

Hospital Threatens Employment Discrimination Against Pro-Life Nurses

University of Medicine and Dentistry of New Jersey is ignoring a court order and threatening employment discrimination against 12 pro-life nurses.

The hospital is trying to force the nurses to attend meetings that would impose discriminatory job transfer and other changes to their employment for one reason only: The pro-life nurses don't want to help with abortions. The hospital's move is a direct violation of a court order.

Alliance Defense Fund (ADF) attorneys representing the nurses filed a motion for an emergency court order Friday against the hospital.

"These pro-life nurses shouldn't be bullied into employment discrimination that is forbidden both by federal law and a court order," says Matt Bowman, ADF legal counsel. "The hospital is threatening to impose discriminatory transfers or changes in the employment conditions for these nurses because of their religious and moral objections to abortion.

"Such discrimination against pro-life nurses violates state and federal law, the court's order in this case, and even the hospital's own public statements saying that no nurse must assist in procedures to which they object."

Specifically, the ADF is responding to a letter the hospital sent to the 12 pro-life nurses that requires them to attend mandatory meetings on or before Nov. 23. The meetings aim to discuss potential "changes in duties, changes in scheduling, and/or transfer to another nursing position ..."

A temporary restraining order the U.S. District Court for the District of New Jersey issued on Nov. 3 prohibits the hospital from making discriminatory employment changes until the court has a chance to consider the case. A hearing is scheduled for Dec. 5.

Although the hospital's letter frames the threatened changes as "reasonable accommodations," the ADF motion argues that, because conscience rights regarding abortion are paramount in the law, "the underlying laws in this case do not allow employers to negotiate 'reasonable accommodations' in the abortion context, and this Court's Temporary Restraining Order does not either."

ADF attorneys are asking for a new temporary restraining order that will prevent the hospital from forcing the nurses into meetings that impose changes to their employment. In addition, ADF is asking the court to hold the hospital in contempt of the court's existing order.