

Catholic Charities Bureau of the Diocese of Superior: Asks court to recognize that it is religious

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WASHINGTON – Catholic Charities Bureau of the Diocese of Superior [just asked](#) the Wisconsin Supreme Court to affirm that their mission of feeding the poor, helping the elderly, and caring for the disabled is a religious one. Under state law, religious employers in Wisconsin are eligible for an exemption from the state unemployment benefit program if they are operated primarily for religious purposes. But in [Catholic Charities Bureau v. Wisconsin Labor & Industrial Review Commission](#), a Wisconsin appellate court denied Catholic Charities Bureau and four of their subsidiary ministries this exemption. That effectively prevents Catholic Charities Bureau from providing their own benefit program to their employees, even though other religious organizations do so.

Every Roman Catholic diocese in America has a social ministry arm that serves those in need. In the Diocese of Superior, Catholic Charities Bureau helps the disabled, the elderly, and those living in poverty, regardless of their faith. Guided by Church teaching that requires Catholics to serve all in need, this ministry fulfills the Church's religious mission by offering in-home healthcare, housing, childcare services, and other vital resources.

“As our Diocese’s social ministry arm, Catholic Charities Bureau and their subsidiary ministries provide essential resources to the most vulnerable members of our community,” **said Bishop James Powers, Bishop of the Diocese of Superior.** “These ministries carry out the redeeming work of our Lord by reflecting gospel values; everything they do is steeped in the mission of the Church.”

In Wisconsin, religious organizations are generally exempt from the state’s

unemployment program. That allows Catholic dioceses and others to set up their own unemployment benefit programs, in accordance with Catholic teaching. But a state court recently denied Catholic Charities Bureau's request for such an exemption. The court reasoned that because serving the poor, disabled, and hungry is not "inherently" religious, Catholic Charities Bureau was not religious enough for the exemption. In fact, the court thought that Catholic Charities Bureau needed to proselytize and preach the faith for their ministry to be sufficiently religious, even though the Catholic Church teaches that care for the poor should never be conditioned on acceptance of the Church's religious message.

"The lower court's reasoning flies in the face of both the Constitution and simple common sense," **said Eric Rassbach, vice president and senior counsel at Becket.** "It is absurd to suggest that Catholic Charities Bureau is not religious. Catholic Charities Bureau should not be penalized for serving all those in need or because they do not proselytize to those they serve. The Wisconsin Supreme Court should step in and correct the lower court's error."

For more information or to arrange an interview with a Becket attorney, contact Ryan Colby at media@becketlaw.org or 202-349-7219. Interviews can be arranged in English, Mandarin, French, German, Portuguese, Russian, and Spanish.

Additional Information:

- [Catholic Charities Bureau's petition to the Supreme Court of Wisconsin](#) (January 12, 2023)
- Case page for Catholic Charities Bureau v. Wisconsin Labor & Industry Review Commission (Images, legal documents)