

Legal Update

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EEOC Issues Guidance on Religious Objections to Employer COVID-19 Vaccine Mandates

On Oct. 25, 2021, the Equal Employment Opportunity Commission (EEOC) issued new answers to frequently asked questions ([FAQs](#)) about how employers should handle employee requests for religious exemptions from their COVID-19 vaccine mandates. The new FAQs address rules that apply to this type of request under Title VII of the Civil Rights Act (Title VII), which is a federal law that prohibits employment discrimination based on religion.

Requests for Religious Accommodation

The new FAQs clarify that while no “magic words” are necessary, Title VII requires employees to inform their employer that they are requesting an exception to a COVID-19 vaccination requirement because that requirement conflicts with their sincerely held religious beliefs, practices or observances.

Responding to a Religious Accommodation Request

Employers that receive a request for a religious exemption should generally avoid questioning the nature or sincerity of the religious belief unless they have an objective basis for it. These employers should also thoroughly consider all possible reasonable accommodations, including telework and reassignment. If an employer can demonstrate that no reasonable accommodation can be made without “undue hardship” on its operations, then Title VII does not require the employer to provide the accommodation.

Limits of “Religious Beliefs” Under Title VII

The new FAQs emphasize that Title VII does not protect social, political, or economic views or personal preferences. Therefore, requests made for those reasons, including requests based on nonreligious concerns about the possible effects of the vaccine, do not qualify as “religious beliefs” under the law.



Highlights

Religious Belief Exceptions

Under federal law, employees who object to a COVID-19 vaccine mandate based on sincerely held religious beliefs may be entitled to an exemption from the mandate.

Undue hardship

If an employer can demonstrate that a religious exemption from its vaccine mandate would cause undue hardship on its operations, Title VII does not require the employer to provide the exemption.

Title VII requires vaccine mandate exceptions for “sincerely held religious beliefs,” but not for social, political, or economic views or personal preferences.