Hosanna-Tabor v. EEOC
by: Andrew Schneider

In KUHF Business News, the Supreme Court is preparing to hear oral arguments in a major test case for workplace anti-discrimination laws and for church-state separation.

The case is the first high court test of what's known as the "ministerial exception" — an exemption from workplace discrimination laws for religious employers when it comes to hiring and firing clergy, based on the religious clauses of the First Amendment.

Hosanna-Tabor Evangelical Lutheran Church and School dismissed contract teacher Cheryl Perish in 2005, after she was diagnosed with narcolepsy. Perish took her case to the Equal Opportunity Employment Commission, which sued the school under the Americans with Disabilities Act. The church argued Perish was a commissioned minister and covered by the exception.

Leslie Griffin of the University of Houston Law Center is one of more than 60 law and religion professors filing a brief on behalf of Perish.

"If you put together all the religious employers — religious schools, religious hospitals, religious social service organizations — if the court adopted a broad rule, dismissing these suits, then the employees at all those organizations might lose their legal protection."

The court will hear oral arguments in the case tomorrow morning at 9 a.m. Houston time.