



GUIDANCE FOR THOSE REQUIRED TO VACCINATE BY AN EMPLOYER OR SCHOOL

NOTE: *The information herein is not to be taken as medical or legal advice. Please consult your healthcare and/or legal professional before starting, stopping, or altering any medical treatment or legal course of action.*

1. The best possible outcome: lead your employer to the conclusion that it is not in their best interest to require vaccines as a condition of employment.
 - a. If possible, unite and organize with others in your company / school / organization. There is strength in numbers!
 - b. Do not get in an argument over science or facts. **Stick to asking pointed questions.** Stay calm, professional, and brief.
 - i. Ask them if they're aware vaccines can cause harm. Point them to the Vaccine Adverse Events Reporting System (VAERS), if needed. <https://www.openvaers.com/> is also a good summary resource.
 - ii. Ask them if they're aware that there are warnings and contraindications listed on vaccine package inserts. You can find the inserts for all vaccines currently licensed for use in the United States here: <https://www.fda.gov/vaccines-blood-biologics/vaccines/vaccines-licensed-use-united-states>. (COVID vaccines are not yet licensed).
 - iii. Ask if they're aware vaccine manufacturers have been given full legal and financial immunity and cannot be sued. Reference the Public Readiness and Emergency Preparedness Act (PREP Act) for COVID vaccines or the 1986 National Childhood Vaccine Injury Act (NCVIA) for all others.
 - iv. Ask if they're aware their Worker's Comp insurance may have to cover you if you're injured. Some businesses have recently lost their worker's comp insurance coverage because they required the COVID vaccine.

- v. Tell them you are not comfortable taking a medical product with possible risks and no liability. Hand them an Assumption of Liability Form.
2. If you exhausted the above and it was not successful, **DO NOT GIVE UP**. Continue to build a strong file with your employer that could eventually be used in a discrimination or unemployment case.

You may also wish to pursue exemptions:

- a. Medical Exemption – Do you have a genetic, autoimmune, or other condition that should prevent you from taking a vaccine? Write a letter. It is ideal if it is signed by a doctor, but not absolutely necessary.
 - b. Religious Exemption –
 - i. Find out if your employer has forms already available to opt out for religious reasons. If possible, see if you can satisfy their conditions. If not, that’s ok! Still create and submit your own religious exemption letter.
 - ii. Note: Very little can trump your 1st Amendment right to exercise your religion. Title VII of the Civil Rights Act of 1964 also protects you. However, keep in mind that all an employer is legally required to do is make “reasonable accommodations”. Those accommodations may include requiring masks, testing, or social distancing.
3. If everything else fails, keep building your file and let them fire you! **DO NOT GIVE IN**, and **DO NOT QUIT**! Also, do not let them put you on administrative leave. If put on administrative leave, you likely will not get paid, may not have benefits, and also cannot collect unemployment.
4. Lastly, regardless of the route you take or the final outcome, **TELL YOUR LEGISLATIVE REPRESENTATIVES!**

Call / email / write / demand a visit with your Senator, House Representative, County Commissioners, District Attorney... **EVERYONE YOU CAN THINK OF!** They **NEED** to know how this is affecting you! Kansas had a chance to pass SB213 last year to put a stop to this. Hold them accountable! **DO NOT SKIP THIS STEP!**

A few extra considerations:

- Another topic that might be helpful to point out: COVID vaccines have not been granted full FDA approval – they are only under Emergency Use Authorization. Mandating a vaccine under EUA is not only unethical, it may not be legal. In this guidance document, we focus on facts that are indisputable and will never change, like the possibility of injury and lack of liability. However, using other arguments like the Emergency Use Authorization may help you further build your file / case.
- It might be tempting to jump straight to seeking an exemption. However, exemptions communicate that you're ok with the policy, you just want to opt out. But we are NOT ok with these policies! Convincing your employer that this decision is not in their best interest is good for ALL. It helps other employees and also sets an example for other companies. Exemptions can also be sticky.
- Remember: it is EXTREMELY costly for a company to have to replace you. They know that. There are hiring costs, re-training costs, loss of productivity, risk that a new person won't work out, etc. Plus, the job market is very tough right now and employees are in short supply. You are in a better position to negotiate than you might think or feel. Don't be afraid to stand up to your employer and advocate on your own behalf! Vaccine rates are extremely low right now, which is why they are resorting to force tactics. Stand strong! We are with you!
- It might also be tempting to obtain a fake vaccine passport to get by. Besides the obvious legal risk surrounding that decision, your compliance also helps usher this in as an acceptable means of force for everyone. If we do not stand up against this together, everyone will lose. Also, eventually vaccine passports will be digitized and much less difficult to fake. What then? We MUST fight against this together NOW. Once again, remember that you are not alone! We are with you! Don't give up or give in!



Additional resources and sample legal forms:

- Defending the Republic:
<https://defendingtherepublic.org/covid/>
- MedChoice Vaccine Waivers:
<https://www.covidvaccinewaiver.com/>
- America's Frontline Doctors:
<https://americasfrontlinedoctors.org/legal/vaccines-the-law/>
- The Healthy American with Peggy Hall:
<https://www.thehealthyamerican.org/employee-rights>
- The Informed Consent Action Network:
<https://www.icandecide.org/covid-19-vaccines/>
- Children's Health Defense:
<https://childrenshealthdefense.org/protecting-our-future/health-freedom/mandates-toolbox/>;
https://childrenshealthdefense.org/defender_category/covid/
- Alan Phillips –
www.vaccinerights.com

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