



Legislation Details (With Text)

**File #:** Res 0570-2004      **Version:** \*      **Name:** Salvation Army to cease and desist from requiring its employees or prospective employees of publicly financed institutions to reveal personal or private information about their religious affiliations or preferences.

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**In control:** Committee on General Welfare

**On agenda:** 9/9/2004

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**Title:** Resolution calling upon the Salvation Army to cease and desist from requiring its employees or prospective employees of publicly financed institutions to reveal personal or private information about their religious affiliations or preferences, or to require such employees or prospective employees to carry out religious doctrines or faith-based initiatives in the performance of their work, in violation of Constitutional non-discrimination principles and the separation of church and state.

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**Indexes:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/9/2004	*	City Council	Introduced by Council	
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Res. No. 570

Resolution calling upon the Salvation Army to cease and desist from requiring its employees or prospective employees of publicly financed institutions to reveal personal or private information about their religious affiliations or preferences, or to require such employees or prospective employees to carry out religious doctrines or faith-based initiatives in the performance of their work, in violation of Constitutional non-discrimination principles and the separation of church and state.

By Council Members Weprin, James, Quinn, Liu, Lopez and Palma

Whereas, The Salvation Army receives millions of dollars in public funding to operate as a human services contractor for the City of New York to provide and administer a variety of social services to New Yorkers; operating soup kitchens, shelters and foster care programs, among other services, the Salvation Army is one of the largest private aid groups in New York, serving around five million people annually; the non-profit organization has a number of multi-year contracts with New York City alone, reportedly totaling around \$250

million, and also employs hundreds of employees to serve the needs of thousands of residents; and

Whereas, However, recently, the Salvation Army's New York division has been accused of questioning its social services staff about their religious practices and their adherence to the Salvation Army's religious beliefs in their work; according to accounts, the Salvation Army has forced its workers, employees of publicly financed governmental social agencies, as well as prospective employees, to sign forms revealing the churches they had attended over the past ten years and the name of their ministers; in addition, some of the forms that workers have been asked to sign can be perceived as requiring employees who engage in the provision of social services to pledge to adhere to the Army's mission "to preach the Gospel of Jesus Christ;" and

Whereas, As a consequence, the New York Civil Liberties Union ("NYCLU") filed a lawsuit against the Salvation Army in February 2004, on behalf of a number of current and former Salvation Army employees in New York, charging the organization with religious discrimination against employees in its government funded social services and charging that the resulting harassment and pressure have had a chilling effect on employees' work, forcing resignations; and

Whereas, A number of employees, feeling the organization's questions were illegal and a violation of privacy, opted to leave the charity rather than provide personal information about themselves or other employees; NYCLU Legal Director Arthur Eisenberg noted that the Salvation Army's employment practices "have injected religion into the workplace in ways that violate the anti-discrimination principles of the Fourteenth Amendment;" and

Whereas, Individuals and organizations motivated by diverse religious beliefs play a vital role in the City of New York, including in the provision of important services to those in need, and for years they have done so by keeping services separate from their religious practices; while the City respects the right of each religious organization to realize its particular religious mission, the Salvation Army and other groups should not use taxpayer money to spread evangelical and religious messages; and

Whereas, The Salvation Army is an active partner with the City and State in the provision of social

services, administering millions of dollars in public funding under its contracts with both entities; accordingly, when the Salvation Army and other similar organizations use public funds to provide services, they are obligated to adhere to non-discrimination principles, and consequently, they should not apply religious tests in the provision of services or in the hiring of employees to provide such services, require employees or prospective employees to reveal personal or private information about their religious affiliations or preferences, or require such employees or prospective employees to carry out religious doctrines or faith-based initiatives in the performance of their duties; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Salvation Army to cease and desist from requiring its employees or prospective employees of publicly financed institutions to reveal personal or private information about their religious affiliations or preferences, or to require such employees or prospective employees to carry out religious doctrines or faith-based initiatives in the performance of their work, in violation of Constitutional non-discrimination principles and the separation of church and state.

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