

□ **“Your Rights and Responsibilities as an American Muslim”**
Know Your Rights

POCKET GUIDE
KNOW YOUR LEGAL RIGHTS AS AN EMPLOYEE

Federal law makes it illegal for an employer to discriminate against an employee on the basis of religion, race, or national origin.

Title VII of the 1964 Civil Rights Act guarantees your right to:

1. Reasonable religious accommodation.

The failure of an employer to reasonably accommodate your religious practices may constitute employment discrimination. “Religious practices” include wearing a hijab or beard, prayer breaks, going to Jummah (Friday) prayers, going on Hajj, etc.

2. Fairness in hiring, firing, and promotions.

Your employer is prohibited from considering race, national origin, or religion when making decisions affecting you at work.

3. A non-hostile work environment.

Your employer must ensure that you are not subjected to anti-Muslim insults, harassment or unwelcome and excessive proselytizing.

4. Complain about discrimination without fear of retaliation.

Federal law guarantees your right to report an act of alleged employment discrimination. It is illegal for your employer to retaliate against you for your complaint.

WHEN FACED WITH DISCRIMINATION ON THE JOB

1. Remain calm and polite.

2. Inform the offending party that you believe his/her actions are discriminatory.

3. Report the discriminatory action in writing to company management.

4. Document the discrimination by saving memos, keeping a detailed journal, noting the presence of witnesses and making written complaints. Make sure to keep copies of all materials. It is important to keep a “paper trail” of evidence.

5. Ask to be transferred to another department or job site.

6. Ask for mediation.

7. DO NOT sign any documents or resign from your position without first consulting an attorney.

8. Contact CAIR at 202-488-8787, civilrights@cair.com , or www.cair.com.
9. Contact the Equal Employment Opportunity Commission (EEOC) at 800-669-4000 or www.eeoc.gov.

KNOW YOUR RIGHTS AS A STUDENT

1. You have the right to wear religious clothing. You also have the right to wear clothing with a religious message, as long as other clothes with similar messages are allowed.

2. You have the right to inform others about your religion. You have the right to pass out literature or to speak to others about Islam, as long as it is not done in a disruptive manner.

3. You have the right to organize student-led prayers on campus, as long as the service is not disruptive to the function of the school.

4. You may have the right to attend Friday prayer. The Supreme Court has upheld the right of states to allow students “release time” to attend religious classes or services.

5. You have the right to be excused from school for religious holidays. You should be sure to inform the school in advance that you will be absent in advance.

6. You have the right to be excused from class discussions or activities that you find religiously objectionable.

7. You have the right to form an extracurricular Muslim student group.

8. You have the right to express political views by passing out leaflets, holding meetings, etc., as long as you do not cause disruption.

KNOW YOUR RIGHTS AS AN AIRLINE PASSENGER

As an airline passenger, you are entitled to courteous, respectful and non-stigmatizing treatment by airline and security personnel. It is illegal for law enforcement officials to perform any stops, searches, detentions, or removals based solely on your race, religion, national origin, sex, or ethnicity.

If you believe you have been treated in a discriminatory manner, you should:

1. Ask for the names and ID numbers of all persons involved in the incident. Be sure to write down this information.

2. Ask to speak to a supervisor.

3. Politely ask if you have been singled out because of your name, looks, dress, race,

ethnicity, faith, or national origin.

4. Politely ask witnesses to give you their names and contact information.
5. Write a statement of facts immediately after the incident. Be sure to include the flight number, the flight date, and the name of the airline.
6. Contact CAIR to file a report. If you are leaving the country, leave a detailed message with the information above at 202-488-8787 or at www.cair.com.
7. It is also important to note the following:
 1. A customs agent has the right to stop, detain and search every person and item
 2. Screeners have the authority to conduct a further search of your bags.
 3. A pilot has the right to refuse to fly a passenger if he or she believes the passenger is a threat to the safety of the flight. The pilot's decision must be reasonable and based on observations, not stereotypes. (Special thanks to the American Civil Liberties Union)

KNOW YOUR RIGHTS IF LAW ENFORCEMENT CONTACTS YOU

American Muslims strongly support law enforcement and the protection of our national security. As Americans, we also value civil rights. All Americans have the constitutional right to due process and to be politically active.

If you know of any criminal activity taking place in your community, it is both your religious and civic duty to immediately report such activity to local and federal law enforcement agencies.

If you are visited by federal law enforcement agencies, remember:

1. You have the right to have a lawyer present when speaking with federal law enforcement agencies. This is true even if you are not a citizen or have been arrested or detained. This is your legal right. Refusing to answer questions cannot be held against you and does not imply that you have something to hide. Answering a question incorrectly can hurt you more than not answering at all. An attorney is best able to protect your rights.
2. You do not have to permit any law enforcement officer to enter your home or office if they do not have a warrant. Law enforcement agents must have a search warrant, except in emergency situations, in order to enter your house. If they say they have a warrant, politely ask to see it before allowing them to enter. If they have a warrant, be courteous and polite, but remember that you are under no obligation to answer questions without a lawyer present. You should tell the agents that you do not consent to the search so that they cannot go beyond what the warrant authorizes.
3. You should never lie or provide false information to any law enforcement agencies. Lying to law enforcement agents under any circumstance is a federal crime.

4. Remember to ask any investigator who visits you for a business card so you can give it to your lawyer. At least get the name, contact information and agency of the officer.