

THE NAIT POST

Summer 2006

You Asked

NOT-FOR-PROFIT MINUTE

Grants to Katrina-affected Islamic Centers & Schools

NAIT has conveyed to centers earmarking of grants ranging from \$15,000 to \$ 60,000 each.

Soon after Katrina left its devastation behind, NAIT activated its “North American Islamic Trust—Islamic Centers & Schools Fund” to restore the affected Islamic centers and schools. After visiting the area, NAIT prepared a detailed report documenting the 16 centers that were damaged.

NAIT established a joint venture with **Islamic Relief USA** to assist communities in this restoration effort. All centers were asked to apply for grants. NAIT has issued let-

DO NOT RISK THE NON-PROFIT STATUS OF YOUR CENTER

Candidate A and Candidate B are candidates for the State Senate. Local Islamic center is a section 501(c)(3) non-profit organization. The issue of Faith-based Initiative is a prominent issue in the campaign. Both candidates have spoken out. Candidate A supports the Faith-based Initiative. Candidate B opposes the Faith-based Initiative and supports strict separation of “Church & State” instead. At the Islamic center’s Eid al-Fitr picnic one month before the November election, Imam of the Islamic center gives a lengthy speech about the Faith-based Initiative including the “Church & State” issue. Imam does not mention the name of any candidate or any political party. However, at the conclusion of the speech, Imam makes the following statement:

“For those of you who care about religious freedom and non-interference of our government in our houses of worship in our District, there is a very important choice coming up next month. We need to preserve a level playing field for all religious communities. Tax dollars given by the state to the majority religion’s centers is detrimental to other faith communities. You have the power to stop this unfairness. Use that power when you go to the polls and cast your vote in the election for your State Senator.”

Q: Has the Islamic center violated the law that governs the non-intervention by a section 501(c)(3) non-profit organization in political campaigns?

A: YES. The Islamic Center has violated the law and committed political campaign intervention as a result of the Imam's remarks at the Islamic center’s official function shortly before the election, in which he referred to the upcoming election after stating a position on an issue that is a prominent issue in a campaign that distinguishes the candidates. The Islamic Center has risked its non-profit status.

TOP TEN WAYS TO AVOID DISCRIMINATION CLAIMS

were asked to apply for grants. NAIT has issued letters conveying earmarking of grants ranging from \$15,000 to \$ 60,000 to all the centers that have met the eligibility requirements. Payments will be made directly to the contractors after the repair work is completed. Funds are being handled through NAIT's **Islamic Centers Cooperative Fund (ICCF)**.

As an Islamic *Waqf* dedicated to perpetuation of Allah-dedicated facilities in the United States, NAIT aims to help preserve these properties for the original purpose of their founders. NAIT holds titles to approximately 300 masajid and schools.

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TOP TEN WAYS TO AVOID DISCRIMINATION CLAIMS

What can Islamic schools, masajid and Muslim organizations, that hire (and fire) employees, do to prevent discrimination claims, or increase their chances of defeating a discrimination charge? First and foremost, do not discriminate; discrimination is un-Islamic; be fair to people and remain conscious of *Allah Subhanahu wa Ta'la*. In addition, here are the top ten actions that you can do to avoid this liability ①:

- 1. Document Your Actions:** Give written warnings and terminations. Keep meeting notes.
- 2. Have A Witness:** About to fire or warn someone, have another trusted person attend the meeting.
- 3. Investigate All Claims:** Promptly interview the complainant, the alleged discriminator/harasser, and all witnesses. Take no retaliatory action against the complainant. Communicate the action taken.
- 4. Never Announce The Accusation Widely:** Excessive publication defeats the privilege accorded to such investigations.
- 5. Have Written Discrimination & Grievance Policies:** Establish clear reporting, investigation and remediation procedures. Ban all behavior that has the purpose or effect of interfering with work, or creates an intimidating, or offensive work environment to any member of any protected class.
- 6. Have Written Termination Policies:** Establish written policies for warnings, terminations, and what will justify termination without warning. Have an appeals process.
- 7. Train Key Employees:** Have a professional to train your key employees about sexual harassment. To avoid inadvertent violations, familiarize them with the new laws, such as ADA, EEOC guidelines, etc.
- 8. Audit Your Policies Regularly:** Laws change frequently as courts interpret new statutes.
- 9. Don't Lie To Allow Someone To Get Unemployment:** What you put down on the form as the reason for termination can be used against you.
- 10. Put Arbitration & Mediation Clauses in Contracts:** Arbitration clauses have been upheld in employment contracts. It benefits both parties; it is quicker and less expensive than full-blown litigation.

A little prevention and education will go a long way toward making sure that you don't get sued, and employees remain productive. **For more details, see WWW.NAIT.NET**

① Reviewed by Donna M. Ballman, P.A. Adapted from: *Top Ten Ways to Avoid discrimination Claims*, Copyright © 2006 by [Donna M. Ballman, P.A.](http://www.ballmanfirm.com/Prevention_article.shtml) http://www.ballmanfirm.com/Prevention_article.shtml

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North American Islamic Trust

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