

Helpful Hints – Requesting a Religious Exemption and Preparing for an Interview

Governor Inslee’s recent Proclamation 21-14 Covid-19 Vaccination Requirements provides for exemptions based on disability or on a sincerely held religious belief. These exemptions may be required under the Americans with Disabilities Act (ADA), Title VII of the Civil Rights Act of 1964 (Title VII), the Washington Law against Discrimination, or other applicable laws.

It is our understanding that a religious accommodation is valid because both State and Federal laws prohibit employment discrimination based on religion. This means that an employer cannot refuse to accommodate an employee’s sincerely held religious beliefs or practices unless the accommodation would impose an “undue hardship” to the employer. Though not attorneys, we understand that “undue hardship” has been interpreted by courts to mean only more than a minimal burden on the operation of the business. *We strongly encourage you to read the original Proclamation to understand all definitions and implications of the Governor’s orders. In addition, as this document is not legal advice, you are encouraged to consult with your own legal professional.*

This document is intended for educational purposes only and is provided as an aid for writing a Religious Exemption Request (and, if required by your employer, to help you prepare for a potential follow-up interview).

Things to consider when writing your Religious Exemption Request:

- Follow your employer’s processes, tools, timelines – this demonstrates humility and is critical if there is ever a need to take legal action.
- Be aware of potential trapping questions e.g., ‘have you ever taken a medication or vaccine previously?’. This type of questioning violates medical privacy and is unrelated to your request for a religious exemption.
- The request must demonstrate your personal conviction, your “philosophical viewpoint” is not adequate
- Keep it simple, the law does not require you to ‘prove your religion’
- Keep it simple, try not to use jargon and language that a non-believer would not understand
- Write with humility and strength
 - Humility towards the organization / leader
 - Strength in your conviction and your rights
- Proposed ‘reasonable accommodations’ can be initiated by employer or by you as an employee

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Things to consider when preparing for an interview:

- Ask how the interview information will be captured, shared, stored - and how it will be used in the determination of your exemption.
 - Ask if it is ok to record the meeting – if not, consider cancelling.
- Remember, there is no need to prove your religion or give details about your beliefs – you simply must have a strongly held personal religious belief. Think of your religious convictions as a black box, it is evident and clear you have the box, but you are not required to show the contents of your box to others.
- Your right to a discrimination-free work environment is based on your religion is the same that would apply regarding your race, color, sex, or national origin.
 - A good test of a question you are being asked is to replace ‘religion’ with one of the other categories. Example: *“How long have you been practicing this religion”* > *“How long have you been practicing this sexual orientation”*.
- Focus the meeting on possible accommodations, not on your religion.
- If you feel uncomfortable, threatened, or intimidated at any time, make it known and make sure you document it. Feel free to end the meeting at any time.
- Take notes and ask for a copy of the form and/or summary of the discussion from your employer.
- Maintain a posture of humility and strength.

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