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**ACLU of Wisconsin
Statement on
Efforts to Exempt Some Employers
From Contraceptive Equity Law**

Milwaukee, WI: On Friday afternoon, June 12, 2009 Christopher Ahmuty, executive director of the American Civil Liberties Union of Wisconsin, issued the following statement on an important provision in the proposed state budget:

Should a nurses' aide at a hospital owned by a Catholic religious order or the cafeteria lady at a Catholic parochial school be denied access to birth control because their employers' are offended on "moral grounds"? No. But, the Wisconsin Catholic Conference appears to want to be able to do just that. The conference has asked the Wisconsin Legislature to exempt Catholic institutions from a provision in the state budget that confirms the duty of all Wisconsin employers to include contraceptive drugs and devices among the drugs covered by their health insurance plans.

Do all employees of all Catholic institutions have to accept that their employers won't allow them access to birth control even though it is medically indicated and morally acceptable to the employee? No, unless the members of the Wisconsin Catholic Conference are able to exempt themselves and other Catholic affiliated agencies from fair employment laws regarding health insurance benefits. The conference would discriminate against workers who carry out the same jobs as workers at agencies that are not religiously-affiliated.

Is religious liberty impeded when religiously-affiliated employers are asked to abide by anti-discrimination laws? No. Wisconsin and federal law already exempts religious institutions from the prohibitions on employment discrimination, if the employee in question is a member of the clergy or a religion instructor.

What should the Wisconsin Legislature do? The ACLU of Wisconsin urges them to adopt this budget provision that lets all employers know, if they are going to provide

prescription coverage in their health insurance plans, they must include contraceptive drugs and devices. The budget provision does not need to be amended.

Section 3198d of Assembly Substitute Amendment 1 to AB75 codifies contraceptive equity.

The ACLU of Wisconsin has nearly 9,000 members who support its efforts to defend the civil liberties and civil rights of all Wisconsin residents.