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**EDITOR:** Sheila Elwin  
religiousliberty@southernunion.com

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## EEOC Files Against Kroger in Religious Liberty Case

A religious liberty case against the Kroger Company will be heard by Judge Lee Rudofsky in Arkansas. The federal suit against Kroger was brought by Brenda Lawson and Trudy Rickerd, employees who say they were fired for not wearing store-issued aprons with heart-shaped rainbow symbols. The women say the symbol is from the LGBTQ community, and not in line with their Christian beliefs about marriage and homosexuality. Kroger fired the employees after disciplining them several times for failure to comply with the uniform. The lawsuit goes further to say they were “disciplined and terminated *because* of their religious beliefs and *in retaliation* for requesting a religious accommodation.”

Rickerd was fired on May 29, 2019, and Lawson was fired on June 1. The lawsuit against Kroger was filed September 14, 2020, after the complaint was filed by the Equal Employment Opportunity Commission (EEOC) earlier that month.

“Most people are aware that Title VII protects against discrimination on the basis of race and color and sex and national origin,” says EEOC general counsel Sharon Fast Gustafson, “but I think people are less aware that Title VII protects employees and applicants from discrimination in employment on the basis of religion.”

“Companies have an obligation under Title VII to consider requests for religious accommodations, and it is illegal to terminate employees for requesting an accommodation for their religious beliefs,” Delner-Franklin Thomas, district director of the EEOC’s Memphis District Office, stated.

“The EEOC protects the rights of the LGBTQ community, but it also protects the rights of religious people,” he said.

Corporate marketing materials from Kroger say that the four-colored heart represents “Everyone Friendly and Caring, Everything Fresh, Uplift Every Way, Improve Every Day.”

# NO BAN Immigration Act Passes House, Heads to Senate

The NO BAN (National Origin-based Antidiscrimination for Nonimmigrants) Act, which reverses President Donald Trump's Muslim ban, was passed by the House in September, and will next be sent to the Senate for a vote.

The bill puts limitations on presidential authority to ban aliens from entering the United States. In the area of issuing immigrant or non-immigrant visas, the bill prohibits any religious discrimination unless there is a legal reason for such.

It does not completely tie the President's hands, though. He can still put temporary restrictions on aliens seeking entry, if the Department of State determines that they could

threaten U.S. security or public safety. And, the Department of Homeland Security can still deny entry to aliens on commercial airlines if those airlines did not follow the rules related to detecting fraudulent travel documents.

Under the new act, any suspensions must be the least restrictive possible to still maintain safety. If restricting, the DHS must consult with Congress within 48 hours; if they do not, the restriction is not valid and will terminate immediately. Those in the United States who are unlawfully harmed by a restriction may sue in federal court.

**“The bill puts limitations on presidential authority to ban aliens from entering the United States.”**

• *A yearlong battle in Tennessee between the ACLU Tennessee and a school district, over the accusation that the district was “unconstitutionally imposing religion on students,” ended with the two settling following a federal judge’s injunction. The district has agreed to stop “school-directed prayer during mandatory assemblies; the distribution and display of Bibles during classes; Bible verses posted in hallways and shared in notes from school staff to students; [and] prayers broadcast through loudspeakers at school sporting events,” among other things. The TN ACLU has proclaimed a “victory for religious freedom.”*

• *Pro-life advocates are praising the Trump administration on its recent actions to protect newly born children. The President announced September 23 he would sign “the born-alive executive order” to guarantee all babies receive necessary health care necessary. In related news, on September 14 the Trump administration proposed a regulation to expand the Protecting Life in Global Health Assistance (PLGHA) rule. PLGHA prohibits federal funds for organizations that perform or actively promote abortions overseas.*

## China Persecuting Uighurs

The Uighurs (pronounced WEE-gurs) are a Turkic-speaking ethnic minority of mostly Sunni Muslims in the far western region of Xinjiang, China. Because of their cultural ties to Central Asia, many refer to the region as East Turkestan. China claims to be fighting separatism and religious extremism within this group.

The United Nations assessed the situation and found that thousands — possibly up to 1 million — have been detained in internment camps. The people are also being sub-

jected to “re-education” techniques that were used in the Cultural Revolution.

China claims its actions are counterterrorism, and says that terrorist activity in the region has gone down since they started their new security program. Nevertheless, the United States and European Union have led out in condemning China’s actions, and President Donald Trump had wide bipartisan support when he signed a measure that would revoke visas for the responsible authorities.

Additionally, in 2019 the

Trump administration blacklisted eight Chinese technology companies, including two which were used for video surveillance and human rights violations; and took action against other Chinese firms and the Ministry of Public Security’s Institute of Forensic Science.

There is international concern that China is creating a program which they could use as the basis for a modern, technology-driven, authoritarian state.

