

## FACTS REGARDING RELIGIOUS EXEMPTIONS IN CALIFORNIA

### How to Get your Religious Exemption Approved

*This is not legal or medical advice. This is for informational and educational purposes only.*

#### **1. Do I have to fill out the form at work asking about my vaccination status? Isn't that a violation of HIPAA?**

Ask your boss what the result would be if you “declined to state.” Do you have an employment agreement in place authorizing your boss to ask you for your medical information? Their asking you is not a violation of HIPAA (that has to do with your health insurance company giving out your medical information) but it is a violation of your right to privacy, protected by the Constitution. If I were asked about my vaccine status, I would say, “I’m fully immunized.” (That means my immune system is working fine.)

#### **2. What if my state doesn't allow for religious exemptions?**

Every state is REQUIRED to accommodate religious exemptions because it is a federal law to do so. Title VII of the U.S. Civil Rights Act prohibits discrimination based on religion. The only exception is for K-12 schools in a couple of states (such as CA) that are illegally forbidding those exemptions. It's better to get your kids out of government schools anyway.

#### **3. Should I get a medical exemption or a religious exemption?**

If you have a bona fide medical condition that prevents you from getting the job, taking a test or wearing a mask – and if you have a doctor who will write the exemption, that is a valid approach. However, it may be difficult to find a doctor who will do so. Also, your company or school may require that you get the exemption renewed every six months or yearly. A religious exemption covers you “forever” and you do not need any evidence or proof other than your own sincerely held religious beliefs (or ethical/moral beliefs). be next if people don't stop complying.

#### **4. Can the government mandate vaccines? What if they are approved by the FDA?**

No, they can't. It doesn't matter if the vaccines are approved or not. You still have authority over your own body. The government is putting pressure on the businesses (and bribing them with millions of dollars) to do their dirty work for them. Can the government require women to have hysterectomies and men to have vasectomies because of the “overpopulation crisis”? That will be next if people don't stop complying. You have to fight against this medical tyranny. We can help you.

#### **5. Can my job require me to get tested and wear a mask if I'm not vaccinated?**

Tests and masks are also under an emergency use authorization and you have the right to no consent. Even if they were approved medical interventions, you have the right to seek a religious exemption.

**6. I don't belong to an organized religion. Can I still do a religious exemption?**

Yes, you can. The law does not require you to belong to any organized religion, church, group, etc. Your own sincerely-held spiritual beliefs that guide your life, your choices, your actions is enough. We can help you in this area as well.

**7. Can my employer/school/government deny my religious exemption?**

Not if you seek it based on our sincerely-held religious or ethical/moral beliefs. Do NOT emphasize the science or medicine or politics. Those are not grounds for a *religious exemption*. We can help you with understanding the language and the best way to prepare your documents for approval.

**8. What do I have to prove in order to get my religious exemption?**

The law states that you have to express your sincerely-held *religious belief*. You do not have to prove that you attend church (or mosque or temple). You need to clearly explain why the vaccine (and mask and testing if you are claiming it) violates your sincerely-held religious belief. You need to say exactly why you can't participate in these actions and also what the accommodation is that you are seeking. Is it to work from home? Have your own office? We can help you with that.

**9. Do I need an attorney to help me get my religious exemption?**

A letter from an attorney is not necessary. Exemptions are REQUIRED to be approved with reasonable accommodations unless there is a substantial hardship to your employer or school. And the burden of proof is on them to give proof of the hardship.

**10. I don't belong to your husband's church, so why should I have him provide a letter for me? Isn't that like a form letter?**

As a Christian, you are part of the Body of Christ, which does not have a physical building. The Holy Spirit indwells each believer and unites each believer into the Church of Christ. It is not necessary for you to attend Pastor David's church or even live in the same area. Pastor David reads and responds to your request to help prepare the Biblical worldview regarding God's laws for the human body. Asking Pastor David for spiritual guidance in this area is not different than you going to a doctor for a medical exemption. In both cases, you are seeking support from an experienced professional who can attest to your condition (physical in the case of the medical doctor and spiritual in the case of Pastor David.)

