

**1) Q. What is ACROSS?**

ACROSS is the Association of Christians Reaching Out in Service and Support, and is an officially recognized organization of Forest Service employees.

**2) Q. Who can be a member of ACROSS?**

Membership is open to anyone who supports the purposes and goals of the association.

**3) Q. Why is the FS recognizing a religious group?**

The Forest Service has a program by which it officially recognizes different employee groups or organizations. Several employee groups, including those representing African-American, Native American, Hispanic, Asian Pacific American, and disabled employees, have been officially recognized under this program.

**4) Q. Isn't it illegal to have a religious employee association?**

No, it is legal. The recognition of ACROSS is the result of an out-of-court settlement negotiated between the Forest Service and ACROSS through U.S. District Court. The U.S. Department of Justice signed the document that resulted in the recognition of ACROSS in the federal workplace.

**5) Q. What did ACROSS and the Forest Service agree to in the settlement?**

The Forest Service agreed to accept the ACROSS charter with two revisions and to recognize ACROSS as an official employee association. ACROSS agreed to revise its charter as follows: 1) As requested, ACROSS revised the section on "Removal of Members" to eliminate the Biblical guidelines for member removal and replace them with guidelines similar to those in the other employee associations' approved charters; 2) as requested, ACROSS added a statement that it "does not discriminate in its membership based on religion or creed."

The Preamble to the ACROSS charter, which quotes Founding Fathers and other national leaders regarding religion, and the Purposes, which replicate some of the purposes of the other employee associations as well as some specific to ACROSS and are accompanied by Bible references, remain as originally presented.

**6) Q. What about the "separation of church and state"?**

The phrase, "separation of church and state," does not appear in the United States Constitution, nor in any of the nation's founding documents.

The First Amendment to the United States Constitution protects the free speech and free exercise rights of federal employees, and this includes religious speech. Government employees do not forfeit their First Amendment rights upon entering the workplace. The Forest Service is

administering a neutral policy regarding employee associations, and to refuse to recognize religious groups based on the content of their speech violates the First Amendment.

Recognizing ACROSS does not violate the Establishment Clause of the First Amendment. The Forest Service is not establishing or endorsing a particular religion by this action, but is supporting freedom of religion, freedom of speech, and freedom of assembly, as required by the First Amendment. The Establishment Clause does not provide any justification for restricting religious speech or belief in the workplace.

(The First Amendment to the United States Constitution reads: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.")

**7) Q. The government isn't supposed to establish a religion, is it?**

The settlement agreement that resulted in the recognition of ACROSS was approved by the United States Department of Justice and the U.S. District Court judge. This kind of scrutiny assures that establishment of religion did not occur, even inadvertently.

The fact that officially recognized employee groups receive some benefits from the Forest Service does not mean the government has established a religion, even though one of the groups happens to be religious. The courts have consistently held that it is not a violation for government to enact neutral policies that happen to benefit religion.

**8) Q. Where does the Civil Rights Act fit into this?**

Title VII of the Civil Rights Act of 1964 prohibits discrimination against employees based on their religious viewpoint. It would be a violation of Title VII to deny official recognition, and access to benefits on the same basis as other employee groups, solely because of the religious perspective of a group.

**9) Q. But aren't civil rights about employment and hiring?**

Civil rights are much broader than employment. Title VII prohibits discriminating against employees based on their religious viewpoint, and this covers such things as the right of employees to share their religious beliefs with co-workers, to otherwise speak about their religion on the job, and to have their religious beliefs accommodated unless such accommodation would result in undue hardship to the employer. Discrimination can manifest itself in employment and hiring practices AND in harassment or intimidation.

**10) Q. There isn't any under-representation of Christians in the work force, so why was this group recognized?**

The Christian association is not focused on under-representation or affirmative action or hiring of Christians, although these are some of the purposes of the other employee groups; ACROSS is

an employee association for employees that have the same interests, purposes, and goals, just as members of the other employee associations have the same interests, purposes, and goals, focused on their particular group.

Several of the purposes of ACROSS are the same as the purposes of other approved employee associations, as expressed in their charters, such as to improve the morale and well-being of employees, to encourage employees, to interact with management on issues that affect members of the group, and to address discriminatory treatment in the workplace.

**11) Q. Why didn't anyone address the objections that have been raised about the formation of ACROSS?**

The objections raised by the Office of General Counsel in an opinion dated February 5, 1996, were addressed by ACROSS itself. ACROSS changed several sections of its charter to accommodate the objections. For example, ACROSS added a section on financial accountability and expanded the section on election of officers. ACROSS did not change other sections of its charter that were copied from the approved charters of other employee associations.

**12) Q. The membership categories in the ACROSS charter seem so broad that practically anyone could be a member. Is this appropriate?**

The membership categories are appropriate because the sections in the ACROSS charter defining the types of memberships were copied from other employee associations' approved charters. ACROSS should not be held to a different standard than the other employee associations.

**13) Q. How does ACROSS plan to "interact with management," as its charter says?**

ACROSS plans to interact with management in the same way as the other employee associations, such as in meetings, through civil rights committees, etc. This clause in the ACROSS charter was copied from other employee associations' approved charters.

**14) Q. What does "just cause" mean in the section on removal of members?**

According to the charter, "Just cause" shall include, but is not limited to, dereliction of duty, any illegal act, or any act that will bring discredit upon the ACROSS organization." This section was one that was changed in the settlement agreement and this phrasing was provided by the government and agreed to by ACROSS. Except for the reference to "the ACROSS organization," it is identical to the definition of "just cause" in the approved charters of other employee associations.

**15) Q. What benefits does the Forest Service gain from recognizing ACROSS?**

The Forest Service will gain benefits similar to those derived from other employee associations, such as their unique perspective on issues and policies, their support and encouragement of both employees and management while working to improve the work environment for all employees,

and their interaction with management and with national and local civil rights committees to identify concerns and resolve civil rights-related issues.

**16) Q. What benefits does ACROSS gain from official recognition?**

ACROSS will have the same benefits as the other recognized employee associations. These include access to management of the Forest Service, membership on civil rights action groups, use of Forest Service electronic mail, use of Forest Service meeting rooms, and the opportunity to meet on government time.

**17) Q. How does this fit with "Toward a Multicultural Organization"?**

Recognizing ACROSS is another step in building the multicultural organization. The Forest Service has committed in the "Toward a Multicultural Organization" policy to honoring the diverse cultures, traditions, and spiritual values of Forest Service employees. ACROSS transcends and includes all other groups--black, white, Asian, Hispanic, Indian, disabled, able-bodied, male, and female. ACROSS is a multicultural organization.