



PENNSYLVANIA COALITION
FOR INFORMED CONSENT

Exercising Your Religious Right to Vaccine Exemptions in the Workplace

1. Connect with like-minded coworkers, and build a community. Groups have formed on Facebook and Telegram. Strength in community is critical.

The following suggestions are NOT legal advice but rather, steps which have helped others in dealing with employer mandates. Based on your individual situation, it may be in your best interest to get an attorney.

2. Keep detailed records of all correspondence related to this issue, including written policies, emails, notes from meetings, etc. Written communication is preferred for ease of record-keeping. This information will be needed in the event of obtaining legal counsel.

3. If applicable to your beliefs, you can send a religious exemption letter.

Title VII of the Civil Rights Act of 1964 confirms religious rights of U.S. Citizens. Those with religious opposition to vaccines, or to the Covid shot in particular, have a legal right to their belief and expression of those beliefs in the workplace.

Your religious beliefs do not need to be backed by any religious authority, church, or denomination. **Answering questions about your personal religious beliefs and church affiliation seems to lead to interrogation and scrutiny about the validity of one's beliefs, and may give your employer reason to investigate or attempt to disqualify your beliefs.** It is best instead to focus only on the privacy of your beliefs without sharing any details. According to the EEOC, the employer is ONLY justified in asking for additional supporting information about your religious belief if he/she has an "objective basis for questioning either the religious nature or the sincerity of a particular belief, practice, or observance." (Section K12 covers Religious Beliefs in this EEOC Document: <https://www.eeoc.gov/wysk/what-you-should-know-about-covid-19-and-ada-rehabilitation-act-and-other-eeo-laws>.)

Continued...

Here is a sample letter:

“To Whom it May Concern:

I am opposed to getting the Covid vaccine due to my sincerely held, personal, religious beliefs. This belief is my own and not necessarily that of an organized religion, church, or denomination.

Sincerely, [name]”

Send certified mail, if preferred, to your HR department or the department that is requesting. If they have a document that asks for reasoning, respond to it by writing “not mandated by federal law”. We are suggesting that you do not comply with requests to explain any of your personal religious beliefs, or get clergy to sign any forms or letters.

See: (1) Civil Rights Act of 1964 title VII

<http://employment.findlaw.com/employment-discrimination/title-vii-of-the-civil-rights-act-of-1964-equal-employment.html>

See section: DISCRIMINATION BECAUSE OF RACE, COLOR, RELIGION, SEX, OR NATIONAL ORIGIN

(2) PA Constitution - religious freedom

<https://www.legis.state.pa.us/WU01/LI/LI/CT/HTM/00/00.HTM>

4. If your religious exemption is denied, you will need to find legal counsel. Group lawsuits have been beneficial to healthcare workers in PA in the past. See example: <https://www.eeoc.gov/newsroom/saint-vincent-health-center-pay-300000-settle-eeoc-religious-accommodation-lawsuit>

5. While at one time, ICAN was offering to support legal action in the event of employer mandates, that has changed, and they are now offering assistance to those who have been terminated from employment. In this case, email ICAN at freedom@icandecide.org and provide written documentation of the employer’s policy.

6. For Employees with Disabilities: The Americans with Disabilities Act (ADA) prohibits discrimination against people with disabilities.

<https://www.dol.gov/general/topic/disability/ada>

Sections K5-11 of this EEOC document provides information about vaccine exemptions and accommodations for disabled employees.

<https://www.eeoc.gov/wysk/what-you-should-know-about-covid-19-and-ada-rehabilitation-act-and-other-eeo-laws>