**11. I'm not Christian. Will your materials still help me?**

We have helped Muslims, Jews, Buddhists and Sikhs. Because you will be stating your *own* sincerely-held beliefs, you can adapt our materials or even share them with your own faith leader for spiritual support and guidance. We cannot provide a letter attesting to your faith or even state what your beliefs are. That is up to you. But you can follow our strategy and approach for getting a successful exemption, adapting the materials to your needs.

**12. Who do I submit my religious exemption request to?**

Ask your employer or school if they have a required form, and where that form should be submitted. It is submitted to your employer or school, not the health department or OSHA.

**13. What if they reject my request?**

Before you submit it, ask them what is the criteria they will use to evaluate it, and for what reason would it be denied. Then you'll know exactly why. Keep your request based on religious reasons only, not science or medicine. And if they reject it, you can appeal it. We can help you.

**14. I'm going to live in the dorm and they're telling me I have to get tested weekly.**

Living in the dorm (or nursing home) is called congregate living and unfortunately you are at their mercy. It is a better idea to live in an apartment, or delay your semester at school until you see what is happening. Being in a dorm can also put you at risk of being quarantined.

**15. Do I have to tell my boss my vaccination status?**

Ask what the consequences are if you decline to state. (If it were me I would say, "I'm fully immunized... just like God made me.")

**16. Can I get fired if I don't get the jab?**

You could get fired you, but it would be unlawful termination if based on religious discrimination. That is why we recommend seeking the religious exemption, to have everything documented.

**17. My boss told me if I refuse, it will be a "voluntary resignation."**

No, that would be unlawful termination, based on discrimination.

**18. Can they put me on unpaid leave if I don't get the jab?**

If they do, that is considered "retaliation" and it is another violation of Title VII of the Civil Rights Act. Request a different accommodation such as work from home or other work.

**19. They said I'm a threat to the health and safety of others.**

They have to prove it, with a court order based on a sworn testimony from a licensed medical doctor. Otherwise that's like saying all teenagers are shoplifters. It's a generalization and stereotype and it is against the law.

**20. What is a reasonable accommodation?**

This would be a different job assignment or duties, different hours, different location etc. It would be agreeable to you and the company/school. It cannot be a hardship for you, such as less pay or horrible conditions. If so, you have a lawsuit on your hands, for retaliation.

**21. They said I have to get the vaccine because it would be a hardship if I didn't.**

They have to prove it with evidence. Words are not enough.

**22. I work in a hospital/doctor's office and they said there are no exemptions.**

Exemptions are required by law. Request a different assignment or location. Or, consider working for employers who do not discriminate. It's time for healthcare workers to band together and create different clinics and settings that are discrimination-free.

**23. My boss said it's an OSHA law.**

OSHA does not make law. They create regulations based on laws passed by the legislature. OSHA has no enforcement authority over you, only over your employer. And your employer is required to accommodate your religious exemption.

**24. They told me it's a federal law.**

There is no federal law for vaccines, masks or tests. Neither the CDC, FDA or President can make a law. Only Congress makes law. And there is no law for requiring masks, tests or vaccines. Executive orders are only for the executive branch of government and even then, religious exemptions are required to be accommodated. We have several pages of documents that can help you

**25. My boss said it's the health department orders.**

No health orders, policies, directives, proclamations, strategies, resolutions, rules or regulations are valid or lawful if they violate your rights. Your employer has the obligation and requirement to offer a reasonable accommodation for your religious exemption request. Further, the law states that your employer must generally believe and honor your request and may only make reasonable inquiries to clarify your beliefs. You do not need to prove any affiliation with any church or traditional religion. You do not have to provide proof of attendance at any religious services, nor can they ask others to vouch for you.

