

Considerations for your personal exemption statement

Please note AFLDS is not providing legal advice.

We recommend, that in addition to the free resource FAQ below, you seek an attorney to assist with the process.

FAQ

1) Q: How do I complete the religious exemption personal statement that my employer is requiring?

A: Your personal statement should include two paragraphs. One paragraph is explaining your history with your faith. Feel free to share when you first came to your faith and the name of your faith. Explain any major activities that you participate in with your organized religion, or if you're not part of an organized religion explain that, but emphasize how your faith is connected with a major religion.

The second paragraph should explain why you feel the vaccine is against your faith.

Your personal statement should be between two paragraphs and two pages long.

See also [Considerations When Writing a Personal Statement](#).

2) Q: Why should I have to share my personal faith with my employer?

A.: If you object to sharing your personal faith, you can state early in your statement that you're sharing personal information and that you don't generally like to share your personal faith information, but you are doing so because you are being required to do so.

3) Q: I don't know how to start my personal statement letter, what should I do?

A: Sometimes, getting started is the hardest hurdle to overcome.

For the first paragraph, here is a sentence starter:

I first came to my faith as a child. My parents...

For the second paragraph, here is a sentence starter:

It is against my religious faith to take the COVID-19 vaccines because... (Reason 1).

(Give two examples and relate them back to the principles your faith teaches you.)

See an example of a [Personal Statement based on the New Testament](#).

See an example of a [Personal Statement based on Judaism](#).

4) Q: What if I don't go to church or synagogue or my house of worship very often?

A: If you're uncomfortable relating your personal statement back to your religion because you don't participate in many aspects of your religion, you might consider the following:

This is new for a lot of people and many people are in a similar situation, but you might be surprised to find that if you begin rolling your reasons for being opposed to the vaccine around in your heart and mind, a spiritual spark, a spark that relates to your history with religion, is there, at the root. For example, aligning your actions with truth is a principle found throughout all religions and faiths. As is the use of wisdom. By aligning your actions and choices with discernment and discretion, skills you learned in your faith, when faced with difficult decisions, you are tapping into wisdom. Each of us has a spark inside ourselves for a personal relationship to the Divine, and that personal relationship can be written in your personal statement even if you don't consider yourself a perfect member of a traditional religious body. Your job is to soul search to see if you find a way to connect your personal statement to your faith.

5) Q: What if the religious faith I belong to doesn't oppose the vaccine? Can I oppose it and make reference to my faith?

A: You don't have to agree with your religious faith's position on taking or not taking the vaccine. So long as your belief is sincerely held, you meet the standard that case law has supported, generally.

We don't yet know how cases will be decided with respect to COVID-19, but we do know that in the past, courts have provided guidance. That guidance includes allowing exemptions for sincerely held beliefs even if those beliefs are not shared by your religion or your religious leaders.

You may be surprised to find that some voices in your religion are in support of your decision. See the following examples:

[Ultraorthodox \(Haredi\) Rabbis of Israel](#)

[Roman Catholic Objection to the Vaccine](#)

[Church of Health and Healing](#)

[Torah and Talmudic Objections](#)

6) Q: What if I have taken flu shots in the past?

A: Many people are in the same situation. Even if you have taken vaccines and/or flu shots in the past, you have the right to change your view on taking vaccines, especially a vaccine that uses new technology and has no long-term studies completed. You can mention this in your personal statement and even connect it to the wisdom and guidance your faith shares with you on using discretion and making wise decisions.

7) Q: I have heard “the less said the better,” is this good advice?

A: You are being asked to assert the sincerity of your belief and this takes some thought, and so less isn't necessarily better, but you don't have to write a book either. You can keep it simple, but complete. Share your heartfelt reasons, let go and let it flow. If you do this, it will make it very hard for someone to question your sincerity. How can someone say they know what is inside your heart? Allow your personal religious statement to be just that, personal. But don't undermine your case. Learn as much as you can about what does and doesn't qualify and if you're unsure, contact an attorney to help you understand where the law is and is not on your side.

