even though statistical significance was not found, the data indicated that 78% of employees from small companies felt that the policy worked, 65% from medium companies, and 62% of the large companies agreed.

3.4 Religious Accommodation and Number of Employees

Regarding religious accommodations provided by the employer, significant relationships were seen regarding most accommodations. Generally speaking, those employing fewer workers were more likely to provide a particular accommodation than their larger counterparts. Also, it appears that it is more likely that respondents from larger organizations are many times less likely to know whether or not such accommodations are allowed.

The following accommodations were statistically significant as related to company size: 85% of employees in a small company agreed with "My company allows special decoration of office space for holidays"; 75% of both medium and large companies agreed with the statement ($X^2 = 11.145$, $df = 4$, $p\text{-value} = .025$). "My company offers flexible work schedules in order to provide time off for religious observances" revealed 68% of employees from companies below 100 agreeing, 50% of employees from 100-500 agreeing, and 55% agreeing of those from companies above 500 employees ($X^2 = 20.786$, $df = 4$, $p\text{-value} = .000$).

“My company accommodates various religious preferences when planning meetings, workshops, etc.” had 34% of those from small companies, 28% from medium companies, and 28% from large companies agreeing ($X^2 = 14.741$, $df = 4$, $p\text{-value} = .005$). Forty-eight percent from small companies, 41% from medium, and 37% from large companies agreed that their companies accommodate religious practices in the workplace such as prayer, meditation, etc. ($X^2 = 24.164$, $df = 4$, $p\text{-value} = .000$). Forty-nine percent from small companies, 49% from medium, and 54% from large companies agreed with “My company accommodates religious practices regarding dress/personal appearance code such as facial hair, head coverings, etc. ($X^2 = 24.586$, $df = 4$, $p\text{-value} = .000$). And on the borderline of significance ($X^2 = 9.437$, $df = 4$, $p\text{-value} = .051$), 70% from small companies, 66% from medium, and 59% from large companies agreed that “My company allows employees to wear religious messages on clothing such as a Star of David pin, crucifix necklace, ProLife button, etc”.

3.5 Work and Personal Views

Pertaining to questions concerning respondents’ religious practices and beliefs and the role they see these playing relative to their employment, only a few practices/beliefs showed a significant relationship when looking at their responses relating to number of employees in the organization. Those employed in larger organizations were more likely to agree that religion had a positive impact on their work ($X^2 = 20.061$, $df = 8$, $p\text{-value} = .010$) and more likely to agree that they would seek legal remedies if they experienced religious discrimination/harassment at work ($X^2 = 20.954$, $df = 8$, $p\text{-value} = .007$).

Those in medium-sized companies were more likely to consider new employment if they had problems with their religion at work, with 75% of respondents agreeing with this statement ($X^2 = 31.903$, $df = 8$, $p\text{-value} = .000$).

Even though a statistically significance was not found, the data indicated that on the whole, employees across the spectrum of company size believe themselves to be religious, attend religious services often, believe in a higher power, pray to a higher power, and have had experience with religions other than their own.

Survey responses pertaining to work and personal beliefs were also analyzed based on job satisfaction. Respondents were classified, based on their self-reported responses, as either Not Satisfied or Satisfied, resulting in totals of 302 and 538 respectively. When looking at questions concerning respondents’ religious practices and beliefs and how they relate to job satisfaction, most showed a significant relationship between their religious beliefs and degree of job satisfaction. As is indicated in Table 1 below, these results show that those respondents indicating greater job satisfaction were more likely to agree with the following: religion has a positive impact on work, would seek legal remedies if experienced religious discrimination/harassment at work, would consider new employment if had problems with my religion at work, consider themselves to be religious, attend religious services frequently, indicate that religion is very important to them, believe in a higher power, speak or pray to a higher power, and live life according to spiritual beliefs. Also, those indicating greater job satisfaction were more likely to indicate that a person’s religion affects the way they work with that individual.

