

***CORPORATION OF
THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST
OF LATTER-DAY SAINTS v. AMOS***

A building engineer (janitor) was employed at the Deseret Gym, a non-profit gymnasium operated by the L. D. S. church. The engineer said he was discharged because he failed to qualify for a “temple recommend” certifying that he was a member of the church and could attend its temples. Question: The gym was considered a non-religious activity. Does dismissing an employee working in the area violate the establishment clause of the First Amendment? (The government violates this clause when it specifically grants power to religious organizations which can directly and immediately advance religious tenants and practices.)

The U. S. Supreme Court held that religious organizations are allowed to fire their employees for religious reasons without being sued for discrimination.

1. This lets the religions make their own decisions without having an outside court decide which activities are or are not religious.
2. A law may allow religions to advance their religion as long as the government itself isn't advancing it by its own activities and influence.
3. The law allowing religions to be free from suit for firing on the basis of religion does not violate the separation of church and state.