

German court says Catholic hospital must rehire divorced doctor

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BERLIN (RNS) A divorced doctor fired from his job at a Catholic hospital because he married another woman should be reinstated, a German court ruled Thursday (Sept. 8).

The ruling by Germany's highest labor court means that church organizations may fire someone if they are found not living up to church standards, but only if there is no overriding argument for the person to retain his job.

The case concerned a doctor at St. Vincent Hospital in Dusseldorf. According to a court press release, after he was divorced from his first wife, the doctor moved in with another woman, before marrying her in a civil ceremony.

The hospital then fired him, noting that when he was hired in 2000, he had signed documents promising to follow Catholic values.

The judges said that the hospital weakened its case by not disciplining the doctor when he was cohabitating and by not enforcing similar rules on non-Catholic employees.

They also noted that the man's first wife had left him -- and that the doctor and his new wife remained committed to church doctrine.

The ruling comes a year after the European Court of Human Rights ruled that a Catholic church in Essen had to reinstate an organist who started a relationship with a woman after separating from his wife, arguing that signing a work contract did not give the employer control over a person's life.

German courts have ignored the ruling, arguing that the ECHR rulings only apply to German cases filed since 2006.