

Coffee & Covid Wednesday, October 20, 2021 SECOND RELIGIOUS ACCOMMODATION PRIMER—A Full Example

A second, detailed primer on drafting Religious Accommodation requests, including a complete sample letter from me, and answers to the new, improved government-standard ones that are popping up now.



Jeff Childers

Oct
20




I found it odd yesterday when two clients recited the exact same language from some new questions their employers were asking them about their religious accommodation (RA) request. The questions were almost identical, even though the two employers were completely unrelated. One was a federal agency, – HUD. The other was a smaller airline, JetBlue. Exact same questions. Appeared on the same day.

Not a coincidence.

I thought, dammit, they're doing it again. The writhing tentacles of the federal government, grasping out from D.C. and spreading like cancerous threads through all our private businesses. The new questions are just a way to gather evidence against you folks to defeat your RA claims. The good news is, what they WERE doing must not be working, so now they're trying this more aggressive approach. I suspect they are responding to the new losses they are having in federal courts recently on Title VII RA grounds. They've been getting dinged for failing to accommodate the RA's, and courts are rejecting their lame arguments that they just can't figure out how to accommodate them.

So they're back to trying to defeat your claims of a sincerely-held belief.

Let's kill this thing, for good. I'm going to give you the airtight formula and an example for a bulletproof religious accommodation request. I haven't offered this before because it's going to take a little more work on your part. But it'll be worth it. First I'll tell you what you need to do, then I'll show you how I would answer the questions as an example, which includes a full RA letter based on my facts. Don't copy and paste; that would be evidence against you. Your submission will be very similar, but use your own words and your situation.

We need to get this message out. Far. Wide. Fast. If you can afford to pay for a couple hours of legal advice, and you think you got that much value from this post (plus all my other advice), please STRONGLY consider helping financially. You can do that here: 

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 ***INITIAL THOUGHTS*** 

Seventy percent (70%) of Americans identify as Christian. Many more identify as other faiths. Only a small number are atheists, and even they are not overlooked by Title VII, since they can have a qualifying sincerely-held moral belief if it is based on metaphysical issues like life, death, and the meaning of existence.

The most important thing is that your belief – the specific belief that precludes your participation in the Covid-19 injections – must be SINCERELY HELD. So, two elements: specific and sincerely held.

Regardless of the truth of the matter, conspiracy theories like graphene oxide, glowing vaccines, and tiny tentacled aliens in the drugs are not going to work. We need to beat them on their ground. With evidence. So let's do that.

Get ready to put a little effort into this.

 ***BUILDING EVIDENCE OF CAREFUL CONSIDERATION*** 

I think that “someone,” cough cough, is flooding the zone with kooky injection conspiracy theories to use later as evidence against folks asserting RAs. In other words, if you cite one of these fringe theories, and they can disprove the theory later, your RA collapses in fire and dust like the Twin Towers.

The good news is, that's the wrong approach anyways.

Here's the formula. You are going to read all the best pro-vaccine literature available, and then STILL reject the injections because of your sincerely-held beliefs, based on THEIR evidence. You with me? And you're going to document all that so you can prove it later.

So I want you to read the following articles. You HAVE TO DO THE STEPS. Read them, don't just go through the motions. After you read each one, print it out, sign it and date it and put it in a folder. Here's what you need to read:

[Safety of COVID-19 Vaccines |

CDC](<https://www.cdc.gov/coronavirus/2019-ncov/vaccines/safety/safety-of-vaccines.html>)

This is the CDC's article on vaccine safety. You have to read the whole thing. Look up words you don't understand. Read it, understand it, print it, sign it (I'll call this process RUPS). RUPS means you need to understand these articles well enough to discuss them with HR if necessary.

[Key Things to Know About COVID-19 Vaccines |

CDC.gov](https://www.cdc.gov/coronavirus/2019-ncov/vaccines/keythingstoknow.html?s_cid=10496:cdc%20vaccine:sem.ga:p:RG:GM:gen:PTN:FY21)

This is more from the CDC on vaccine safety. RUPS.

[Selected Adverse Events Reported after COVID-19 Vaccination |

CDC](<https://www.cdc.gov/coronavirus/2019-ncov/vaccines/safety/adverse-events.html>)

This is the CDC's article describing how rare adverse events are and arguing that no deaths have been causally linked to the vaccines, except for J&J. RUPS.

[Myths and Facts about COVID-19 Vaccines |

CDC.gov](<https://www.cdc.gov/coronavirus/2019-ncov/vaccines/facts.html>)

This is the “myth buster” page from the CDC. RUPS.

[COVID-19 Vaccines for People Who Would Like to Have a Baby | CDC](<https://www.cdc.gov/coronavirus/2019-ncov/vaccines/planning-for-pregnancy.html>)

If you are a woman of child-bearing years, pregnant or hoping to possibly have children, read this CDC article, then RUPS.

