NEWS RELEASE

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Statement following today’s decision by the U.S. Court of Appeals

Washington, DC—The Association of Catholic Colleges and Universities is gratified by today’s decision of the U.S. Court of Appeals in the matter of Duquesne University of the Holy Spirit v. National Labor Relations Board. For us, this has always been a case about how the government decides to recognize our designation as faith-based institutions.

When the NLRB opted to address the matter of unionizing on three of our member campuses, it chose to limit the designation of “Catholic” strictly to the work that is done by professors teaching religion or other narrow corners of our institutions to be decided, institution-by-institution, by the NLRB itself.

This is a direct violation of past decisions of the U.S. Supreme Court, most notably NLRB v. Catholic Bishop, the 1979 case in which the Court articulated the problems that can arise when a government office decides what activity is religious and what is not. We are particularly pleased to see the Court adhere to the ruling in Catholic Bishop and refer to it as the seminal case in this matter.

Within a university curriculum, such separations are especially problematic. Our faculty are invited to show students the faith-based motivations of famous artists, composers, writers, economists, political theorists, philosophers and more. No government office should ever have the power to decide, department-by-department, course-by-course, which ones are doing the Church’s work and which ones are not.

As a member association, we have consistently noted that unions have been welcomed on a number of our Catholic campuses. Our point is more fundamental: Empowering government offices to decide which components of a university are faith-based is simply the wrong way to protect faculty.

The ASSOCIATION OF CATHOLIC COLLEGES AND UNIVERSITIES, founded in 1899, serves as the collective voice of U.S. Catholic higher education. Through programs and services, the Association strengthens and promotes the Catholic identity and mission of its member institutions so that all associated with Catholic higher education can contribute to the greater good of the world and the Church.