

### Hypothetical Part 1: Tables 1, 2, & 3:

Your client is a local police department. Given the regular interaction with members of the public that officers and other staff members must engage in as part of their work, the local government has mandated that all police staff must be vaccinated against COVID-19. The local government has previously mandated that police officers and staff must be vaccinated against other serious diseases, such as meningitis, tetanus, and other conditions. In anticipation of the COVID-19 vaccine requirement, one staff member, John Calvin, has complained very noticeably about the potential requirement. He has stated that the vaccines are ineffective, that COVID-19 is a hoax, and that he does not believe the government should be allowed to tell people to get vaccinated. Calvin has previously received all other required vaccines.

Shortly after the local government passed the vaccine mandate, Calvin told some other employees that he found this website that explains how to seek a religious accommodation and that he plans to follow its instructions to seek an exemption from the COVID-19 vaccine requirement. When asked about his beliefs, he told the other employees that he does not want the government telling him what to do and he will do whatever it takes to avoid getting vaccinated. One of the other employees, Henry Huguenot, upset about Calvin's abuse of religious freedom informs his supervisor and leadership at the police department of Calvin's plans. After the mandate takes effect, Calvin submits a request to be exempted from the vaccine requirement because of his sincerely held religious beliefs and your client comes to you for advice. Your client is dubious and wants Calvin to provide information about the church he attends and a letter of support from his minister.

- **What advice do you give to your client?**

## Hypothetical Part 2: Tables 4 & 5:

Following the fiasco that was Calvin's request, your client has decided that the questioning of all those requesting religious accommodations would be too burdensome or risky and has adjusted to make such inquiries sparingly and on a case-by-case basis. They recently received a request from Officer John Huss who is seeking an exemption because receiving the vaccine would violate his beliefs because all variations have used fetal tissue in some form.

Your client has concerns that because Huss regularly interacts in close proximity to members of the public that his duties would put him and the public at risk. Accordingly, your client is prepared to offer the following accommodations to Huss: (1) that he transition to desk work for the foreseeable future to mitigate the spread of COVID-19 or (2) that he wear a mask while out in the community and be tested weekly for COVID-19.

Huss refuses to accept either accommodation, he enjoys being able to work in the community and believes that being outdoors as much as he is will be sufficient to prevent the spread of COVID-19, and asks that he simply be exempted from the vaccine requirement. Your client explains that he may still have to interact with members of the public indoors and regularly drives around in his cruiser with a colleague and therefore, reoffers the original accommodations. Huss again refuses these accommodations and states that his partner can handle the indoor matters and staff can clean the cruiser after use.

Your client is preparing to discipline or terminate Huss and comes to you for advice on what they can do.

- **What advice do you give to your client?**

### Hypothetical Part 3: Tables 6, 8, & Zoom:

The Pet Vet Jet Set is a mobile veterinary clinic in Manchester, NH. Since inception, the clinic has rapidly expanded, adding many vehicles to their fleet of unmistakable vet vans servicing the greater Manchester area. When the pandemic hit, the owner of Pet Vet Jet Set, Harry Dunne, began to worry about the safety of his employees, customers, and furry clients, as the vans visited multiple locations per day, interacted with a large number of people, and there was mounting evidence that COVID could be passed from humans to dogs and cats. Operations suspended for a few weeks, but slowly Harry got his employees masked and back out in the field, with no COVID cases resulting in both two- and four-legged creatures. When the vaccine became widely available, Harry mandated COVID vaccination for all his employees. Most employees were already vaccinated, and Harry allowed those who had medical exemptions to take a rapid test every day before work to lower the risk of transmission to and from clients.

One employee, Lloyd Christmas, protested Harry's new rules. Lloyd walked into Harry's office one day and told him that according to his religious beliefs, Lloyd could only place organic, natural things in his body. Thus, any needle in his arm or cotton swabs in his nose would violate his religious beliefs. Lloyd further explained that he was a member of the Church of the Organic Buffalo. Each Sunday, the congregation gathers at the Puritan, drinks organic beer, reads the works of Thoreau and Kerouac, and proselytizes about the benefits of an organic diet. Any inorganic objects that enter the body are a sin. Lloyd is adamant that his religion will not allow him to be vaccinated or tested, and seems to sincerely believe the Church of the Organic Buffalo demands such faith. Harry calls his trusted legal counsel.

- **Can Lloyd really avoid the vaccine or testing mandate because of the Church of the Organic Buffalo?**
- **What if Lloyd tells Harry the Church of the Organic Buffalo also allows him to be part of the Church of Mother Nature, which has the same restrictions about foreign objects entering the body, and worships in White Park, believes in the all-powerful Gaia (the Greek goddess of Earth), follows all pagan holidays and some pagan rituals, and espouses a set of beliefs that the morally right way to live is in commune with Gaia?**
- **As counsel for Pet Vet Jet Set, what do you recommend to Harry?**

#### Hypothetical Part 4: Tables 1, 2, 3, & 4:

Jetland Airlines is a large New York City based U.S. airline employing roughly 50,000 people around the country. The airline has struggled to make ends meet in the pandemic. Recently, the board has decided to require that all employees get vaccinated against COVID-19 within the next 90 days to protect the public and to stop the spread of the contagious virus. Jetland Airlines allows its employees to request exemptions based on medical conditions and religious beliefs. Jane Heir is a pilot at the company and has been a dedicated employee for over 10 years. Jane has known severe allergies to ingredients in the vaccine. Jane's doctor has told Jane that she should not get the vaccine because the risks greatly outweigh the benefits. After finding out about the vaccination requirement, Jane scheduled a meeting with HR to discuss a potential exemption from the requirement.

- **How should Jetland Airlines handle Jane's request? What does the company need to verify from Jane? What other considerations should the company keep in mind? How would this differ if Jane had asked for a religious exemption from the vaccine requirement?**

#### Hypothetical Part 5: Tables 5, 6, 8, & Zoom:

Another employee with the company, Eric Playne, is fearful of the vaccine. He has had frequent nightmares after hearing on the radio that the vaccine contains an ingredient which will make him grow an extra thumb. He is worried that his partner will leave him in disgust and he will lose his job. He frequently has had panic attacks that leave him struggling to breathe because of his fears of what could happen to him if he gets the vaccine. Eric is a flight attendant with the company. Eric met with his doctor who recommended that Eric get vaccinated as soon as possible. Eric plans on asking for a medical exemption because he thinks that it would cause him severe mental anguish and anxiety.

- **How should Jetland Airline's handle Eric's request? How will this differ from Jane's request?**

