

Does the practice of religion at work affect productivity?

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ALTHOUGH the practice of religion at work is not treated as such in the Work Code, sociocultural considerations and practices push employers toward greater flexibility and realism. The issue is ultra sensitive as it relates to a domain which is by its nature emotive.

Legally, nothing obliges an employer to commit itself, either in terms of local adjustments or in terms of work duration. The conversion of an area dedicated for prayer is discretionary. No-one can therefore complain of the absence of a mosque at his place of work. Such absence, contrary to what some unions maintain, cannot be deemed a breach of labour laws. In public administrations and establishments, the presence of a "worship corner" is an old tradition.

Parliament, however, poses the principle of non-discrimination and freedom of religion. In article 9 of the Work Code it is stated: "Against all employees is prohibited all discrimination based on race, colour, sex, handicap, marital status, religion... having the effect of violating or altering the principle of equal opportunity or treatment on an equal footing in terms of employment or professional practice...", but in practice, since one "May 16" (2003) and the attacks in Casablanca signs of religious affiliation, in particular the veil, and not welcome in many companies. Similarly, the headscarf has become more and more a discriminating factor in hiring practices.

The only injury to religious freedom tolerated by the law relates to proselytising within the company. If an employee is guilty of religious activism, the employer can restrict the freedom of religion provided for in the law. In the absence of an area set aside for prayer, it's system "D" which prevails ("Necessity is the mother of invention,"). Basements, archive rooms, empty offices, even the roof terrace of the building become "mosques".

Furthermore, the practice of religion should not affect the quality and disrupt the organization of work. Inevitably, the question of the encroachment of prayer time on work time arises. To avoid abuses, some businesses limit prayer times, while others ban them.

Many employees view prayer as a necessity for their psychological balance, and banning it can cause a lack of motivation and can be equated to a lack of respect. Nonetheless, this is not the view of some employers. "Religion is a personal thing, not to be imposed on others. Employees are free to practice their faith, provided that it is discreetly", affirms the DHR of a multinational pharmaceutical industry company. Also, according to entrepreneurs, these places of worship can become curious places serving as seats of informal union activity. Such abuses risk sanctions, even if the employer has not made provision in this regard in its internal regulations, warns a DHR.

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