8) Q: Do I need to include passages from a religious text or scripture in my personal statement?

A: A successful personal statement can include scripture, but it doesn't have to. Yet, it's recommended. Adding scripture may even help you get in the flow of writing a personal statement. Scripture acts as a tool and a guide. It encourages one to follow truth, to make wise decisions, and to act rightly in the face of challenges (e.g., deception), so that one stays out of harm's way.

You may find that if you Google search a term like “discretion”, or “discernment,” or making “wise decisions,” along with the faith that you feel most connected to that there will be an abundance of material for you to work with. Adding scripture can enhance your letter and add to the heartfelt sincerity aspect of it.

9) Q: Have you, whether you are a part of an organized religion or not, turned to a Buddhist text, or some other spiritual text? Have you turned to it for guidance on whether you should take the vaccine?

A: If so, in your personal request for an exemption, you may include passages from your religious text. Explain how those passages relate to your reasons for not wanting to take the vaccine.

10) Q: Have you prayed for guidance or direction as to whether to take the vaccine?

A.: If you've prayed for guidance or direction as to whether to take the vaccine, make mention of that in your request for an exemption.

11) Q: If I don't have a Priest, Pastor, Rabbi, or other religious leader to accompany my personal statement will it get rejected?

A: You can still have success writing a personal statement, even without a priest, pastor, or rabbi, or another religious official, providing a supporting letter, but if you have one, it is a great idea, and it is important to make use of him or her. It adds strength to your letter, but it is not a dealbreaker, so don't let it get in the way of you submitting your statement. Many letters have success without this extra letter from a religious leader.

12) Q: What should I ask my Priest, Pastor, Rabbi, or other religious leader.

A: Ask your religious leader, someone whom you know from your history in your religious faith, for a short statement attesting to your religious belief. Let them know that they don't have to feel the same way as you about taking the vaccine, but that it is your sincere belief that it goes against your faith. Explain to them why. Ask them to send you a letter attesting to the fact that they believe it is your sincere belief that you should not take the vaccine.

13) Q: Every time I try to write my personal statement I freeze up. Can you help me?

A: Sure, start by feeling the truth of your conviction. This is not a writing contest. Let go of your fear and see it as an opportunity to share your voice. You are being wronged and you have the right to state your noble position.

Here's a starter to help you get going:

Everything about this vaccine goes against my sense (the sense God has given me) of what is the right thing to do.

Write a sentence for each of these (or come up with some more of your own) and connect them to your faith:

1. Speed of the trials
2. No long-term studies
3. Shown to have harmful side effects
4. No liability for pharmaceutical companies

If any of these resonate with you, connect them with your faith to have your voice heard.

14) Q: I really don't like writing. Can I have someone write the personal statement for me?

A. It's personal for a reason, and so it is best to write it yourself. If you have someone else write the letter for you, you run the risk of an employer who reviews it sensing that it is not your "voice". This can hurt you if your employer's basis for the denial of the letter is a lack of sincerity. You will have more strength in the unfortunate situation of a denial if your letter was written by you because your rebuttal will be genuine. Use one of the sentence starters provided on this page, you can do it.

15) Q: Can I use a creed in my personal statement and not a religious belief?

A: Generally, the law does not support an exemption for a creed. There may be exceptions. We highly recommend you speak to an attorney for guidance if you would like to use a creed as the basis for your exemption. Each state has their own laws.

One interesting, though, perhaps, not heartening case that speaks to this issue is *Friedman v. Southern California Permanente Medical Group*, 102 Cal. App. 4th 39 (2002) holding that an employee's veganism is not a religious belief.

Note also, however, the following, reported in Reuters:

"Cincinnati Children's Hospital Medical Center fired customer service representative Sakile Chenzira in 2010 for refusing a flu vaccine because she was a vegan. Chenzira sued and the hospital wanted the case dismissed, arguing she was mistaking a dietary habit for a religious belief. The federal judge ruled in her favor based on the sincerity of her views. The parties settled privately.

