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2023 | Volume 1

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U.S. Supreme Court Accepts Religious Accommodation Case

The U.S. Supreme Court has taken a case that revolves around religious accommodation in the workplace. In the case of *Groff v. DeJoy*, plaintiff Gerald Groff is a USPS mail carrier facing off against the U.S. Postal Service. The court will decide whether to disapprove the more-than-de-minimis-cost test for refusing religious accommodations, which employers can use if they believe their accommodation would cause too much expense.

Groff observes an entire day of worship every Sunday. After being told to deliver packages on Sunday, he resigned and sued, based on the Title VII requirement for employers to “reasonably accommodate” religious observance.

Regarding the U.S. Supreme Court’s decision to hear *Groff v. DeJoy*, John Bursch, Alliance Defending Freedom senior counsel and vice president of Appellate Advocacy, said, “Federal law protects employees’ ability to live and work according to their religious

beliefs. Employers must provide reasonable accommodations for employees’ religious practice unless doing so imposes undue hardships on their operations. But for too long that duty has been erased by a misguided court ruling, which the nation’s high court now has an opportunity to overrule. We urge the Supreme Court to affirm that Title VII protects all Americans’ right to live and work according to their faith.”

In support of Groff, the Sikh Coalition, Muslim Advocates, and Islam and Religious Freedom Action Team have said that the current legal standard “eviscerates the right to accommodations for practitioners of all faiths, it has especially pernicious effects for religious minorities.” The groups added that “adherents to minority faiths more often require workplace accommodations because their religious traditions are not already accommodated.”

SCOTUS will hear oral arguments in April 2023.

NEWS OF THE WORLD

Religious Freedoms in Jeopardy Around the World

State Department Update

The U.S. State Department updated its annual list of countries and/or entities which either violate religious freedoms or tolerate those violations. A press statement of Secretary Blinken said this: "Today, I am announcing designations against Burma, the People's Republic of China, Cuba, Eritrea, Iran, Nicaragua, the DPRK, Pakistan, Russia, Saudi Arabia, Tajikistan, and Turkmenistan as Countries of Particular Concern under the International Religious Freedom Act of 1998 for having engaged in or tolerated particularly severe violations of religious freedom. I am also placing Algeria, the Central African Republic, Comoros, and Vietnam on the Special Watch List for engaging in or tolerating severe violations of religious freedom. Finally, I am designating al-Shabab, Boko Haram, Hayat Tahrir al-Sham, the Houthis, ISIS-Greater Sahara, ISIS-West Africa, Jama'at Nusrat al-Islam wal-Muslimin, the Taliban, and the Wagner Group based on its actions in the Central African Republic as Entities of Particular Concern.

However, a response by the U.S. Commission on International Religious Freedom expressed concern that Nigeria and India were not designated Countries of Particular Concern.

Indonesia Morality Laws

Indonesia has announced a new criminal code that could mean jail sentences for non-marital sex, unmarried cohabitation, and abortion. Additionally, the country is tightening restrictions on blasphemy, which may greatly affect religious minorities. The tourism industry is in opposition, and the country of Australia has gone so far as to update its travel advisory for Indonesia.

Further, anyone insulting the president, vice president, or a state institution can be put in prison, as well as for the "crimes" of peaceful protest without prior authorization, and the dissemination of "fake news" by the press. The secular nation's regulations show the growing state of religious conservatives among the Muslim majority.

Jehovah's Witnesses in Russia

Russia sentenced 45 Jehovah's Witness members to prison in 2022, increasing the total to 115 imprisoned since the 2017 ban on that religion. Prisoners include 19 seniors and one physically disabled man, and homes continue to be searched.

The European Court of Human Rights (ECHR) ordered Russia to end its ban on June 7, free its prisoners, and pay \$67 million in damages for seized property. In response, Russia severed its relationship with the ECHR.

Hijabs in Iran

Punishments

for women

not wearing

hijabs in Iran

range from

community

service to an

international

travel ban.

Persecution in Africa, North Korea

Christian advocacy group Open Doors reports one in seven Christians worldwide face persecution, and the nations involved have nearly doubled in 30 years. Persecution is rising in sub-Saharan Africa, particularly Nigeria, Burkina Faso, Cameroon, Mali, and Niger. North Korea, however, tops the list with attacks on believers, and its criminalization of the Bible.