[Helping patients with ethical concerns about COVID-19 vaccines in light of fetal cell lines used in some COVID-19 vaccines](<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8205255/>)

This is a journal article that confirms that aborted fetal tissues ARE used in testing and development of the Covid injections BUT NOT in the final manufactured products. It also summarizes the main arguments from each faith tradition IN FAVOR of injecting, and advises medical professionals how to respond to ethical and religious concerns about the injections. RUPS.

[You asked, we answered: Do the COVID-19 vaccines contain aborted fetal cells? | Nebraska Medicine Omaha, NE](<https://www.nebraskamed.com/COVID/you-asked-we-answered-do-the-covid-19-vaccines-contain-aborted-fetal-cells>).

Read this article, again admitting that aborted fetal tissues were used in testing and development of the vaccines. RUPS.

[Pope Francis urges people to get vaccinated against Covid-19 - Vatican News](<https://www.vaticannews.va/en/pope/news/2021-08/pope-francis-appeal-covid-19-vaccines-act-of-love.html>)

Finally, read this one, explaining the Pope's position that vaccination is "an act of love."
Whatever. RUPS.

When you've finished and done all your RUPS, continue to the next section.

RESPONDING TO THE HARD QUESTIONS ABOUT YOUR RA

Now let's look at these new awesome RA questions that the feds are clearly pushing out to agencies and private businesses, and I'll illustrate how I — as a lawyer anticipating a challenge — would answer each one. Even if you aren't facing THESE questions, this will inform your letter.





You may not have the same writing skills that I do. It's okay. Just observe HOW I structured the letter and what I DID and DIDN'T include.

Already done one? Amend it.

!? *QUESTION NO. 1* **!?**

QUESTION NO. 1: "Please provide a personal written and signed statement detailing the sincerely held religious belief(s) supporting your objection to vaccination for COVID-19, describing the practices you engage in or actions you regularly take or do not take that demonstrate how you act consistently with that sincerely held religious belief, and

clarifying whether an objection to the COVID-19 vaccination is a basic tenet of your religious belief, and if so, explaining why it is a basic tenet of your religious belief.”

First, review my original primer on how to write a request for an RA: [ PRIMER ON RELIGIOUS EXEMPTION REQUESTS  - by Jeff Childers -  Coffee & Covid 2021 
](<https://www.coffeeandcovid.com/p/primer-on-religious-exemption-requests-f31>). But to answer the new and improved Question No. 1, we'll modify the response a bit. Here's my full answer, which in and of itself is a complete RA letter:

Dear Religious Accommodation Review Committee,

Thank you for giving me this opportunity to share some information about my faith with you.

Faith history. I was raised Catholic and attended a Catholic school through eighth grade. I received all the normal sacraments including baptism, first communion, and confirmation, was an altar boy for many years, and regularly attended mass with my family along with regular weekly confession. For a time after that, I fell away from faith and was not a regular church attender.

Then in 2013, while on a bike ride listening to a random podcast about Church history, I experienced what I would best describe as an unexpected full-on religious vision that left me standing on the ground in shock. While I had always thought of myself as a good person, in my vision I could see every sin I had ever committed. In one pile. It left me in tears. It convicted me that I wasn't the good person that I'd thought I was. I immediately prayed to God for help.

My wife says I came back from that bike ride a different person. It was either a brain tumor or a bona fide supernatural experience. And so far, no tumors!

From that day forward, my and I family began attending services every weekend, sometimes twice a week. Within a few months, I was re-baptized in a Southern Baptist Church, where we became and have been members in good standing ever since. By 2014, I started teaching a weekly bible study class, which I have continued doing through 2021. I have taught dozens if not hundreds of classes, and have written on religious issues. Over that time, my family has regularly tithed, over \$###,###.00, total as reflected on my tax returns. I regularly meet and talk with pastors from various churches all around the country.

Religious Practices. First, and most importantly, I regularly read and study the Bible. Not only is it a source of wisdom, hope, and encouragement, but in my studies, I often providentially discover answers to difficult life questions just when I need those answers the most. If you aren't studying the Bible – the most successful and widely-read book ever written – you should consider doing so, regardless of your faith tradition. It will bless you.

Next, I try my best to incorporate my faith into every single aspect of my life. I believe that my purpose in being is to glorify my Creator through becoming the best example here on Earth that I can possibly be. That translates into a thousand different daily practices, some huge (like avoiding some important social opportunities because they don't align with biblical values) and lots of tiny ones (like loving my wife better through a small bit of praise).

These practices, taken together, have transformed my life. Whereas before, I experienced chronic anxiety, I now experience a sense of meaning and a durable and

long-lasting sense of mental peace that surpasses all understanding. I have experienced any number of miraculous events including healings that I believe are the direct result of prayer. God has used me, and is using me, for grand purposes that become clearer the older I get and the deeper my faith grows. I could not possibly recommend spiritual development to you any more strongly, regardless of your circumstances. Whatever those circumstances are, they can be better.

