

A Template for the “COVID-19 Vaccine Exemption Interactive Dialogue Questions for Employee” Form



The Vault Project has received numerous emails regarding a new survey sent to federal employees after their religious exemption requests to the COVID vaccine mandate were submitted.

The form states: “[...]’s Exemption Review Board needs additional information to conduct or make a determination regarding your exemption request.” It then asks the employee another series of questions about their job responsibilities and must be submitted before an exemption can be granted.

Many speculate the form is another attempt to avoid granting exemptions to the COVID vaccine requirement.

Because an employer must grant religious accommodations for employees with sincerely held religious beliefs unless it can

show that doing so would be unduly burdensome, it makes sense that federal employers would conduct another intake among those who qualify for an exemption to obtain information that could be used to deny the request.

In other words, this form may be designed to provide the support an employer needs to deny your exemption request by showing that, based on your own answers, it would be unduly burdensome to provide an accommodation.

When answering the form, keep this in mind. In your answers, adhere to your religious convictions, while showing how easy it would be for your employer to provide you with an accommodation. Should your request for a vaccine exemption be denied and you choose to challenge the denial, your answers to this form may prove useful.

There is also a new form for managers to fill out and submit. It states, "this information will help establish whether a vaccine exemption can be provided to the employee," and asks a manager to fill out a form regarding the employee's position. Speculation suggests this form serves as another layer of legal protection for federal employers – whose underlying goal is to increase vaccination rates by denying exemptions.

In this article, you will find a template for the employee questionnaire. You can find a blank copy of the "COVID-19 Vaccine Exemption Interactive Dialogue Questions for Employees (Religious)" form [here](#).

A copy of the "Covid-19 Vaccine Exemption Interactive Dialogue Questions for Managers (Religious and Disability)" can be accessed [here](#).

Hello,

First, thank you for the excellent work you are doing. I personally utilized your [template](#) when filling out my federal

employee exemption form, it is such a great resource.

However, you should know that what you wrote –“The Task Force said the agency [employer] may also ask for other information as needed to determine if the individual is legally entitled to an accommodation” – is now occurring. The next move in their chess game is sending out forms to employees who requested an exemption and their direct supervisors (please see attached).

Could your team please review these additional questions and publish a template-type article for them? Despite the attached forms being agency-specific (with some questions relating only to the agency), I imagine the more general questions in them are being incorporated in the version of these forms sent out to other federal agencies – making a follow-up article still immensely valuable.

– An anonymous reader

Question 1: Please describe the duties you are required to perform on a daily or recurrent basis, including whether you engage with other employees or the public. Have your duties changed since COVID started around March 2020? If so, please describe how your duties have changed.

Always answer honestly, but if you don't engage with employees or the public, you will want to emphasize that. If you do

engage with others, you'll want to state such, but de-emphasize that information. For example, you would say you've been filling the same role since the beginning of the pandemic and highlight truthful facts like, "nobody has ever contracted SARS-CoV-2 from interacting with you while acting within the scope of your employment," or "your interaction with others is limited," or "you do interact with others but it is easy for you to take other steps to mitigate the risk of COVID" or "you are not a risk to others because you have natural immunity."

If you've already had COVID, you will definitely want to include this because the Centers for Disease Control and Prevention (CDC) has not [documented a single case](#) of COVID caused by someone with natural immunity. If you're not a threat to others, then it's not unduly burdensome to be provided with a vaccine exemption because there are no measures an employer must take to accommodate your request.

If you've worked on the frontlines and had a lot of contact with other people or patients, provide that information but note that your job responsibilities and interaction with people have been consistent even during the height of the pandemic, and not a single person was exposed to COVID through interacting with you within the capacity of your employment.

Below are a few examples of ways you might answer this question.

Sample Answer 1: Employee who interacts with other employees/public and has a previous history of COVID

"I've been performing the same duties within my employment since [list date here], which consist of [list job description and emphasize the duties you have that are not performed around others]. My roles have/have not changed since the beginning of the pandemic. [State how job has changed if applicable. State any precautions in place you diligently

follow.]

“I do interact with other employees and occasionally with members of the public; however, I utilize the above precautions. In addition, I have a previous history of COVID and acquired natural immunity. According to the Centers for Disease Control and Prevention, there has not been a [single documented case of COVID](#) caused by a person with natural immunity. In addition, [140 scientific studies](#) show natural immunity is superior to, more robust, and more durable than any temporary immunity provided by a vaccine. Thus, if granted an accommodation, I would not be a threat to anyone if allowed to continue with my current roles and responsibilities in the workplace and no measures would need to be put in place by my employer in approving my request for a vaccine exemption based upon my sincerely held and constitutionally protected religious beliefs.”

Sample Answer 2: Limited interaction with other employees/public

“I’ve been performing the same duties within my employment since [list date here], which consist of [list job description here and emphasize the duties you have that are not around others]. My roles have/have not changed since the beginning of the pandemic. [State how job has changed if applicable.] I take the following precautions to mitigate the risk of COVID (if applicable). I have limited/no interaction with employees and limited/no interaction with the public.”

If applicable, state that most of your workplace is already vaccinated and information regarding natural immunity if you have a previous history of COVID.

Sample Answer 3: No interaction with other employees/public or work from home

“I’ve been an employee of [insert name of employer here] since [insert year]. My job responsibilities include [insert

responsibilities here]. Prior to the pandemic, I performed all of my work from the physical place of business; however, since the beginning of the pandemic, I have performed all of my job responsibilities remotely. I have little to no contact with other employees and no contact with the public. It would not be burdensome for my employer to grant my religious vaccine exemption request, as my work is remote and primarily from home.”

