



United States Department of Justice
Civil Rights Division

RELIGIOUS FREEDOM IN FOCUS

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Suit Alleges Religious Discrimination in Ohio Union Fee Rules

The Civil Rights Division filed a religious discrimination suit against the State of Ohio and its employee union on August 26, charging that employees are being forced to support the union over their religious objections.

Under the collective bargaining agreement between the Ohio Civil Service Employees Association, AFSCME, Local 11, AFL-CIO and the state, employees must either join the union or pay the union a representation service fee. The agreement contains a provision accommodating the conscientious objections of some employees who have religious objections to supporting the union. Employees who are members of churches that have "historically held conscientious objections to joining or financially supporting" unions are permitted to pay an amount equal to the union service fee to a charity mutually agreeable to the employee and the union. However, Ohio and the union have refused to extend this exemption to state employees with sincere religious beliefs against supporting the union, but who do not belong to such churches with histories of opposition to supporting unions.

An employee of the Ohio Environmental Protection Agency, Glen Greenwood, is a Presbyterian who has a religious objection to supporting the union on the grounds that the union and its affiliates support abortion and same-sex marriage. He sought to direct his union fees to a mutually agreeable charity, but his claim was rejected by the Ohio

State Employment Relations Board on the grounds that the Presbyterian Church did not have a historically held position against joining or supporting unions, and that his religious objection was personal in nature. He then filed a charge with the Equal Employment Opportunity Commission, which unsuccessfully tried to mediate the dispute. The EEOC then referred the case to the Civil Rights Division.

The Civil Rights Division complaint alleges that the State of Ohio, the Ohio Environmental Protection Agency and the Ohio Department of Administrative Services discriminated against Mr. Greenwood on the basis of religion in violation of Title VII of the Civil Rights Act of 1964 by failing to give him the same treatment for his sincerely held religious beliefs as is accorded members of churches that historically have opposed association with unions. The complaint also alleges that the state defendants have engaged in a pattern or practice of discrimination. The complaint thus seeks relief not only for Mr. Greenwood, but for all other employees with sincere religious beliefs against joining or supporting the union. The union and the Ohio State Employment Relations Board were joined in the suit as indispensable parties. The suit seeks a court order requiring that all those with sincere religious objections to supporting the union be given the opportunity to direct their fees to charity.

Acting Assistant Attorney General Bradley J. Schlozman stated: "The union-fee system in Ohio discriminates in favor of members of those churches with long histories of opposing unions, and against individuals who have religious objections to supporting a union that are just as sincere. Such discrimination is forbidden by the civil rights laws and must end."