In particular, during times of struggle and strife, like this pandemic, the Holy Spirit has been a constant friend, helper, and comforter to me. Nothing in this world can truly harm me. I am constantly growing in my ability to perceive suffering with a sense of “all joy” as the Bible teaches, which would have been a completely absurd notion to me, before I was saved.

The Covid Vaccines. When the vaccines first became available, I prayed about the decision whether to take them, as I pray about all decisions that I have to make. I was troubled in my spirit from the beginning. Holy Spirit was convicting me that the people behind these drugs are motivated in large part by greed and ungodly politics. At bottom, it was obvious to me that the people developing the drugs held values deeply in conflict with my own. The Bible teaches that I am to avoid and eschew people who are evil, immoral, greedy, slanderous, and swindlers.

So I began to research the drugs, as I felt led to do. I reviewed the following pages from the CDC’s website:

- “Safety of COVID-19 Vaccines”

- “Key Things to Know About COVID-19 Vaccines”

- “Selected Adverse Events Reported after COVID-19 Vaccination”
- “Myths and Facts about COVID-19 Vaccines”

These articles convinced me that the drugs were safe and effective at reducing the chances of serious illness and death. So I turned to the ethical issues.

I read a journal article addressing ethical concerns that people like me had to taking the vaccines, which reviewed the arguments in favor of vaccines and addressing various faith traditions:

- “Helping patients with ethical concerns about COVID-19 vaccines in light of fetal cell lines used in some COVID-19 vaccines”

This was when I first discovered that development and testing of the Covid-19 vaccines required tissues from aborted children. While these baby parts were not later used in the manufacturing of the drugs, it was a profound shock that they were involved in the drugs at all. I had not heard that before, in all the media reports about the drugs.

I then reviewed a complete explanation of the drugs’ use of aborted children in the testing and/or development of the injections:

- “You asked, we answered: Do the COVID-19 vaccines contain aborted fetal cells? | Nebraska Medicine Omaha, NE”

While the article attempts to reassure, because the drugs themselves do not contain aborted children’s parts, it convicted me that I could have nothing to do with them. I did

some more research and discovered that many faith leaders were in favor of the vaccines, like the Pope:

– “Pope Francis urges people to get vaccinated against Covid-19 - Vatican News”

However, none of these articles altered my unwavering deep conviction that the witness of the Holy Spirit was telling me that I could have nothing to do with the drugs. If the Pope’s position is different from mine, I assume that Holy Spirit is telling him something different from what He is telling me. All things work for good for those who believe, and the Pope is on a different path, one organized by God for His purposes and His glory.

My Savior was extremely clear that children should be protected at all costs. All humans – persons having individual, discrete DNA, regardless of developmental age – are made in the likeness of God. He knitted us together, in the womb, and knows the numbers of hairs on our head. For centuries – if not longer – it was always considered murder to intentionally cause a pregnant woman to lose her baby. I believe that is also what the Bible teaches, and I think the Pope would probably agree with me, on that one.

It was a difficult decision, but ultimately made simple through prayer. The Bible teaches that when difficult decisions in life arise, we are to seek the wisdom of God through prayer, which I did. I only became more convinced that my path – unlike other well-intentioned Christians – was to live out an example of my faith and be resolute in my decision to avoid the drugs. To do otherwise would be to grieve Holy Spirit, which is the one unpardonable sin.

I have already survived Covid infection, and it seems that I have some natural immunities now that will help protect me. But even if they don’t, the suffering caused by

a Covid infection, and possibly even death, are not sufficient reasons to ignore what God has clearly and firmly convicted me that I must not do.

I hope this provides you with the information you need to understand the basis of my request for a religious accommodation. But more, I hope this letter stirs in you a desire to know more. If you were like me before I was saved, I would love to have coffee with you and discuss my faith even more personally than I am able to do here, and maybe we could talk about where you are on your spiritual journey. I promise it will be worth the time.

Very best regards,

Jeff Childers

October 2021

!? *QUESTION NO. 2* **!?**

QUESTION NO. 2: "How long have you held these religious beliefs?"

At least eight years, if not my entire life.

!? *QUESTION NO. 3* **!?**

QUESTION NO. 3: "Do your religious belief(s) prevent you from receiving any other vaccine(s), or is your objection limited to the COVID-19 vaccine? If limited to the

COVID-19 vaccine, please explain why. Please explain, in detail, and identify any other vaccine(s) you have taken, such as the flu or tetanus vaccines and the dates of same.”