- *The White House has created an inter-agency group to develop a national strategy to combat antisemitism. Established by the President and led by Domestic Policy Council and National Security Council staff, the group goal is to coordinate U.S. government efforts to counter antisemitic harassment and abuse, as well as aid in countering islamophobia and related biases and discriminations in the United States.*

- *Arguments have been presented about whether Amish families in Lenawee County, Michigan, will have to comply with a county health ordinance about outhouses and waste disposal. Amish families use outhouses rather than the required city sewage or septic tanks, and use the waste combined with animal waste as fertilizer. Other counties in Michigan allow this as a safe practice. The Amish were sued by Lenawee in 2019, and the American Civil Liberties Union countersued based on freedom of religion and the Fair Housing Act. No decision has been reached.*

- *The European Court of Human Rights has ruled that the "Church of the Flying Spaghetti Monster," also known as Pastafarians, does not qualify as a religion to be protected by Article 9. Yes. It's true.*

Abortion Ban Declares God is Author of Life; Faith Leaders Differ, File Suit

Numerous faith leaders, 13 in total, from different denominations are suing Missouri over its abortion ban. The law proclaims that “Almighty God is the author of life,” and completely bans abortion with only limited exceptions. The faith leaders say that separation of church and state is being violated.

Christianity, Unitarian Universalism, and Judaism are all represented in the suit. The faith leaders point out that the wording of the ban subjects all to “the religious dictates of others.” The lawsuit points out that, “Many people of faith support abortion access not despite, but because of, their religion.” Several denominations and faith traditions — including the Presbyterian Church, the United Church of Christ, and both Reform

and Conservative Judaism, among others — have a history of supporting the right to an abortion.

“The idea of a religious liberty right to reproductive autonomy is not something that came from lawyers,” said Elizabeth Reiner Platt, director of Columbia Law School’s Law, Rights, and Religion Project. “It came from religious leaders and communities, who have been explaining for decades that they see reproductive freedom as essential to religious freedom.” Platt says that, since the Supreme Court decision to reverse *Roe v. Wade*, there have been more than a dozen suits challenging states’ abortion restrictions on the grounds of religious freedom.

Missouri lawmakers discussed their religious be-

“Herein lies the danger of legislating religious beliefs without accommodation for different beliefs.”

liefs on abortion publicly while writing the ban. The lawsuit indicates that state-

ments were made such as, “Life begins at conception. Psalms 119 says ...,” and “God doesn’t give us a choice in this area. He is the Creator of life.”

“This is exactly why the Missouri claim was filed,” points out Amireh AL-Haddad, director of public affairs and religious liberty for the Southern Union Conference. “It is overtly religious in its inception and pronouncements. Herein lies the danger of legislating religious beliefs without accommodation for different beliefs. This is a prime example of how even within Judeo-Christian churches, a person’s convictions for or against abortion choices may be rooted in a different, deeply religious interpretation. We find that this holds true even within the Adventist Church.

Fired Teen Accuses Grocery Store, Union of Discrimination

Teen employee Josiah Leonatti was fired from Giant Eagle for refusing to join the United Food and Commercial Workers Union. The National Right to Work Legal Defense Foundation (LDF) has accused both organizations of discrimination on Leonatti’s behalf because joining a union violated his religious beliefs.

The teen had started training as a cashier, but was told he would need to join a union and pay dues. He asked for religious accommodation in a letter and in person, but UFCW Local 1776-Keystone State instead subjected him to a “religion test” to decide if they thought his religious beliefs counted. Eventually, Giant Eagle supermarket in

North Huntingdon, PA, fired him, though they did offer to rehire him two weeks later.

Title VII of the Civil Rights Act of 1964 says that unions and employers must accommodate employees with religious objections to unions. Additionally, the National Labor Relations Act prohibits forced union membership for any reason.

“Union bosses’ attempt to coerce a high schooler to violate his religious beliefs is unconscionable, and illegal,” said Mark Mix, LDF president. “Regardless of their particular reasons for not wanting to affiliate with a union, no employee’s job should hinge on whether he or she pays dues to a private organization.”

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118th Congress Has High Percentage of Religiously Affiliated Members

Despite decades of declining Americans who identify as Christian — currently 63% — and increasing numbers who claim no religious affiliation, the 118th U.S. Congress is made up of 88% Christians. This is only 3% lower than the number of Christians 50 years ago.

Of 534 members of Congress, one is religiously unaffiliated, one is humanist, and 20 have unknown religious affiliations. The 469 designated as Christians

are composed of numerous protestants, including two Seventh-day Adventists. Other protestants include Baptist, Methodist, Anglican/Episcopal, Presbyterian, Lutheran, Congregationalist, Nondenominational, Pentecostal, Restorationist, Reformed, Pietist, and unspecified/other. Other Christians were Catholics, Mormons, Orthodox Christians, and one Messianic Jew. As well as 33 Jewish members, there are

three members or less each of Buddhist, Muslim, Hindu, and Unitarian Universalist.

Despite such high religious affiliation, the number of Christians was actually slightly higher in the eight most recent sessions, and exceeded 500 in 1970.

Members of the 2023 session were polled by CQ Roll Call, and numbers compiled by the Pew Research Center.

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