

## Employee Vaccine Exemption Reviews Available

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With companies preparing for employees to return to physical workplaces or offices, if you are an employer that is requiring vaccinations for employees to come back to work, you may be dealing with a new question.

*What if an employee refuses the vaccine based on religious beliefs?*

According to [guidance from federal authorities](#), employers are allowed to require COVID-19 vaccinations for employees returning to the workforce. However, a "sincerely held religious belief or creed" is grounds for an employee to refuse the vaccine and for the employer to make an accommodation for the employee, such as continuing to telework. It is then up to the employer to determine if the request is actually based upon a sincerely held religious belief or creed.

If a company chooses to consider denying the request, it may be a good idea to consider enlisting some help in a third-party, independent evaluator that could limit that institution's potential liability for denying a request for exemption from a mandatory vaccination policy.

An independent third-party reviewer can assess a company's vaccination policy, the exemption form completed by the requesting party, the requesting party's written statement and any prior vaccination record of the requesting party. The independent reviewer can also conduct a telephone or video interview with the requesting party.

The independent reviewer will make a written recommendation to the employer on whether they should grant or deny the exemption. Regardless of the reviewer's determination, it would remain the final right of the employer to determine which course of action to take.

If you have any questions about mandatory vaccine policies or potential exemptions, Barley Snyder can help you work through this information to form an appropriate strategy for your business. In some cases, we may be able to act as an independent reviewer for your company or to help you retain a third-party for this purpose. For more information or to discuss an independent review process, please [contact me](#) or an attorney from the [Barley Snyder Employment Practice Group](#).

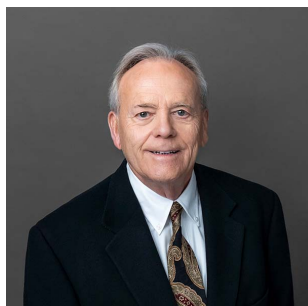
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The views expressed in this alert are those of the individual author and do not necessarily reflect the views of the firm or the firm's clients. The response to the COVID-19 pandemic is particularly challenging, evolving and, in many cases, can be controversial. Any views expressed in this alert are not intended to advocate for or endorse a particular

governmental response to the pandemic.

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