

Daily Morning Message
St Paul United Church of Christ
5312 Old Blue Rock Road, Cincinnati, OH 45247
Allen M Fluent, Pastor
June 29, 2021

(Continuing our Meditations on Resolutions Proposed at General Synod)

Resolution on protecting workers at churches and other religious institutions

Guiding Scripture: *For you were called to freedom, brothers and sisters; only do not use your freedom as an opportunity for self-indulgence, but through love become servants to one another. For the whole law is summed up in a single commandment, "You shall love your neighbor as yourself."*

(Galatians 5:13-14)

Freedom of religion is a cornerstone of American society. The First Amendment to the Constitution celebrates individual conscience by guaranteeing the free exercise of religion. In order to maintain this freedom, the Supreme Court has repeatedly upheld expansive protections for the free exercise of religion, limited government involvement with religious organizations, and held that religious institutions have broad authority to manage their own internal affairs. This broad authority extends to the employment practices of churches, which are entitled by law to make decisions regarding the hiring and firing of "ministerial" employees that might be regarded as discriminatory outside of the religious institution. This is called the "ministerial exception," an exception that at one time referred only to religious teachers and clergy; but was expanded in 2020 by the court to include any employee whose role includes, however minor, the teaching or promotion of the faith. The positive intent of the law is to allow religious bodies to protect themselves against discrimination lawsuits from people whose words and behavior conflict with religious teachings. Effectively, however, it means that churches cannot be sued for discrimination.

With such freedom comes great responsibility for churches to treat their employees fairly. The resolution brought before General Synod by the churches of the New Jersey Association, does not seek to change the law or take away this freedom, but to ask all settings of the church in our own denomination to study the privileges accorded us through the First Amendment, including the ministerial exception, and implement policies that contain ethical protections for employees in the church that are consistent with Christian faith and teaching. Under current law, churches can invoke the ministerial exception to discriminate on the basis of age, sex, race, disability, etc. The resolution simply asks that we consider whether such discrimination is consistent with the teachings of our faith and act accordingly.

Prayer: Holy God, we thank you for the guarantees of freedom that are granted in our nation's Constitution, especially the freedom of religion that is treasured among us. As religious people, we pray that we will use our freedom wisely and for the common good, and that we will have the moral insight to make our own religious settings places of justice and inclusion, according to the way of Christ. Amen.

