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2023 | Volume 5



EEOC Reports on Spike in Religious Cases, Harassment Guidelines

Religious Statistics

The Equal Employment Opportunity Commission (EEOC) has released its statistical report regarding the filing of religious-related cases. Their data runs from 1997 to 2022.

"I try to follow the cases, and noticed that there seemed to be a terrific upswell in workplace vaccine litigation," says Kevin James, associate director for public affairs and religious liberty at the Southern Union. "The statistics about religion-based charges under Title VII really put it in perspective."

In 1997 there were 1,709 religion-based charges. A high of 4,151 charges was reached in 2011, and after that it has fluctuated between that high and 2,111 cases in 2021. The general trend is downward, with some exceptions.

The all-time high was 13,814 charges in 2022. This is three times more than any earlier year, and six times more than the previous year. The EEOC statistical

document notes that, "In FY 2022, there was a significant increase in vaccine-related charges filed on the basis of religion. As a result, FY 2022 data may vary compared to previous years."

Workplace Harassment Guidelines

After 25 years in the making, the EEOC has released its proposed guidance for workplace harassment. The last document on this issue was released in 1999. The guidance addresses legal standards for harassment, employer liability, and clarification on several workplace harassment issues.

Among the issues addressed were harassment regarding women's reproductive decisions, such as contraception and abortion; and LGBTQ protection from sex-based harassment or discrimination, such as sexual orientation and gender identity. Intentional use of an individual's

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NEWS OF THE WORLD

Pakistani Christians Under Attack

Christian churches and homes in Jaranwala, Pakistan, were burned in mob violence in mid August. The violence came after a Christian and his friend were accused of blasphemy by ripping pages from the Quran.

Many were forced to flee their homes, returning later to find them burned and their property stolen. "I saw with tears in my eyes how the mob desecrated crosses on the roofs of the churches and in graveyards and ruined church buildings. They burnt so many Bibles and altars," said Deacon Daud Irshad, 28, a seminary student who pastors and serves the poor in a nearby town.

More than 130 people were arrested following the attacks, and Pakistani of-

ficials and Prime Minister Anwaar-ul-Haq Kakar spoke out against the "heinous attacks" and promised justice. The prime minister also announced that each household that was targeted will receive compensation of \$6,800. The government is also involved in restoring the damaged church buildings.

Though there are 4.2 million Christians in Pakistan, that is only 1.8% of the 229 million population. Of the others, 96.5% are Muslim and 2.1% are Hindu. Christian charity Open Doors says Christians there are considered second-class citizens. Though technically protected by Pakistan's constitution, those rights are not always secured.

Christian churches and homes in Pakistan were looted and burned in mob violence.

- *There are currently no religious liberty cases in the new docket for the Supreme Court of the United States.*

- *Nearly 200 religious liberty leaders, scholars, and advocates from around the world met for the 9th World Congress of the International Religious Liberty Association in Silver Spring, Maryland on August 21.*

- *In September the French government banned abayas — a long robe-like garment worn by many Muslim women — in public schools. Several dozen girls were sent home on the first day of school because they would not change clothes from their abayas. Within a few days, Action for the Rights of Muslims sought an injunction with France's top court based on discrimination caused by the ban. However, the State Council rejected the argument, saying that wearing the abayas "follows the logic of religious affirmation." French law does not allow any visible signs of religious affirmation in schools, and this law upholds the ban.*

- *Federal judges have ordered Southwest Airlines attorneys to attend "religious liberty training." This case has been in flux with rulings, appeals, and changing rulings. Waymarks will be following.*

EEOC, Continued from cover

requested pronouns is considered harassment, as is denying access to a bathroom or sex-segregated facility which matches the individual's gender identity.

Other areas include virtual work harassment: sexist comments, racist imagery that can be seen in a participant's workspace, comments about beds visible (as virtual work may be happening from the home), etc. An employee's private social media account — if there are harassing posts that discuss coworkers — may be considered harass-

ment.

Specific to the subject of religion, the guidance clarifies Title VII of the Civil Rights Act of 1964. While it requires accommodation for an employee's sincerely held religious beliefs, it also requires employers to protect workers from religious harassment. The employer is not required to accommodate religious expression that creates a hostile work environment.

Beyond that, it also addresses policies, complaint procedures, training, and correction of harassing be-

havior. Even when finalized, the document will not be considered law. However, it will be an outline for how the EEOC will investigate harassment charges.

The public will have until November 1, 2023, to comment on the proposed guidance.

325 Public Schools to Allow Bible Studies During School Hours

Public school students in more than 300 schools nationwide will be allowed to take Bible classes during the school day, but under a release-time program. The classes will be offered by LifeWise Academy, a Christian ministry that creates this curriculum.

The classes will not be officially offered by the public schools, and students must have parental consent to participate. While the program meets U.S. legal standards, there are many hoping that this curriculum will eventually become in-house. CEO and

founder Joel Penton said the LifeWise mission is "to give Christian parents hope that the next generation can receive biblical instruction in school."

The Supreme Court of the United States (SCOTUS) banned state-endorsed prayer in public schools in the landmark 1962 ruling. An earlier and lesser known SCOTUS decision, however, paved the way to allow "released time" religious instruction, where students leave the campus during school hours to attend privately funded classes with parental consent.

**Programs
are in 325
elementary
public
schools in
12 states.**

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a work
accommodation
issue?**

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California Governor Vetoes Bill Involving Custody Courts In Child Gender Identity

Governor Gavin Newsom sided with California Senate Republicans in vetoing a bill supported by the LGBTQ community. The bill would have required custody court judges to consider whether a parent affirms their child's gender identity when making custody and visitation decisions.

The governor announced that he has "a deep commitment to advancing the rights of transgender Californians..." However, he

continued, "That said, I urge caution when the Executive and Legislative branches of state government attempt to dictate — in prescriptive terms that single out one characteristic — legal standards for the Judicial branch to apply. Other-minded elected officials, in California and other states, could very well use this strategy to diminish the civil rights of vulnerable communities."

The bill would have made gender affirmation one fac-

tor in deciding custody, but Newsom pointed out that there are already existing laws for custody cases about health, safety, and welfare, which already consider a parent's affirmation of their child's gender identity.

State Sen. Kelly Seyarto (R), in agreement with the veto, argued that lawmakers were interfering too much with how parents choose to raise their children.

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