

RE TRO Letter to Employer Template

To [Name of Employer]:

As you are aware, on August 26, 2021, the New York State Department of Health (DOH) issued a statewide COVID-19 vaccine mandate for all health care workers. NYCRR, Title 10, Part 2, § 2.61 (NY Vaccine Mandate). The NY Vaccine Mandate requires all personnel employed by general hospitals and nursing homes to receive their first dose of a Covid vaccine by September 27, 2021; personnel at other covered employers must receive the vaccine by October 7, 2021. The NY Vaccine Mandate explicitly excludes any provision for religious exemptions in violation of, *inter alia*, Title VII of the Civil Rights Act of 1964 (Title VII) and the First and Fourteenth Amendment, the Supremacy Clause, and the Equal Protection Clause of the U.S. Constitution.

On September 14, 2021, because the NY Vaccine Mandate violates federal law, the United States District Court, Northern District of New York, issued a statewide [temporary restraining order](#) (TRO), suspending the NY Vaccine Mandate in relation to its prohibition of religious accommodations:

- (a) The vaccine mandate is suspended in operation to the extent that the DOH is barred from enforcing any requirement that employers deny religious exemptions from COVID-19 vaccination or that they revoke any exemptions employers already granted before the vaccine mandate issued;
- (b) The DOH is barred from interfering in any way with the granting of religious exemptions from COVID-19 vaccination going forward, or with the operation of exemptions already granted;
- (c) The DOH is barred from taking any action, disciplinary or otherwise, against the licensure, certification, residency, admitting privileges or other professional status or qualification of any of the plaintiffs on account of their seeking or having obtained a religious exemption from mandatory COVID-19 vaccination.”

In light of this federal judicial order, and in compliance with Title VII and other applicable federal and state law, I am confirming and resubmitting my previous request for a religious accommodation to exempt me from the NY Vaccine Mandate because I cannot receive the COVID-19 vaccine without violating my sincerely held religious beliefs.

Thank you in advance for your prompt attention to this urgent request and for your compliance with federal and state law.

Sincerely,
[Employee name]