

Business

THE RIGHT THING

JEFFREY L. SEGLIN

Regulating Religious Life In the Office

IF you've studied history, religious wars are the longest, nastiest and bloodiest." That observation comes from Charles E. Corry, a 60-year-old Buddhist and former Marine who has sued the Analysts International Corporation, saying he is a victim of religious discrimination.

Dr. Corry's case is part of a growing number of such complaints reaching the courts or the Equal Employment Opportunity Commission — nearly 1,800 last year, up 15 percent from the year before. But his is no garden-variety case, and it casts a telling light on the difficult ethical terrain surrounding religion in the workplace.

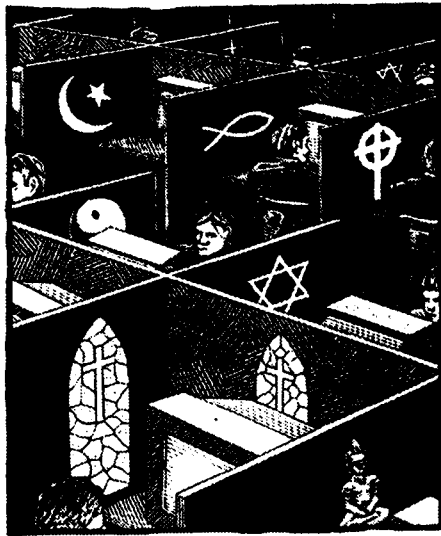
Dr. Corry, a data base consultant, was not turned down for hiring or promotion because of his faith, which is what "religious discrimination" conjures up for most people. And he wasn't involved in a dispute over proselytizing, which is the most common religion-related problem at work.

This more ambiguous case stems from events in the fall of 1995. As Dr. Corry tells it, when a particularly devout Christian co-worker complained about his use of language that included epithets laced with references to God, an Analysts International manager told him to conduct himself in accordance with the Ten Commandments.

"I said: 'I don't think I'm going to do that. I'm not a Christian. I've been a Buddhist since about 1958 or '59,'" Dr. Corry said in an interview. Technically, Dr. Corry was a contract employee working for Quest Database Consulting on a project for U S West in Denver; Analysts International, based in Minneapolis, had been hired to supervise contract employees like him. So, after the incident, Dr. Corry wrote a letter of complaint to Quest. Before the week was out, he said, he was told by Quest that the Analysts manager had terminated his contract.

He then filed his religious discrimination claim with the E.E.O.C., arguing that he had been let go for objecting to being told to follow the tenets of a religion not his own. Analysts International countered that Dr. Corry's language was offensive to his co-workers' religious beliefs. The Ten Commandments were brought up solely to illustrate why someone might take offense, said the company's lawyer, Charles E. Jones.

In that light, Dr. Corry's case isn't about



Patrick Arrasmith

discrimination so much as balancing competing rights and sensibilities that, more and more often, are clashing head-on in the workplace. Where does an ethical compass point when respecting one person's religious beliefs involves offending another's?

Dr. Corry thinks the compass should point out the door. Religion in the workplace "is messy and ought to be kept completely out."

But that's not in the cards, practically speaking. "The workplace has taken the place of neighborhoods, families and churches," said Gil Stricklin, president of Marketplace Ministries of Dallas, which provides corporate chaplains to 170 companies. "That's where your support, friends, and relationships come from."

But defining appropriate religious behavior at work can be tricky. Companies are usually on safe ground accommodating workers' desires for, say, Bible study groups at lunchtime, if participation doesn't become a de facto condition for employment or advancement. But courts have found that seemingly well-meant gestures like mailing out Bible verses with paychecks can constitute harassment, because they impose religious messages with the force of the company's voice on all workers, including those who don't want to listen.

Dr. Corry sued when settlement talks, prompted by an E.E.O.C. ruling in his favor, fell apart. But the jury that heard the case did nothing to clarify matters. It found simply that Analysts wrongly interfered with Dr. Corry's contract with Quest and awarded him damages of \$34,160.

Both sides claimed victory. The company's lawyer said the jury found no discrimination or retaliation. Mark Bove, Dr. Corry's lawyer, said the jury had really found that Analysts wasn't technically Dr. Corry's employer and so had no liability under bias laws. Both sides are appealing.

Certainly, the manager could have spared everyone a lot of trouble by reprimanding Dr. Corry over his language and leaving the Ten Commandments out of it. That might have kept the dispute out of the courts. But it would have left unaddressed the problem of whose beliefs to accommodate. "Just as you don't tie your problems in a neat little package and leave them outside the gate at the plant," Mr. Stricklin said, "you don't leave your faith out there either."

Jeffrey L. Seglin is a visiting fellow at Harvard University's Center for the Study of Values in Public Life. His column on business ethics appears the third Sunday of each month. E-mail may be sent to: rightnng@nytimes.com.