# DOJ Asked to File Suit Against Restrictions on Worship Groups

Attorney General William Barr has been asked to file suit in federal court to protect the religious liberties of the faith community in states which place unconstitutional restrictions on houses of worship. U.S. Senator Josh Hawley (R-Mo.) requested the suit in mid-September, noting there are states which allow businesses such as restaurants and gyms to operate at 50% capacity, yet strictly limit attendance on places of worship.

Senator Hawley has asked for a civil rights investigation into First Amendment violations. In his letter he pointed out violations in two states as an example: "In San Francisco, California, for example, church-

es continue to be under orders limiting religious services to twelve people, and only if done outdoors, while gyms have been allowed to let patrons inside [see story below]. In many parts of Washington State, churches are subject to a specially burdensome 25 percent capacity limitation, while restaurants and other businesses are allowed up to 50 percent of capacity. At the same time, churches that assert their right to free exercise are being hit with massive fines — as much as \$100,000 in some cases — for the offense of gathering to worship in person."

**Some businesses are allowed 50% capacity, while churches are more restricted.**

## San Francisco "One Congregant" Rule Draws Federal Censure

The U.S. Department of Justice has urged San Francisco Mayor London Breed to end the city's "one congregant" rule, as it may violate the First Amendment. The rule initially allowed only one member of the public at a time to enter a house of worship, increasing to 25% capacity, or a max of 50 people, by end of September.

The DOJ pointed out that the city's reopening plan allows for less restriction

to secular activities, service providers, and retailers such as tattoo parlors, hair salons, massage studios, gyms, and more. "There is no pandemic exception to the United States Constitution and its Bill of Rights," said Assistant Attorney General Eric Dreiband.

However, San Francisco City Attorney Dennis Herrera accused the DOJ of "lobbing careless legal threats," and insisted that the city is "opening at the speed of

safety," and plans to allow houses of worship to have larger gatherings.

The city also contends that "bringing members of different households together to engage in in-person religious gatherings carries a higher risk of widespread transmission of COVID-19."

As of September 30, Breed said some city restrictions would be lifted in October, though not mentioning houses of worship.

• A federal judge has ruled that a Louisville wedding photographer can refuse service to same-sex couples. "Louisville cannot enforce the Fairness Ordinance against Nelson without unconstitutionally 'abridging her freedom of speech,'" wrote Judge Justin Walker. He expressed, however, that most applications of anti-discrimination laws, including this ordinance, are constitutional. "Today's ruling is not a license to discriminate," Walker wrote. "Nor does it allow for the 'serious stigma' that results from a sign in the window announcing that an owner won't serve gay and lesbian customers."

• Revised instruction from the Department of Defense for the U.S. Armed Forces was approved September 30, 2020. The effort begun in 2014 governs the accommodation of religious practices within the military, and will aim to "prioritize protecting the rights and freedoms of service members" in the wake of the COVID-19 pandemic. Incidents of religious hostility within the military have increased both in frequency and severity. Critics fear the revisions will encourage military superiors to push their religious beliefs on subordinates and fellow service members, but supporters call it a victory for religious liberty.

**Southern Union Conference of Seventh-day Adventists**  
**Public Affairs and Religious Liberty**  
**P.O. Box 923868**  
**Peachtree Corners, GA 30010**

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## Vital Election Year Reminders

With just a few weeks to go until the election, we need to remind our churches — both pastors and members — about the need to refrain from promoting political candidates from the church or any church property. We also remind churches to refrain from allowing partisan politicking to happen within the church boundaries. Every Adventist church, conference, and union in United States shares the same tax letter, so violating the 501(c)(3) rules in one church jeopardizes all churches in our denomination.

We strongly encourage each person who is eligible

to vote to do so. Voting is what our Church founders referred to as an exercise of the franchise, and it is important. However, when we enter the sacred doors of our churches, we must be united as Christians, and not let our politics divide us. Satan uses every means at his disposal to divide us, not only from God, but from each other. RESIST!

"It is entirely proper, consistent, and even obligatory for a Christian to cast his ballot in favor of certain issues.... We are to support "by voice and pen and vote..." GW 387, 388.

"The Lord would have His

people bury political questions. On these themes silence is eloquence. Christ calls upon His followers to come into unity on the pure gospel principles which are plainly revealed in the word of God. We cannot with safety vote for political parties; for we do not know whom we are voting for. We cannot with safety take part in any political scheme. Those who are Christians indeed will be branches of the true vine, and will bear the same fruit as the vine. They will act in harmony, in Christian fellowship. They will not wear political badges, but the badge of Christ," CCh 316.

**"Keep your  
voting to  
yourself. Do  
not feel it  
your duty to  
urge anyone  
to do as you  
do," 2 SM 337.**