



## Frequently Asked Questions

### About the Hobby Lobby Case

#### ► Why is Hobby Lobby challenging the federal mandate to provide four specific potentially life-terminating drugs and devices?

The legal challenge by the Greens and their family businesses, including Hobby Lobby Stores Inc., has always been about one thing: upholding deeply held religious convictions lived out by compassionate family business owners – and protected by the law of the land.

The Greens' and their family businesses' court challenge is based on their commitment to life, and the fact that four specific drugs and devices potentially terminate life.

Providing these objectionable drugs and devices violates the deeply held religious convictions of the Greens – the sole owners of their family businesses – that life begins at conception. Yet refusing to comply with the federal mandate would subject them to an untenable choice of paying substantial fines or discontinuing the outstanding and affordable health insurance plan currently provided to their valued employees.

Therefore, the U.S. Tenth Circuit Court of Appeals has agreed that the provision violates the rights of the Greens and their family businesses to exercise their religion under the Religious Freedom Restoration Act.

#### ► Is Hobby Lobby preventing its employees from buying contraceptives under its plan?

Not at all. The Greens and their family businesses respect the individual liberties of all their employees. The Greens and their family businesses have no objection to the other 16 FDA-approved contraceptives required by the law that do not interfere with the implantation of a fertilized egg. They provide coverage for such contraceptives under their health care plan. Additionally, the four objectionable drugs and devices are widely available and affordable, and employees are free to obtain them.

#### ► But isn't Hobby Lobby depriving its women employees of health care?

Just the opposite: the Greens and their family businesses, including Hobby Lobby Stores Inc., offer their employees – nearly 70 percent of whom are women – a

robust benefit plan that includes coverage for preventive care and almost all of the contraceptives required under the Affordable Care Act. That plan includes an on-site clinic with no co-pay at Hobby Lobby headquarters, and all full-time employees are eligible to enroll in a generous benefit plan: including medical, dental, prescription drugs, along with long-term disability and life insurance, and a 401(k) plan with a generous company match.

► **Is Hobby Lobby imposing the religious views of its owners on its employees?**

Of course not. The Greens and their family businesses support the individual liberties of all their employees. The very notion turns the facts and the law on its head. In fact, it is the federal mandate that violates the deeply held religious beliefs of the Greens by forcing them to violate the law or violate their belief that life begins at conception – a choice no company should have to make. And by threatening extensive fines, the mandate would place a substantial burden on the Greens' practice of their faith under the Religious Freedom Restoration Act. That's why a federal appeals court ruled in their favor. Meanwhile, Hobby Lobby offers coverage for 16 of 20 drugs and devices included in the mandate in its health plan, and the four objectionable drugs and devices are widely available and affordable, and employees are free to obtain them.

► **Why should a for-profit corporation be able to claim religious rights?**

Most Americans today believe that all business should be run not just for profit, but also to serve a wider social purpose: that companies should have a “corporate conscience.” The Greens, the sole owners of the family businesses, could not agree more. All of the family members have agreed to operate all aspects of Hobby Lobby and their other family businesses according to their deeply held religious convictions. They do this in ways that greatly benefit their employees, the public and a wide range of charities, from orphanages around the world to ministries across America.

Hobby Lobby's minimum full-time hourly wages are now more than 90 percent above the federal minimum wage. Minimum wages for part-time employees are also well above the average for retail. Hobby Lobby has increased its minimum wage for full-time hourly employees by \$1 an hour for five years in a row.

And again, Hobby Lobby offers a health care plan far more generous than most in the retail industry, including providing almost all of the contraceptives required under the Affordable Care Act at no additional charge.

Moreover, the Greens and their family businesses are fully committed to a true work-life balance for their employees. To allow employees to spend time with their families, the Hobby Lobby stores are open only 66 hours per week and close most nights at 8 p.m. In particular, as part of that commitment to employees and their families, Hobby Lobby stores are closed on Sundays – the most productive and profitable day of the week for any retail business.

Finally, the Greens live out the greater purpose to which they have committed their businesses through selfless giving. In 2010, Founder and CEO David Green and his wife, Barbara, signed on to the Giving Pledge, agreeing to donate the majority of their wealth to philanthropy. A generous portion of the profits of the Green family businesses is devoted to charitable and ministry organizations.

[An interesting discussion of this issue can be found [here](#).]

**► What is the difference between Hobby Lobby's case and the other federal mandate case the Supreme Court decided to hear, Conestoga Wood?**

The Green family and their family businesses filed Hobby Lobby in Oklahoma, and the Hahn family filed Conestoga Wood in Pennsylvania – that's about where the differences end. The Hahns are a Mennonite family that objects to potentially life-terminating drugs and devices. The Greens and the Hahns raised nearly identical legal claims in the courts below. The en banc U.S. Tenth Circuit Court of Appeals ruled in favor of the Greens and their family businesses, including Hobby Lobby, in June 2013, and a divided panel of the U.S. Third Circuit Court of Appeals ruled against the Hahns and Conestoga Wood in July 2013. The Supreme Court will hear both cases on March 25.

**► What if corporate owners wanted to deprive their employees of transfusions or any health care at all based on their religious beliefs? Isn't this a bad precedent to set?**

Absolutely not. This case is about a compassionate family and their businesses living out their deeply held religious convictions in a way that does not threaten the health and well-being of their employees. The U.S. Tenth Circuit Court of Appeals has held they are protected under federal law. Under that law, courts are required to strike sensible balances between religious freedom and other interests. There's never been a case claiming that kind of exemption, and if there were, courts would probably strike the balance differently than they did here.

These family business owners who also live out those deeply held religious convictions in their care and concern for their employees, offering pay, work schedules and benefits, including a robust health care plan, that are far more generous than those generally found in the retail industry.

► **As an admittedly Christian-run company, does Hobby Lobby discriminate against other faiths?**

The Greens and their family businesses, including Hobby Lobby, respect the religious beliefs of all their employees and customers and do not discriminate. It's worth noting that among the beneficiaries of the Greens' and their family businesses' giving is Yad Vashem, the center for Holocaust research, education and commemoration in Jerusalem.

► **What result does the company anticipate at the U.S. Supreme Court?**

The Greens and their family businesses believe that the U.S. Tenth Circuit Court of Appeals has correctly applied the law, and they are hopeful that the nation's high court will recognize the sincerity of their deeply held religious convictions and affirm the appeals court's decision.

► **When are oral arguments and a decision expected?**

Oral arguments have been scheduled for Tuesday, March 25, 2014. A decision should be announced sometime before the end of the court term in June 2014.