News
This is the logo of Catholic Relief Services, the U.S. bishops' overseas relief and development

This is the logo of Catholic Relief Services, the U.S. bishops' overseas relief and development agency, which is based in Baltimore. A federal judge in Maryland ruled Aug. 3 the agency must offer health care coverage to spouses of gay employees as long as the employees' jobs are nonreligious in nature. CRS has filed a "motion for partial reconsideration." (CNS photo/CRS)



by Catholic News Service

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A U.S. District Court judge in Maryland has ruled that Catholic Relief Services, the U.S. bishops' overseas relief and development agency, must offer health care coverage to the spouses of gay employees as long as the employees' jobs are nonreligious in nature.

In its court filing, the Baltimore-based Catholic agency asked the judge to issue a summary judgment in its favor or dismiss the case altogether, saying religious exemptions provided in federal and state law "foreclose (the) plaintiff's discrimination claims."

CRS "is a religious organization" and the plaintiff -- a data analyst identified only as "John Doe" in court documents -- "is involved in its activities," it said.

"The plaintiff's claims "are incompatible" with the "fundamental right of religious freedom," the CRS filing stated, citing a religious exemption for organizations in Title

VII of the federal Civil Rights Act of 1964.

The agency's filing also pointed to the federal Religious Freedom Restoration Act, or RFRA, and two state laws: the Maryland Fair Employment Practices Act and the Maryland Equal Pay for Equal Act, which "proscribes sex discrimination but not sexual orientation discrimination" -- those categories "are distinct under Maryland law."

In her Aug. 3 decision, Judge Catherine C. Blake of the U.S. District Court for the District of Maryland rejected CRS' arguments, overall ruling in favor of the plaintiff.

"This case concerns a social service organization's employment benefit decisions regarding a data analyst and does not involve CRS' spiritual or ministerial functions," said Blake.

She said Doe was discriminated against under the provisions of Title VII, which "makes it illegal to discriminate against a person on the basis of race, color, religion, sex (including pregnancy, sexual orientation, and gender identity) or national origin."

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But she said a jury would have to determine if Doe should be awarded any damages. She also said Maryland's highest state court, the Court of Appeals, would have to decide whether the Maryland Fair Employment Practices Act exemption for religious organization's applies to the plaintiff's claim of discrimination based on sexual orientation.

Kim Pozniak, a spokesperson for CRS, told Catholic News Service in an email Aug. 16 the agency has filed a "motion for partial reconsideration," which states that "while Catholic Relief Services respectfully disagrees with the court's summary judgment rulings as to plaintiff’s federal discrimination claims, Catholic Relief Services does not seek reconsideration of those rulings at this time."

But she said the case was still in "active litigation" and she could not comment further.

According to legal records, CRS initially provided the benefits to Doe's husband, but after months of discussions between Doe and the agency's human resources department, the organization removed Doe's husband from the health plan in October 2017.

Doe filed a complaint with the Equal Opportunity Employment Commission in 2018 claiming CRS' refusal to provide health benefits to his husband was discrimination. A lawsuit followed in 2020.

The plaintiff, "who holds himself out as agnostic about religion, believes that he, and the court can dictate the correct understanding of Catholicism" to CRS, "an arm of the church," CRS told the court in its filing.

To Doe, "the lines CRS has drawn -- by employing persons who identify as LGBT but withholding spousal health benefits from persons who are not spouses in the eyes of the church, or by providing benefits to children of gay employees but not those employees' partners are arbitrary," it continued. "To the church and its institutions including Catholic Relief Services, these lines are compulsory."

"The First Amendment bars the court from exercising jurisdiction over (the) plaintiff's claims, which would require the court to analyze competing religious beliefs and decide which health benefits are required by Catholic teaching," it argued.