3.6 Job Satisfaction and Knowledge of Religious Accommodations Policies

Regarding whether or not a company has official written policies to do with religious accommodation/discrimination, there were no significant relationships observed between those who indicated satisfaction with their job and those that are not as satisfied. However, those who are satisfied with their jobs are more likely to indicate that policies work than those who are less satisfied with their jobs (45% of non-satisfied felt the policies worked whereas 61% of satisfied felt they worked ($X^2 = 12.596$, $df = 2$, $p\text{-value} = .002$).

4. Discussion

People tend to bring their religious beliefs to work with the assumption everyone else has pretty similar belief systems, but that's just not always the case. This is a country of multiple beliefs and multiple religions, and not all of them agree with each other. Religion and work are more closely tied together than most individuals care to admit. Employers must seek to balance religion and work and must determine an appropriate response to the growing religious diversity in the workplace.

We investigated the relationship of communication and knowledge of religious accommodation policies and the size of companies. A major finding of our study is that 75% either reported no policy or not knowing if their company had a religious accommodation policy and 40% reported no policy or that they were not aware of a religious harassment policy. Thirty-two percent did not know if the accommodation policy worked while 44% did not know if the religious harassment policy worked.

When looking at communication and knowledge of religious accommodation and discrimination policies as related to size of company, we found employees from smaller companies reporting fewer policies. This was not surprising because employees in small companies often know one another and accommodation is practiced in a more informal manner. However, employees in larger companies were unaware of the existence of such policies. This is a very troubling finding. Large companies have sophisticated human resource departments, multiple policies, and training programs. There is a gap between what the HR department is disseminating and what the employees are hearing. When that is combined with unsatisfied employees reporting fewer policies, the ground work is laid for multiple problems and possible litigation.

Training in religious diversity could remedy the lack of knowledge of both religious diversity and religious policies. Education can be the key to the accommodation of religious rights of members of minority religions, which in turn protects the principle of religious rights for all. This type of education can help employees to be more open-minded and understanding about the views of others as well as have a better understanding of views held by those working around them. Diversity boards comprised of several religions could assist people in discovering that religions share many values.

In addition, needed training should focus on helping managers fully understand the company's religious discrimination and harassment policies which create a supportive work environment. The understanding of these policies will help managers to react to religious accommodation requests correctly as well as to communicate the policy clearly. Managers need to be sensitive to each request regardless of how foreign it may seem. Not all requests must be met, but the employer is obligated to accommodate any request that will not produce undue hardship.

Effective communication is an integral issue in effective management. In order to be successful, organizations should have comprehensive policies and strategies for communicating with its constituencies: employees, stakeholders and the community at large.

Intuitively, human resource professionals would vote a resounding affirmation that companies have religious accommodation policies; and we would agree with that. However, from this research, it appeared that employees were not knowledgeable of such policies. The more dissatisfied employees were, the more they reported the absence of policies or that the policies did not work. This is dangerous for the company and could subsequently result in more religious litigation. And, finally, companies are in jeopardy of increased employee problems when communication is unclear or non-existent concerning policies. In our sample, those in large companies stated that they would seek legal remedies if they experienced religious discrimination/harassment at work.

5. Limitations

Exploration of the effects of religion in the workplace will continue to expand as religious diversity increases and becomes more apparent in organizations. As with any study some minor weaknesses were evident. This research was geographically restricted to participants primarily located in what is known as the “Bible belt” (southeast U.S.). The data collected were self-reported. Caution must be advised as the results are confined to college graduates. Finally, the concepts of religious accommodation examined and the findings of the study do, in essence, replicate some common understandings in the literature.

6. Future Research

Despite its limitations, the study results suggest several areas of interest for future research. First, due to the scope of the study, several of the concepts that were not included may provide additional insights. Second, in order to further the understanding of the boundaries and generalizability of this study’s findings, new studies should attempt to focus more on human resource managers and their understanding of religious accommodation policies and/or expand the sample to include other regions of the US. Finally, consideration must be given to creating a longitudinal study, replicating this study with the same sampling frame in order to follow the impact of immigration, education/training of employees, and dissemination of information concerning religious accommodation. Our investigation of the communication of religious accommodations is a new area that needs additional investigation.

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