



U.S. Equal Employment Opportunity Commission

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Saint Vincent Health Center To Pay \$300,000 To Settle EEOC Religious Accommodation Lawsuit

Hospital Refused To Grant Employees Religious Belief-Based Exemptions From Flu Vaccination Requirement and Instead Fired Them, Federal Agency Charged

ERIE, Pa. - Saint Vincent Health Center will pay \$300,000 constituting back pay and compensatory damages to a class of six aggrieved former employees and provide substantial injunctive relief to settle a religious discrimination lawsuit brought by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced. Senior U.S. District Judge Barbara J. Rothstein entered a consent decree on December 23, 2016. EEOC filed the lawsuit, U.S. EEOC v. Saint Vincent Health Center, Civil Action No. 1:16-cv-234, on Sept. 22, 2016, in U.S. District Court for the Western District of Pennsylvania, Erie Division.

In its lawsuit, EEOC alleged that in October 2013, Saint Vincent Health Center (the Health Center) implemented a mandatory seasonal flu vaccination requirement for its employees unless they were granted an exemption for medical or religious reasons. Under the policy, employees who received an exemption were required to wear a face mask while having patient contact during flu season in lieu of receiving the vaccination. Employees who refused the vaccine but were not granted an exemption by the Health Center were fired, according to EEOC's lawsuit. From October 2013 to January 2014, EEOC alleged, the six employees identified in its complaint requested religious exemptions from the Health Center's flu vaccination requirement based on sincerely held religious beliefs, and the Health Center denied their requests. When the employees continued to refuse the vaccine based on their religious beliefs, the Health Center fired them. According to EEOC's lawsuit, during this same period, the Health Center granted fourteen (14) vaccination exemption requests based on medical reasons while denying all religion-based exemption requests.

In addition to requiring monetary relief and offers of reinstatement for the six employees, the consent decree contains multiple injunctive components. Under the decree, if the Health Center chooses to require employee influenza vaccination as a condition of employment, it must grant exemptions from that requirement to all employees with sincerely held religious beliefs who request exemption from the vaccination on religious

grounds unless such exemption poses an undue hardship on the Health Center's operations, and it must also notify employees of their right to request religious exemption and establish appropriate procedures for considering any such accommodation requests.

The decree also requires that when considering requests for religious accommodation, the Health Center must adhere to the definition of "religion" established by Title VII and controlling federal court decisions, a definition that forbids employers from rejecting accommodation requests based on their disagreement with an employee's belief; their opinion that the belief is unfounded, illogical, or inconsistent in some way; or their conclusion that an employee's belief is not an official tenet or endorsed teaching of any particular religion or denomination.

The decree further requires that the Health Center provide training regarding Title VII reasonable accommodation to its key personnel and that it maintain reasonable accommodation policies and accommodation request procedures that reflect Title VII requirements.

"While Title VII does not prohibit health care employers from adopting seasonal flu vaccination requirements for their workers, those requirements, like any other employment rules, are subject to the employer's Title VII duty to provide reasonable accommodation for religion," said Philadelphia District regional attorney, Debra M. Lawrence. "In that context, reasonable accommodation means granting religious exemptions to employees with sincerely held religious beliefs against vaccination when such exemptions do not create an undue hardship on the employer's operations. We are pleased that Saint Vincent Health Center worked cooperatively with EEOC to reach an early, reasonable resolution of this case."

EEOC District Director Spencer H. Lewis, Jr. added, "We are pleased this settlement compensates the victims for the harm they suffered and contains injunctive relief designed to prevent future religious discrimination."

The Philadelphia District Office of the EEOC oversees Pennsylvania, West Virginia, Maryland, Delaware, and parts of New Jersey and Ohio.

EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at www.eeoc.gov. Stay connected with the latest EEOC news by subscribing to our [email updates](#).