Question 2: Please describe your predominant work environment (ex: office, seaport, land-port, airport, station, outdoors, field, etc.). Have your duties and the environment in which you worked changed since COVID started around March of 2020? If so, please describe how your duties and work environment changed.

Answer how your work environment and/or duties have changed since March 2020. If your job requires large amounts of time outside or in an environment where risks of COVID are minimal, you’ll want to emphasize this.

Sample Answer: “My predominant working environment involves some office work, but is mostly outside on the job site/in a vehicle whereby I am the only person present/in an airport but adequately distanced from others, etc.”

Question 3: Are you able to successfully perform all aspects of your position remotely, i.e., without physically coming into the workplace? If you are required to come into the workplace, what measures will you need to take to mitigate the threat of COVID (ex: masking, social distancing, periodic testing, etc.)? Please list any others.

Answers here will vary. The more you can do from home remotely and the more measures you're willing to practice in an effort to "mitigate" whatever "perceived risk" they think you pose, the better you will fare; however, if you've had COVID already, it really doesn't matter what measures you take, as you're not a risk to anyone. This may be something to point out in support of not taking other precautions if you're opposed.

State whether you're able to perform any, part or all of your job responsibilities remotely. If you are not, state what measures you will take or would be open to doing in lieu of receiving a COVID vaccine if working on site is needed. You could offer to wear a mask around patients/public/other employees, socially distance, incessantly wash your hands, engage in testing, stay home if you experience any COVID symptoms and remained quarantined for the CDC's recommended period of time.

You could also state that you agree to abide by whatever

measures your employer deems reasonable in lieu of receiving a COVID vaccine or state that due to the nature of your job there are no measures necessary to mitigate the risk (for example, in the case of someone who may have to be on the job site but is always outside or is never around other people).

Question 4: Have you been on a telework status since COVID started around March of 2020? If you are teleworking what percentage of the work week are you teleworking? Did this percentage change since COVID started around March of 2020? If so, please describe how it changed. Can you perform the full range of your duties while you are teleworking? If not, please identify the duties that you cannot perform (ex: access to the SCIF).

This is a fairly straightforward question. They're looking to see if you can perform your work remotely because this is the most favored accommodation if one does not receive a COVID vaccine. Answer whether you already work remotely and if you don't, whether you could perform tasks remotely if needed. In some instances, working remotely may not be an option and thus, would not be an adequate accommodation.

Question 5: Please provide an explanation of your religious practice or belief.

Refer back to your request for a religious exemption to the COVID vaccine and use the same language that got you this far. They may just be wanting a reminder of the basis for your request (should someone else be reviewing this form) or they may be looking for inconsistent answers. Refer to [this page](#) for templates and religious exemption resources.

Question 6: What are you currently doing to observe this religious practice or belief?

This question was asked and answered when you requested your vaccine religious exemption. Refer back to your religious exemption request and keep your answers consistent. If you've requested and/or received vaccine exemptions in the past, or have a history of abstaining from other vaccines, medications or procedures on the same grounds, include that information.

Question 7: Please explain how and why your religious belief or practice prevents you from receiving a COVID-19 vaccine.

Refer back to your request for a religious exemption to the COVID vaccine and use the same language from your religious exemption request. This [article](#) may help you provide an adequate answer if needed.

Sample Answer 1: "Complying with the COVID-19 vaccination

requirement would violate my sincerely held religious beliefs protected by the [Title VII of the Civil Rights Act of 1964](#) (42 U.S. Code § 2000e), which prohibits discrimination against a sincerely held religious belief, practice or observance, and is affirmed by the Equal Employment Opportunity Commission and extensive case law.

“The development, production and/or testing processes of the current federally-authorized COVID vaccines subject to [insert name of entity mandating vaccine]’s vaccine mandate, as well as the existence of the fetal tissue industry, are contrary to my religious tenets and practices. Each of the currently available vaccines in question used [multiple cell lines from aborted fetuses](#), including HEK-293, PER.C6, and/or MRC-5 fetal cell lines in the research, manufacturing and/or development of their vaccines. In addition, numerous aborted fetuses were used in the process of obtaining the established cell lines.

“Partaking in a vaccine that used aborted fetuses in the research, development or manufacturing of their vaccines and/or may contain [“residual amounts of host cell proteins and/or host cell DNA”](#) derived from aborted fetuses makes me complicit in an action that violates my religious faith. As such, I cannot, in good conscience and in accord with my religious faith, take any such vaccine at this time.”

Sample answer 2: “The Bible is the inspired and divine word of God and it teaches that that body is a temple unto the holy spirit (1 Corinthians 6:19-20); thus, I cannot utilize vaccines that contain mRNA or adenovirus vector technologies or those vaccines which utilize aborted fetal ingredients in the research, manufacturing or development processes. [Title VII of the Civil Rights Act of 1964](#) (42 U.S. Code § 2000e) prohibits discrimination against a sincerely held religious belief, practice or observance, and this right is reaffirmed by the Equal Employment Opportunity Commission and extensive case law.”

Note: This post is for informational purposes only. The Vault Project makes no promises your exemption will be approved or an accomodation will be granted. If your exemption is not approved, we encourage you to contact the EEOC and engage in their mediation process, and if needed, pursue legal counsel to assert your rights.