



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Charlotte District Office

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CHARGE NO: [REDACTED]

[REDACTED]

Charging Party

Belmont Abbey College
100 Belmont Mt. Holly Road
Belmont, NC 28012

Respondent

DETERMINATION

I issue the following determination on the merits of this charge.

Respondent is an employer within the meaning of Title VII of the 1964 Civil Rights Act, as amended, and timeliness and all other requirements for coverage have been met.

Charging party alleges that he was discriminated against by Respondent based on sex when health coverage plan was changed to deny contraceptive benefits.

Respondent is owned and founded by the Southern Benedictine Society of North Carolina (Benedictine Monks) and claims that contraceptive benefits are inconsistent with the canon law of the Roman Catholic Church and undermine the College's religious beliefs. Respondent claims that they were approved by the state of North Carolina to change their employees' benefits packages.

Examination of evidence obtained by the Commission during its investigation supports the Charging Party's allegations, and does not support Respondent's defense. By denying prescription contraceptive drugs, Respondent is discriminating based on gender because only females take oral prescription contraceptives. By denying coverage, men are not affected, only women.

Charging party further alleges that he was discriminated against by Respondent based on religion when health coverage plan was changed to deny contraceptive benefits.

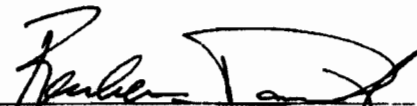
Examination of evidence obtained by the Commission during its investigation does not support the Charging Party's allegations. The benefits were not changed based on each individual employee's religious beliefs; contraception benefits were removed from the health plan for all employees, regardless of their religion.

Upon finding that there is reason to believe that a violation has occurred, the Commission attempts to eliminate the alleged unlawful practice by informal methods of conciliation. Therefore, the Commission now invites the parties to join with it in reaching a just resolution of the matter.

If the Respondent declines to discuss settlement or when, for any other reason, a settlement acceptable to the Office Director is not obtained, the Director will inform the parties and advise them of the court enforcement alternatives available to aggrieved persons and the Commission. A Commission representative will contact each party in the near future to begin conciliation.

On Behalf of the Commission:

JUL 30 2009
Date


Reuben Daniels, Jr.
District Director