

Following the case in Pretoria High Court (Equality Court) where a church was ordered to pay damages to an ex-employee for dismissing him by reason of his homosexual lifestyle, JASA has drafted the following document, based on the judgment, for the future protection of churches. (September 2008)

SUGGESTED DECLARATION TO BE SIGNED BY EMPLOYEES OF CHURCHS AND ADDED TO ALL EXISTING CONTRACTS

1. I,....., hereby express my full agreement with the beliefs, vision and values held by thechurch, as to the teaching of Holy Scripture about matters of moral conduct and lifestyle.

2. I undertake to tell my employer immediately if my beliefs or conduct should change so as to offend against the beliefs of the church in respect on any of the following matters:
 - (a) Pre-marital sex
 - (b) Adultery
 - (c) Homosexual practices or lifestyle.

3. Furthermore I understand and accept that should my beliefs or conduct in these matters or any of them offend against the views of the church, I shall be liable to dismissal in the absolute discretion of my employer, provided I have been given a proper opportunity to present and explain my views in accordance with the principles of natural justice.

4. I understand and accept also that whatever my duties or responsibilities in the church, whether or not they involve leadership or teaching, I am at all times required as an employee of the church to be an exemplary role model in all matters of belief and conduct, particularly (but not exclusively) in respect of the aforementioned moral matters.

Signed.....

Witnessed.....Dated.....