I generally don't take vaccines, but I did have childhood vaccines and took the flu vaccine once or twice in my early 20's. I don't think I've had any vaccines since I was saved, but to be honest, it was the Covid research that I described in my letter (see Question No. 1) that alerted me to the use of aborted baby tissue in development of many vaccines. I won't be taking any vaccines in that category, nor will my children.

Nor will I accept ANY medical treatment of ANY kind if I have a firm conviction after prayer and reflection that I should not do so.

!? *QUESTION NO. 4* **!?**

QUESTION NO. 4: “Do your religious belief(s) prevent you receiving any other medication(s), or is your objection limited to the COVID-19 vaccine? Please explain.”

I understand, but haven't confirmed, that other common medications are similarly morally compromised as are the Covid vaccines. For example, after my research, I have learned that Tylenol is also ethically compromised in the same way. I have removed Tylenol from my medicine cabinet and replaced it with aspirin. In that sense, I am grateful that all this happened, so I could learn about this pervasive problem.

!? *QUESTION NO. 5* **!?**

QUESTION NO. 5: “Based on your understanding, does everyone who holds your religious belief(s) oppose COVID-19 vaccination? Please explain. If you have any

materials or literature that supports your understanding, please provide it or direct us to it here.”

Just the opposite. Many members of my church have taken the vaccines, and I assume they have done so in good faith. Others have not. But my faith requires me to adhere to my personal relationship with my Savior, my own understanding of what the Bible teaches, and the deeply-held convictions that are placed in my heart by Holy Spirit after prayer. Others’ decisions have no impact on my relationship with God.

! ? *QUESTION NO. 6* ! ?

QUESTION NO. 6: “Does the leadership of your religion and/or faith oppose the COVID-19 vaccination? Please explain and identify your religious leader(s) and contact information. Please also indicate whether you consent to a JetBlue representative contacting your religious leader(s) in connection with this request.”

The Southern Baptist Association is an affiliation of independent churches who all agree to adhere to the same statement of faith. There is no “religious leader” as such. We believe that Christians have direct personal relationships to Jesus Christ and do not recognize other earthly authorities in the way that you mean. The SBA’s president position is an administrative role and does not make pronouncements about religious beliefs or interpret the Bible.

[NOTE: See Thomas v. Review Bd. of Ind. Emp’t Sec. Div., 450 U.S. 707, 7145-16 (1981) (“intrafaith differences of that kind are not uncommon among followers of a particular creed . . . and the guarantee of free exercise is not limited to beliefs which are shared by all of the members of a religious sect”).]

!/? *QUESTION NO. 7* !/?

QUESTION NO. 7: “The leadership of a number of religious sects and faith-based organizations – including but not limited to Catholic, Episcopal, South Baptist Evangelical, National Association of Evangelicals, National Council of Churches, Orthodox (Jewish) Union, Greek Orthodox, Islamic Society of North America, and Church of Jesus Christ of Latter-day Saints leadership – are encouraging COVID-19 vaccination and have stated that doing so does not violate the tenets of Christianity, Judaism, or Islam. Please explain whether (1) you belong to any of the sects/ religions in which religious and/or faith leadership is encouraging COVID-19 vaccination; and (2) if so, how you reconcile your beliefs against getting the COVID-19 vaccination with the contrary position from your religious and/or faith leadership.”

It is true that the SBA's president, Robert Jeffress, has taken the vaccine. I am not aware of whether he has encouraged any others to do the same. But the SBA has not passed any official resolution related to the injections. Furthermore, as I explained above, the association's president does not interpret Scripture or set religious policy. He has no authority to regulate individual churches or members. The SBA does not recognize the vaccine issue as a theological directive.

Since I have not spoken with the SBA's president, I do not know his heart and cannot speak for him. I assume he has prayed and has a peace about his decision. I do not have a peace about taking the vaccines, and to do so after my conviction by Holy Spirit would be a grievous sin, regardless of what Mr. Jeffress says.

 ***CONCLUSION*** 

My answers above are intended to provide the evidence that the review committee needs to approve the RA. If they deny it, the answers are intended to preserve a claim for damages for religious discrimination. Be cautious about adding information or varying from the example too much. Whenever you are talking, you are creating evidence.

The key to this approach is that you have reviewed the other side's arguments, considered them carefully, prayed, and still have a firm, sincerely held conviction that you are not to take the injections. This is not based on any internet rumors, "facts," conspiracy theories, or the like. You fully understand the CDC's position and don't particularly argue with it (except for the lack of long-term safety data, which is inarguable). But your objection is not based on safety. It's based on your sincerely-held religious beliefs.

I am running quite long, so I'm going to leave it there. I hope this example helps you navigate the new minefields that have cropped up this week in applications for religious accommodations.

Tomorrow we'll resume regularly-scheduled snarky programming!

Join the C&C Army!

You can also find me on MeWe, mewe.com/i/coffee_and_covid.



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