

ASSEMBLY RESOLUTION No. 73

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman P. CHRISTOPHER TULLY

District 38 (Bergen and Passaic)

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

SYNOPSIS

Opposes DOL's proposed rule clarifying civil rights protections for religious organizations contracting with federal government.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ASSEMBLY RESOLUTION** opposing the United States
2 Department of Labor's proposed rule clarifying civil rights
3 protections for religious organizations that contract with the
4 federal government.

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6 **WHEREAS**, Protections for LGBTQ individuals have come under
7 attack since President Donald Trump assumed office; and

8 **WHEREAS**, In October 2018, the Trump administration's
9 Department of Justice took a position against LGBTQ workers
10 when the department announced that businesses are allowed to
11 discriminate against workers based on the worker's gender
12 identity without violating federal law; and

13 **WHEREAS**, In May 2019, the Trump administration's Department of
14 Health and Human Services proposed a rule to allow health care
15 service providers to discriminate based on gender identity; and

16 **WHEREAS**, Most recently, on August 15, 2019, the Trump
17 administration's Department of Labor proposed a rule to clarify
18 civil rights protections for religious organizations that contract
19 with the federal government; and

20 **WHEREAS**, The proposed rule would allow religion-exercising
21 organizations with federal contracts to raise religious exemptions
22 if accused of bias in their hiring practices; and

23 **WHEREAS**, The acting Department of Labor Secretary endorsed this
24 proposed rule as one designed to ensure the civil rights of
25 religious employers are protected; and

26 **WHEREAS**, In practice, this rule would allow government
27 contractors to fire workers who are LGBTQ, pregnant, or
28 unmarried based on the employers' religious views; and

29 **WHEREAS**, If the rule were to take effect, the nearly one-quarter of
30 employees in the United States that work for a federally-
31 contracted employer would be subject to taxpayer-funded
32 discrimination in the name of religious liberty; and

33 **WHEREAS**, Under the guise of religious freedom, this rule seeks to
34 undermine employees' civil rights protections and encourages
35 discrimination in the workplace; and

36 **WHEREAS**, It is fitting and proper for this House to oppose such a
37 proposal by the United States Department of Labor; now, therefore,

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39 **BE IT RESOLVED** by the General Assembly of the State of New
40 Jersey:

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42 1. This House opposes the United States Department of
43 Labor's proposed rule clarifying civil rights protections for
44 religious organizations that contract with the federal government as
45 taxpayer-funded discrimination in the name of religion.

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47 2. Copies of this resolution, as filed with the Secretary of State,
48 shall be transmitted by the Clerk of the General Assembly to the

1 President and Vice President of the United States and United States
2 Secretary of Labor.

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STATEMENT

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7 This resolution opposes the United States Department of Labor's
8 proposed rule clarifying civil rights protections for religious
9 organizations that contract with the federal government as taxpayer-
10 funded discrimination in the name of religion.

11 Protections for LGBTQ individuals have come under attack since
12 President Donald Trump assumed office. In October 2018, the
13 Trump administration's Department of Justice took a position
14 against LGBTQ workers when the department announced that
15 businesses are allowed to discriminate against workers based on the
16 worker's gender identity without violating federal law. In May
17 2019, the Trump administration's Department of Health and Human
18 Services proposed a rule to allow health care service providers to
19 discriminate based on gender identity.

20 Most recently, on August 15, 2019, the Trump administration's
21 Department of Labor proposed a rule to clarify civil rights
22 protections for religious organizations that contract with the federal
23 government.

24 The proposed rule would allow religion-exercising organizations
25 with federal contracts to raise religious exemptions if accused of
26 bias in their hiring practices. Patrick Pizzella, the acting
27 Department of Labor Secretary, endorsed this proposed rule as one
28 designed to ensure the civil rights of religious employers are
29 protected. In practice, this rule would allow government
30 contractors to fire workers who are LGBTQ, pregnant, or unmarried
31 based on the employers' religious views.

32 If the rule were to take effect, the nearly one-quarter of
33 employees in the United States that work for a federally-contracted
34 employer would be subject to taxpayer-funded discrimination in the
35 name of religious liberty. Under the guise of religious freedom, this
36 rule seeks to undermine employees' civil rights protections and
37 encourages discrimination in the workplace.

38 It is fitting and proper for this House to oppose such a proposal
39 by the United States Department of Labor.