

# A Template for Your Employer's "Request for a Religious Exemption to the COVID-19 Vaccination" Form



On Oct. 4, the Office of Management [released guidance](#) to employers outlining specific requirements for obtaining a [medical](#) or [religious](#) exemption to COVID vaccines – making the process more intrusive and an exemption harder to obtain. In addition, employers were told they could begin enforcing [President Biden's vaccine mandate](#) for federal employees as soon as Nov. 9.

According to the [Safer Federal Workers Task Force](#), agencies “should provide their employees with a form to use when seeking a legal exception to the vaccine.” The form is to be used by the agency to “help determine whether the employee is [entitled to an accommodation](#).”

Employees requesting a religious accommodation to the mandate “must first establish that [their] refusal to be vaccinated is

based upon a sincere belief that is religious in nature” the [form states](#). “A refusal to be vaccinated does not qualify for an exception if it is based upon personal preference, concerns about the possible effects of the vaccine or political opinions.”

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.

If a federal employee applies for a vaccine exemption and it is denied, the [Task Force states](#) the employee must get their first dose of a COVID vaccine within two weeks of the final determination denying the accommodation. If receiving a two-dose series, the employee must receive the second dose within six weeks of receiving the first dose.

If a federal employee refuses to get vaccinated, they will be [subject to disciplinary action](#) up to and including removal or termination from their job, the Task Force said.

The Task Force also said agencies should establish a date by which federal employees must notify their agencies that they are seeking an exception – even though such a requirement is [inconsistent with federal law](#), which places no time limit on one’s ability to request a religious accommodation.

The [template](#) for the religious exemption request provided by the government to federal employers includes seven questions employees are to answer about their religious-based objection to receiving a COVID vaccine.

Below is a guide with suggestions and sample answers to help you complete your employer’s [“Request for a Religious Exemption to the COVID-19 Vaccination”](#) form – along with notes to help you avoid the obvious “pitfalls” the federal government weaved into this document to undermine your ability to obtain a religious vaccine exemption.

## **Question 1: Please describe the nature of your objection to the COVID-19 vaccination requirement.**

There are several ways one could respond to this question, but the key is to list the objection that violates your "[sincerely held religious belief](#)." In doing so, do not list your denomination, get political, talk about your philosophical objections or discuss medical reasons for wanting to avoid the COVID vaccine.

These things are irrelevant and leave your argument open to religious interpretation – as there will always be someone higher within your denomination an employer could point to in an effort to undermine your position. If your objection is based on anything philosophical, you will be denied. If your argument is based on a medical objection, then you should request a medical exemption under the [Americans with Disabilities Act](#).

The strongest answer will contain something pertinent to the [aborted fetal cell lines](#) used to research, develop and manufacture COVID vaccines:

"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."

## **Question 2: Would complying with the COVID-19 vaccination requirement substantially burden your religious exercise? If so, please explain how.**

It's hard to know whether the drafters designed this question with the [free exercise clause of the First Amendment](#) in mind – which bars [governmental regulation](#) of religious beliefs/practices and discrimination against religious views – or if they were attempting to play on the ignorance of the employee by insinuating an employer need only make accommodations for the “exercise” of one’s religion. Based on the intended purpose of this form and how the question is worded, it is likely the latter.

However, [Title VII of the Civil Rights Act of 1964](#) (42 U.S. Code § 2000e) requires employers to make reasonable accommodations for an employee’s sincerely held **religious beliefs, practices or observances** if doing so [does not impose](#) an undue hardship on the employer. Your “sincerely held” religious belief alone is sufficient to form the basis of your objection and request for accommodation.

Here is a sample answer:

“Complying with the COVID-19 vaccination requirement would violate my sincerely held religious beliefs. [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 (EEOC) and extensive case law.

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.”

If your objection centers around something else related to COVID vaccines, like mRNA or adenovirus vector technologies, alter the above section accordingly.

### **Question 3: How long have you held the religious belief underlying your objection?**

Answers are specific to each individual. Keep your answer brief and on point. The more information you provide, the more room you give your employer to undermine your religious exemption.

It doesn't matter how long you've held a particular religious belief – whether you adopted your religious belief last week or five years ago, you're still entitled to a religious accommodation if your beliefs are sincerely held and it would not impose an undue hardship on your employer.

The EEOC is a federal agency established via the Civil Rights Act of 1964 to administer and enforce civil rights laws against workplace discrimination. [EEOC guidance](#) states, “an individual's beliefs – or degree of adherence – may change over time, and therefore an employee's newly adopted or inconsistently observed religious practice may nevertheless be sincerely held.”

In your answer, you may state that you've always held the beliefs that underly your religious objection to vaccines, or you became Christian in [insert year here] and have adhered to a biblical worldview ever since. Maybe you've always been of a particular faith, but weren't aware of how vaccines are researched, manufactured and developed – and now that you are, you have an obligation to abstain from such practice.

Perhaps you were vaccinated in the past, in which case you could state:

“I have had objections to vaccines since I became informed on the process by which vaccines are researched, developed and manufactured. Had I known sooner, I would not have received any vaccines. As the EEOC reiterates, “an individual’s beliefs – or degree of adherence – may change over time, and therefore an employee’s newly adopted or inconsistently observed religious practice may nevertheless be sincerely held.”