'As an employer, you can inquire whether an employee has a sincerely held religious belief. It's just kind of a fraught investigation,' said Brian Dean Abramson, an author and specialist in vaccine law.

He said employers have to be careful not to appear to be invading the worker's privacy or harassing them and businesses have to be aware that employees' religious views may change over time."

<https://www.reuters.com/world/us/us-employers-get-religion-with-vaccine-mandates-2021-08-12/>

Again, this is a complicated, case specific question that should be addressed to an attorney that handles employment law in your state.

16) Q: Does AFLDS recommend individuals use an attorney to submit a demand letter and to engage in the demand letter process in conjunction with their submission?

A: We recommend every employee who is seeking an exemption use an attorney if they are able to for the following reasons. Certainly, many individuals have submitted a request for a religious exemption on their own. And much of the information on this website can provide you guidance. However, we are not attorneys and do not pretend to be giving legal advice for any one situation. This is a developing area of law, with no case law that relates to COVID-19 exemptions. That said, the case law will be made as these cases get brought to the courts and to the administrative agencies. It would be nice if there were a cookie cutter way to guarantee you will receive the exemption. But that's just not the case. All you have to do is hear of an individual who submitted, on their own, without an attorney, for an exemption from their employer and was denied and you feel the gut-wrenching question, "What if they had used an attorney." While there is no guarantee that using an attorney to send a demand letter, and engage in the demand letter process, will yield an exemption, if you can use one, we certainly, unambiguously recommend you do.

Furthermore, it is our position that we want citizens and attorneys together in this battle against violations of civil rights. No civil rights victories have been won without active attorney involvement, along with active citizen involvement.

17) Q: Does the fee associated with hiring the attorney for the Demand Letter Process negotiation include a negotiation with the employer for a severance payment in the case of a termination for choosing to not take the vaccine?

A: There is an additional percentage that the attorney will receive of any amount recovered from your employer, should your employer not grant the exemption and negotiate a severance payment. This fee is spelled out clearly in the retainer agreement. (See the retainer agreement.)

Please note: There is no guarantee that the employer will pay a severance. However, the attorney will work toward negotiating one with your employer, as laid out in the retainer agreement.

18) Q: What happens if I do not receive an exemption after I make the request.

A: You can certainly hire an employment lawyer if your exemption request is not granted. It, generally, is harder to get the exemption request granted after it has been rejected. For this reason, among many others, we recommend hiring an attorney to

assist in the process of submitting your request, which they can accompany with a demand letter, part of the demand letter negotiation process.

19) Q: What happens if my employer says no to my religious exemption request?

A: If your employer says no to your religious exemption request, you may have legal recourse to file with either an administrative body or a court, depending upon the laws of your state.

Please note: it is better to involve an attorney in your matter before you submit an exemption request if you are looking to have the assistance of an attorney after the exemption request is either granted or denied.

20) Q: What if my employer grants my vaccine exemption request but then puts several other restrictions or requirements on me?

A: One of the benefits of hiring an attorney as part of your effort to gain a vaccine exemption request is that it sends a message to your employer that your employer should be careful to not further target you. If the employer does, having your attorney engaged already, will help you to take additional action, though the subsequent action will require a new retainer agreement with your attorney, and has additional charges, depending upon which action the attorney recommends at the time and whether you agree to move forward further with the attorney.

21) Q: What do I need to qualify for a medical exemption?

A: You need to be seen by a doctor, and have the doctor evaluate your situation. If your doctor believes you should receive a medical exemption they can provide a doctor's letter for you to then send to your employer. Qualifying for a medical exemption is not easy and so, we recommend you consult with an attorney on your situation.

PLEASE NOTE, AGAIN, WE UNAMBIGUOUSLY RECOMMEND, IN YOUR EFFORT TO SEEK AN EXEMPTION, THAT YOU HIRE AN ATTORNEY TO ENGAGE IN THE DEMAND LETTER PROCESS WITH YOUR EMPLOYER.

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