

Contraception case has high stakes for local firm - Owner says he won't comply if court rules businesses must provide workers coverage

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- Abstract: p The 11th circuit court of appeals has stayed the case of Thomas Beckwith, whose company does not provide coverage of certain contraceptives in accordance with ACA. The case is pending a decision by the U.S. Supreme Court in two other cases, which are scheduled to be argued March 25. Will chat with company owner Thomas Beckwith about where things stand and how he is watching the Supreme Court.

LARGO — Tom Beckwith says the future of his company is riding on how the U.S. Supreme Court rules in a pair of cases set for argument next month.

A devout Southern Baptist, Beckwith credits his faith with his success, both personal and in business. And for him, a core part of that faith is his vehement opposition to abortion.

So Beckwith refuses to comply with a provision in the Affordable Care Act, derided by opponents as “Obamacare,” that requires employer-sponsored health insurance plans to cover the cost of contraceptives.

While Beckwith says he has no objections to providing insurance covering pills or devices that prevent conception, he will not pay for anything that damages or destroys a fertilized egg — something he sees as tantamount to murder. Those include morning-after pills and copper intrauterine devices.

Beckwith employs about 142 people at Beckwith Electric, which manufactures electrical components for power plants around the world. He says the company has annual revenue of more than \$30 million.

Last June, Beckwith won a court order granting him an exemption from the contraception mandate when U.S. District Judge Elizabeth A. Kovachevich agreed with him that his business was protected by the First Amendment’s freedom of religion guarantee as well as the Religious Freedom Restoration Act.

The federal government, which argued that for-profit, secular corporations cannot avoid legal requirements because of religious beliefs, appealed to the 11th Circuit Court of Appeals in Atlanta.

On Jan. 31, the appellate court put the case on hold until the U.S. Supreme Court rules on two other cases involving the same issues.

The high court is scheduled to hear oral arguments March 28 in two cases involving private companies that want the same exemption from the contraceptive mandate.

One case involves Hobby Lobby Inc., an Oklahoma City-based arts-and-crafts chain with 13,000 full-time employees. Hobby Lobby won in the lower courts, which ruled the company does not have to include the disputed contraceptives in its employee health plans.

Lower courts ruled for the federal government in another case involving Conestoga Wood Specialties Corp., a Pennsylvania cabinet company with 950 employees.

If the Supreme Court ultimately rules against the businesses, Beckwith said, his company will pay a high price and likely will not survive.

“I believe we’re going to win,” he said. “I love my employees. It’s going to hurt like heck (if we lose) because I’ve worked to build this business for the last 40 plus years. ...

“It eventually comes to what you believe in and how much you believe in, and this is a core value,” he said. “This is one of those — thou shalt not murder. It’s really clear and I won’t participate in the murder of innocent human life.”

In defense of the mandate, the federal government says it has an interest in ensuring women are provided better health care and do not face discrimination.

Supporters of the federal government, including the American Civil Liberties Union, argue that businesses have historically claimed religious freedom allows them to discriminate against workers in a number of ways. If the courts find that secular, for-profit corporations have religious freedom protections, the argument goes, that could open the door to that kind of discrimination again.

“For example, a secular school instituted a ‘Protestant-only’ hiring policy based on the school’s founder’s religious preferences,” the ACLU wrote in a court filing. “Employers claimed their right to religious freedom entitled them to pay men — who they considered to be the head of household based on their religious beliefs — more than women; businesses claimed that their right to religious liberty entitled them to discriminate against African-American customers in public accommodations; and universities claimed a religious liberty right to discriminate against African-American students.”

Beckwith says the idea that he would discriminate is offensive.

He describes himself as “a fairly good student of government” who followed the last big Supreme Court decision that upheld the Affordable Care Act, a ruling with which he disagreed. But his interest in that didn’t come close to the attention he is paying to the Hobby Lobby and Conestoga Wood cases.

The issue for Beckwith is clear cut.

“I think it’s a real, basic, fundamental religious freedom,” he said. “I’m sure there is something or somewhere in your life that would cause you to go to the mat for your beliefs. The Lord Jesus saved my life. I’m not going to back off.”

If Beckwith loses, he says his company would face crippling fines of about \$5 million a year. But even so, he said, he will not comply with the mandate.

“I don’t even want to think about the consequences,” he said. “Whatever the government tries to force me to do that’s against the love of Christ, I just won’t do it. I would be betraying Jesus. I would be betraying everything he’s done for me.”

He said his employees aren’t focused on the issue.

“We’re just working our tails off and trying to keep the business successful,” he said. “God’s been blessing us, and I love my employees. I don’t think they think too much about it. Even the ones who don’t believe in my view have complimented me on my bravery to stand up for my beliefs, my faith.”

Some of Beckwith’s workers agree with their boss, while others have more nuanced beliefs.

Beckwith gave a reporter and a photographer a tour of his plant and allowed them to interact with workers, telling the employees they were free to express their disagreement with him if they wanted.

Cindi Sandberg, an assembler who has worked at the plant 5½ years, said she thinks contraceptive decisions should be “up to the individual ... I don’t believe it’s up to the owners of the companies. I know they’re the owners, they provide the insurance, you know.”

She said she thought the health plan should provide the contraceptives. “I’m pretty sure everybody has their own feeling on that,” she said.

She said she thinks the mandate will be implemented. “I don’t care,” said Sandberg, who is past child-bearing age. “I’m not having any kids. So I mean, most of the employees here aren’t either.”

She worries that the outcome could endanger the future of the company and other small businesses. “I’ve heard other company owners saying they’ll cut back hours so they don’t have to provide and that’s going to hurt the individuals in the companies and that would be a bad thing for us, too... I don’t want to go out and look for another job or be on unemployment. I’m no good idle. I have to work. I don’t want to go out and have to start all over again. Being on unemployment would be no fun for me.”

Mary K. Palmer, a mechanical inspector who has worked 2½ years at Beckwith, strongly supports her boss. “I’m a Christian, so I don’t believe in abortion, period.” she said.

She said opinions vary at the company. “I don’t put my views on anybody,” she said. “Everybody has their own opinion ... I think everybody should have a choice.”

Palmer said she is not afraid of the company’s fate. “I think we’ll prevail,” she said. “I have faith.”

Nipaldo Trujillo, a component technician, has worked at Beckwith six years. He described himself as pro-life, but he added, “My opinion is that I respect the rights of the women to make the decisions. At the same time I agree with the owner. They shouldn’t be forced to pay for something they don’t support ... I support the values of the owner, not because he’s the owner. It’s because I totally agree with that.”

Trujillo said he’s not worried the legal fight will end the company “because this is the United States of America, still, forever.”

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The Associated Press contributed to this report.

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