**Question 4: Please describe whether, as an adult, you have received any vaccines against any other diseases (such as a flu vaccine or a tetanus vaccine) and, if so, what vaccine you most recently received and when, to the best of your recollection.**

Answers may vary depending on your past medical history. You could either list the vaccines you’ve had and the dates you received them (using the next question to justify why you’re still entitled to a religious vaccine exemption), or you could state your vaccination history is private medical information between you and your healthcare provider.

**Question 5: If you do not have a religious objection to the use of all vaccines, please explain why your objection is limited to particular vaccines.**

The answer to this question depends on your stated religious objection and how you answered the previous question. If you

are unvaccinated, answering this question will be easy, as you'll state your objection applies to all vaccines.

If you've received certain vaccines in the past, but only vaccines that do not contain aborted fetal ingredients, you would explain your objection is limited to vaccines that do. Your exemption will likely be denied if your argument is based on aborted fetal cell lines but you're still willing to get other vaccines that utilize aborted fetuses.

At least 28 vaccines contain aborted baby [cells, cellular debris, protein, and DNA](#) from aborted babies including, but not limited to, adenovirus, polio, Dtap/polio/HiB, hep A, hep A/hep B, MMR, MMRV pro quad, rabies, varicella, shingles vaccines, [ebola](#), HIV, [tuberculosis, malaria, and influenza](#) vaccines. You'll need to clearly articulate or justify any discrepancy in your position.

If you were fully vaccinated but have decided to no longer receive any vaccines, including COVID vaccines, you could say you were fully vaccinated before you became informed about vaccines, or you came to your faith after having been fully vaccinated – adopting beliefs, which are sincerely held and form the basis of your objections to receiving any further vaccines.

You may also want to reference [EEOC guidance](#), which states: "Although prior inconsistent conduct is relevant to the question of sincerity, an individual's beliefs – or degree of adherence – may change over time, and therefore an employee's newly adopted or inconsistently observed religious practice may nevertheless be sincerely held."

If your objection is based exclusively on the mRNA technology used, you'll want to be cognizant of the fact that J&J's vaccine uses adenovirus vector technology and thus, will be proposed as an alternative if you do not address this also.

If you intend to continue to receive vaccines other than COVID

vaccines, you will have to explain what differentiates COVID vaccines from the other vaccines you're willing to receive as it pertains to your sincerely held religious beliefs, practices or observances.

**Question 6: If there are any other medicines or products that you do not use because of the religious belief underlying your objection, please identify them.**

Many of the companies who manufacture medications, food and cosmetics use aborted fetuses in the research and development of their products. This is a question designed to allow an employer to deny your exemption because you use, or do not object to other products that utilize aborted fetal ingredients. They're attempting to show your religious belief is not "sincerely held," because if it were, you would not have an inconsistent standard with other products.

Sample answers to help you navigate this question include:

"I also avoid acetaminophen, albuterol, aspirin, ibuprofen, Tylenol, Pepto Bismol, Tums, Lipitor, Senokot, Motrin, Maalox, Ex-Lax, Benadryl, Sudafed, Preparation H, Claritin, Prilosec and Zolofit because these products utilize aborted babies in the research, development or manufacturing of their products."

"I am not aware of other medications or products that contain aborted fetal cell ingredients, and do not knowingly use any such products."

"I have not researched all FDA approved medications or products on the market, but I would avoid and/or object to any medication or product that utilizes aborted babies for the research, development or manufacturing of their product, as doing so would violate my sincerely held religious beliefs."



## **Question 7: Please provide any additional information that you think may be helpful in reviewing your request.**

The following is a sample answer that may be helpful in solidifying your request for a religious exemption. You're very politely reminding your employer that you have rights, and you intend to assert them – while “respectfully” reminding them of their obligation to provide you with an accommodation.

“I, [insert name here], do hereby swear and affirm that my religious beliefs and practices, which result in this request for a religious accommodation to the recently imposed COVID vaccine mandate, are sincerely held. For the reasons laid out above, I am asserting my rights and respectfully request an exemption from the recently imposed COVID vaccination requirements under Title VII of the Civil Rights Act (42 U.S. Code § 2000e), which prohibits discrimination against a sincerely held religious belief, practice or observance.

As the U.S. Supreme Court held in [Trans World Airlines, Inc. v. Hardison](#), 432 U.S. 63 (1977), an employer is required to seek to accommodate an employee whenever there is a conflict between a requirement of the employment and the employee's religious beliefs, practices or observances. An [accommodation](#) that eliminates the conflict with my religious beliefs must be provided unless any and all accommodations would impose an undue hardship.

To the extent the law of the [state where employed] imposes a similar duty to accommodate the religious beliefs, practices or observances of employees, I hereby invoke any and all rights under state law.

Having formally notified [name of employer] of the conflict between the COVID vaccination requirement and my religious beliefs, I look

forward to receiving a prompt decision on the requested religious accommodation. Failing an accommodation, I reserve my right to pursue any legal remedy available to me with the Equal Employment Opportunity Commission or otherwise in accordance with established law.”

***Note: This post is for informational purposes only. The Vault Project makes no promises your religious exemption will be approved. 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.***