

■ by Jonathan A. Ruybalid

The Equality Act and Religious Freedom Issues

The Equality Act is legislation that challenges the religious freedom of CCCA members. The Equality Act was voted on and passed by the United States House of Representatives Feb. 25, 2021. While the current President has stated his commitment to this legislation becoming law, its passage in the U.S. Senate remains unclear as of the date of writing this column. But, the cultural direction, political climate and legal shifts lead many to think the religious freedom challenges are increasingly complex and cannot be ignored.

Significant changes proposed by the bill

Among other provisions in the bill, the Equality Act would add “sexual orientation” and “gender identity” (collectively referred to here as “SOGI”) to the list of “classes” protected under the Federal Civil Rights Act and the Fair Housing Act. This would protect SOGI “status” in the same manner as other protected classes such as race, sex and religion. The law would change the definition of “sex” from a sole reference to biological men and women to also cover sexual orientation or gender identity. The most significant area of impact for CCCA members is in employment decisions. The issue for CCCA members is being able to select employees consistent with their faith position to teach and live out biblical teaching and the gospel with and for campers and conference program attendees.



Jonathan A. Ruybalid, CCCA's legal counsel, has represented U.S. and overseas nonprofits for more than 25 years. He has also served as a board member and general counsel for Forest Springs Ministries and Camp Forest Springs. Email him at jrlaw15@gmail.com.

In addition to adding SOGI as protected classes, the bill also contains language that would neutralize religious freedom protections in these areas of discrimination. The bill provides that the Religious Freedom Restoration Act's ("RFRA") heightened protections for religious freedom cannot be used under federal law if the underlying claim against the organization is discrimination.

Court cases may expand SOGI protection

There are a large number of states that already provide SOGI-protected class status under state law. An increasing number of state and local municipality laws are being passed with provisions very similar to the Equality Act. The Supreme Court ruled that the definition of “sex” in Title VII of the Civil Rights Acts includes SOGI, but was clear that the law provides religious organizations with protections to practice their religious beliefs.

Actions for Christian camps and conference centers

It's important for you to be knowledgeable and take recommended and legally prudent steps. The following are five suggested actions:

1. **Become informed about the Equality Act.** There is good information provided by The Heritage Foundation, The Gospel Coalition and other similar sources. Keep your board apprised and informed.

*Updated information
and 5 steps you can take*

2. **Pray for protection and opportunities for your ministry and for government leaders.** Continued faithful ministry in challenging times is desired for the gospel to be front and center in your work. The cultural and legal changes are reflective of the need for the gospel.
3. **Contact government representatives.** Inform your organization's representatives (senators and congressmen) of the importance and impact of religious freedoms and the value to your camp or conference center's work.
4. **Conduct camp or conference center religious freedom audit.** As described in the June/July 2016 issue of this column, the religious freedom audit involves a review of current policies, procedures, job descriptions and practices for employment, guest accommodations and other legal areas impacted by challenges to religious freedom. In the current legal environment, Christian camps and conference centers should contact qualified nonprofit legal counsel to consider taking this essential step of a religious freedom audit.
5. **Prepare to represent your camp or conference center's position.** Stay off social media on this topic. Take advantage of guidance provided by CCCA and others on proper public relations approaches with hot topics. ■

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