



Written by [Michael Tennant](#) on November 19, 2019

## Pro-life Groups Challenge New York Law Forcing Them to Hire Pro-abortion Employees

Pro-life organizations, with the assistance of the Alliance Defending Freedom (ADF), are suing to overturn a law signed by New York Governor Andrew Cuomo that they claim will force them to hire people who disagree with their mission.



On November 8, Cuomo, a Democrat, signed into law Senate Bill 660. “The law bars employers from enforcing certain codes of conduct or belief in the workplace with regard to ‘reproductive rights,’ and requires them to inform employees of their right to abortions without fear of any workplace retaliatory action,” according to the [Catholic News Agency \(CNA\)](#).

Since the law contains no religious exemptions, observed CNA, “this would mean that religious institutes and pro-life organizations, among others, could not institute workplace codes of conduct prohibiting abortion, nor could they terminate the employment of employees for having an abortion, in vitro fertilization (IVF) procedure, or vasectomy.”

SB 660, which has long been championed by Planned Parenthood, is the third pro-abortion measure Cuomo has signed this year. In January, he signed the [Reproductive Rights Act](#), which guarantees a virtually unlimited right to abortion at any stage of pregnancy or delivery. And in April, he affixed his John Hancock to legislation mandating no-cost coverage of contraception, including abortifacients, in employer-based insurance plans.

Rochester pregnancy care center CompassCare; First Bible Baptist Church of Hilton; and the National Institute of Family and Life Advocates, an association of pro-life pregnancy centers, filed suit late last week in the U.S. District Court for the Northern District of New York, challenging SB 660 on various constitutional grounds.

“SB 660 intentionally and by design sacrifices the associational, speech, and religious freedom of employers in New York State — including religious non-profits, churches, and schools — to the government’s desire to promote abortion rights by gutting the ability of pro-life employers to hire to their pro-life missions,” reads the [complaint](#).

Moreover, while proponents of SB 660 claimed it was needed to prevent employers from discriminating against employees who used contraceptives or obtained abortions, its “legislative history contains not one documented instance of” such discrimination “in New York State, or anywhere else,” plaintiffs point out. Thus, they conclude, it is “a remedy for a nonexistent problem.”

“No government has the right to tell pro-life or religious organizations they must hire someone who doesn’t agree with their core mission,” ADF Senior Counsel Ken Connelly said in a [press release](#). “New



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York is directly demeaning religious pro-life pregnancy centers and other faith-based organizations — like religious schools, Catholic hospitals, and even churches — by ordering them to violate their beliefs in key personnel and leadership decisions. The state is requiring our clients to contradict their convictions and undercut their freedom of association — requirements that are flatly unconstitutional.”

“Obeying this law would force CompassCare to violate its mission and beliefs,” CompassCare president Jim Harden said in a [statement](#). “CompassCare cannot in good conscience obey this law. We sue not because we want to but because it is needed to ensure pro-life Christians can continue expressing their convictions publicly and peaceably.”

Plaintiffs are asking the court to find SB 660 unconstitutional on the basis of the First Amendment’s guarantees of freedom of speech, religion, and association and the 14th Amendment’s due process clause, which they claim is violated because the law’s vagueness with regard to specific terms such as “reproductive health decision making” makes it impossible for any employer to know if the law applies to him and, if so, whether or not he is violating it. (Similar provisions appear in the New York constitution.)

A Cuomo spokesman told CNA that the state “will vigorously defend the law,” adding that the lawsuit is, in his opinion, “frivolous and quite frankly ridiculous, and we expect it to be dismissed by the court.”

“Gov. Cuomo has characterized pro-lifers as extreme and stated that they have no place in New York. He claims his comments were misconstrued, but his actions this year show that he actually meant what he said,” Connelly averred. “Gov. Cuomo’s message to pro-life New Yorkers is loud and clear: The abortion agenda of Planned Parenthood trumps the lives of the unborn, and anyone who disagrees will be forced to bow to the state’s orthodoxy by force of law.”



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