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MA Federal Court Issues Favorable Ruling for Employers in Case Involving COVID-19 Vaccine Mandate and Request for Religious Exemption

BY TRACY THOMAS BOLAND AND BENJAMIN J. HINKS • AUGUST 1, 2023

On July 20, 2023, the United States District Court for the District of Massachusetts dismissed an employee's Title VII lawsuit, by which she challenged her employer's denial of her request for religious exemption from a mandatory COVID-19 vaccination policy. The case, *Griffin v. Massachusetts Department of Revenue*, was initiated by a former tax auditor who worked for the MA Department of Revenue (MDOR) and was terminated after she refused to get vaccinated. The plaintiff alleged that her employer's conduct amounted to unlawful religious discrimination because she had a sincerely held religious belief against receiving the COVID-19 vaccine. The MDOR moved to dismiss the complaint for failure to state a claim upon which relief can be granted. The court granted the MDOR's motion, noting, "while plaintiff is entitled to practice her own individualized form of faith, she is not entitled to a virtually automatic exception from the vaccination requirement, based solely on her own representation that it violates her religious principles on an ad hoc basis."

Notably, the employee's refusal to adhere to her employer's vaccine policy was based merely on her contention that she "closely contemplated with God" and was "shown that [she] should not receive the COVID-19 vaccine." Thus, the Court held that "[t]he central question is whether a simple allegation that plaintiff prayed to God and was 'shown' that she should not receive the vaccine—without more—is sufficient to support a claim of religious discrimination." Indeed, the Court found that it was not.

As a reminder, to establish a *prima facie* case of religious discrimination, a plaintiff must show "that a bona fide religious practice conflicts with an employment requirement and was the reason for the adverse employment action." To meet that standard, the plaintiff must show "both that the belief or practice is religious and that it is sincerely held." In this case, the MDOR argued that the employee's complaint failed to allege sufficiently that her belief against the vaccine derived from a religion.

In assessing the employee's complaint, the Court noted that “[t]here are a multitude of difficulties in assessing whether a particular belief arises from a religion, as opposed to a set of moral, ethical, political, medical, or personal values... Nonetheless, the requirement of a bona fide religious belief must have some meaning.” Elaborating on this point, the Court stated that the complaint “must allege some plausible set of facts from which it may be reasonably inferred both that she believes in or practices a particular form of religion and that her religion has a specific tenet or principle that does not permit her to be vaccinated.” Moreover, it deemed the employee's unadorned declaration that God had “shown” her that she should not receive the vaccine, without more, was insufficient to establish a plausible basis from which to infer that the beliefs or practices of her religion prevent her from being vaccinated against COVID-19. Accordingly, the Court dismissed the complaint for failure to state a claim of religious discrimination under Title VII.

EMPLOYER TAKEAWAY

This case presented a simple set of facts (with an employee who was representing herself) so it is likely the Court came to its decision with some ease. Still, it remains a notable holding in the early development of the body of case law that surely will come out of the pandemic era. Many employers with vaccine mandates rejected vaccine exemption requests for religious reasons when they were not well-founded. The *Griffin* decision gives employers some insight into what the courts in Massachusetts will be focused on when they rule on claims of this nature.