## 10 STEPS FOR SUCCESSFULLY GETTING YOUR RELIGIOUS EXEMPTION

1. Make your request **in writing** to the **highest authority** and find out who that is.

*“I am seeking a religious exemption from the vaccine (and/or tests and masks) and I need to know who is going to make the accommodations – as required by law – for my request.”*

2. Ask if there is a **special form** they have that they want you to use.

*“Do you have a special form I need to fill out?”*

*“Do you require this to be signed by a religious leader?”*

*“Does it need to be notarized?”*

3. Take care of any **objections** in advance.

*“What is the criteria you will use to evaluate my request?”*

*“Is there any reason my religious exemption request and accommodation would be denied?”*

4. **ONLY answer their questions in writing.** Do NOT answer anything verbally. GET EVERYTHING IN WRITING.

*“While I will attend the meeting if it is required, please note I will only answer your questions in writing so I can give them the care and consideration necessary. Putting me on the spot to answer questions that you have prepared but that I am unaware of could be construed as you creating a hostile work environment, and I’m sure that is not your intent. Please let me know your questions in writing and I will reply in writing.”*

5. **Do NOT bring in any information related to the science,** data, the fact that vaccines kill people, that PCR tests don’t work, that masks harm people, that covid doesn’t exist, the Nuremberg Code, HIPAA, etc. Keep your request strictly related to your religious objection to the vaccine, tests and masks.

We can guide you and counsel you if you need help expressing your sincerely-held religious (or moral/ethical beliefs): [www.thehealthyamerican.org/religious-exemptions](http://www.thehealthyamerican.org/religious-exemptions)

6. **State exactly what accommodation you are seeking.**

*“My requested accommodation is that I work from home.”*

*“It would be acceptable to me to be transferred to a different department.”*

*“I can change my hours/location if necessary.”*

*“I want to work normally, without wearing a mask or getting tested.”*

**7. Your religious exemption can ALSO apply to wearing masks and getting tested.**

They may try to make you get tested frequently or wear a mask if you choose not to get vaccinated. Masks, tests and vaccines are all medical interventions that you have the right to decline based on your sincerely-held religious (or ethical/moral) beliefs.

**NOTE:** If you have already been wearing a mask and getting tested it will be nearly impossible for you to request this now, because you have already demonstrated that you will comply. **BUT:** You can request to get screening instead of testing, since testing is only for those with symptoms.

**AND:** It is discrimination against you if other people do not have to wear a mask or get tested but you do.

**8. If your request is refused, get an appeal.**

*“Where do I submit my appeal to this decision?”*

*“Provide evidence that I am a direct threat to the health and safety of others.”*

*“Your refusal of my request constitutes discrimination.”*

**NOTE:** We have sample appeal letters for those who sign up for our religious exemption services (see below)

**9. If you are refused an appeal or an exemption, inform them you will be making formal complaints with these agencies:**

- a. EEOC (for employers)
- b. State Civil Rights agency
- c. OSHA (for employers creating an unsafe workplace)
- d. U.S. Dept of Education (for schools)
- e. Health insurance (for medical settings)
- h. Wrongful termination lawsuit (if you are fired)

**10. Keep a record of everything that happens.** Write down the facts and also write down your emotional distress. This will be needed if you sue the employer, school or medical setting for their blatant discrimination.

**DON'T GIVE UP! You are right and they are wrong.** They will try to confuse you and intimidate you. Intimidation and harassment are against the law, especially after you have requested your religious exemption request.

*At **THE HEALTHY AMERICAN**, we are the **EXPERTS** when it comes to providing guidance and counseling to empower you to understand your rights and the laws that protect them. Pastor David can assist you with your religious exemption request, based on Title VII of the U.S. Civil Rights Act, which guarantees your right to exercise your religious beliefs and practice without discrimination at the workplace (which includes schools and businesses). We are here to help you, as we have done for many others.*

**Source:** <https://www.thehealthyamerican.org/fact-sheet-for-religious-exemptions>

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