

What Employers Can Learn From Recent Cases Addressing Vaccine Exemptions

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July 09, 2026 at 10:17 AM By **Peter Murphy** and **Justin Cedeño**



Peter J. Murphy (L) and Justin B. Cedeño (R) of Shipman & Goodwin. Courtesy photos

Vaccine requirements for employees significantly increased during the COVID-19 pandemic, and since then many employees have filed lawsuits challenging denials of their request for an exemption from such policies on religious and disability grounds. Recent court rulings address such claims under Title VII of the Civil Rights Act (Title VII) and the Americans with Disabilities Act (ADA), and they offer important guidance on where courts are drawing the line between vaccination requirements and “preexisting constitutional, statutory, and regulatory regimes that generally govern societal affairs.” See *Bazinet v. Beth Israel Lahey Health*, 113 F.4th 9, 12 (1st Cir.

2024). These cases will be useful for employers responding to emerging infectious diseases, including hantavirus and avian influenza.

Employees' Rights to Accommodation—The Impact of 'Groff v. DeJoy'

Both Title VII and the ADA require employers to engage in the interactive process and consider reasonable accommodations for employees whose objections to vaccination and request for accommodation are based on a sincerely held religious belief or a qualifying disability. Such requests may be denied if it would constitute undue hardship to the employer. In *Groff v. DeJoy*, 600 U.S. 447 (2023), the U.S. Supreme Court fundamentally changed the undue hardship analysis applicable to requests for religious accommodations under Title VII. Previously, courts applied the employer-friendly de minimis standard. *Groff* rejected that approach, holding instead that an employer must demonstrate that the requested accommodation would impose “substantial increased costs in relation to the conduct of its particular business.” This requires courts to consider “all relevant factors in the case at hand, including the particular accommodations at issue and their practical impact in light of the nature, size, and operating cost of an employer.” *Groff* brings the Title VII analysis much closer to the ADA's definition of undue hardship, which requires a showing of “significant difficulty or expense.” See 42 U.S.C. Section 12111(10)(A).

Undue Hardship Must be Based on a Factual Record

Over the past year, employer-friendly court decisions have shared a common theme: successful employers did not rely solely on a vaccination policy as a defense for denial of an accommodation request. Instead, as required by *Groff* for religious cases, they developed a factual record demonstrating that granting the requested accommodation would create an identifiable undue hardship for their business, focusing on specific economic and noneconomic costs associated with the potential accommodation, including concerns of operational sustainability, customer safety, and increased overhead.

Just recently, for example, the U.S. Court of Appeals for the Ninth Circuit in *Williams v. Legacy Health*, 174 F.4th 1201 (9th Cir. 2026), upheld a health care employer's denial of religious exemptions to a vaccine requirement where the employer supported its decision with evidence relating to increased Delta variant cases, predicted hospitalizations, staffing shortages and risks to vulnerable patients. The court emphasized that the undue hardship evaluation is not limited to associated financial costs but also includes “operational burdens” specific to the employer—which the health care employer in that case had demonstrated. See also *Munroe v. Boston Medical Center*, 790 F. Supp. 3d 52 (D. Mass. 2025) (granting summary judgment for the employer where the employer relied on objective scientific information in denying an employee's exemption request). Similarly, the Fourth Circuit in *Hall v. Sheppard Pratt Health System*, 155 F.4th 747 (4th Cir. 2025), affirmed summary judgment where the employer pointed to concrete costs associated

with providing a vaccination accommodation, including temporary staffing costs, additional PPE expenses, suspension of treatment activities, and increased patient risk.

While both *Williams* and *Hall* involve a hospital as the employer, the takeaway remains the same across all industries: Employers should be able to articulate why the vaccination policy exists and how possible exemptions would affect their operations.

Thinking through these questions while creating a policy and before any accommodation request is made puts employers in a stronger position to defend against future claims.

Common Pitfalls to Watch Out For

- **Inconsistent Enforcement of Vaccination Policies**

One of the most avoidable mistakes employers make is failing to administer vaccination policies and accommodation procedures consistently across similarly situated employees. For example, in *Nadler v. TriHealth*, No. 1:23-CV-358, 2026 WL 860728 (S.D. Ohio Mar. 30, 2026), the court concluded that the evidence was sufficient to allow the employee's claim to proceed where the employer inconsistently enforced accommodation request procedures and submission deadlines. In *Nadler*, the plaintiff was able to show that the employer inconsistently enforced vaccination policies by strictly denying untimely religious exemption requests, while permitting employees who missed vaccination deadlines for nonreligious reasons additional time to comply. As the court noted, this supported an inference that the employer "weighed the administrative inconvenience caused by untimely religious exemption requests differently than it weighed the hardship caused by nonreligious requests for untimely compliance."

Likewise, in *Balboa v. Texas Children's Hospital*, 728 S.W.3d 314 (Tex. App.—Houston [14th Dist.] 2025), on appeal, the court determined that the hospital had failed to establish undue hardship where the plaintiff, a labor and delivery nurse, showed that the hospital had already granted hundreds of religious exemptions, many to other nurses, and the employer failed to provide evidence that accommodating the plaintiff's individual request would have created undue hardship beyond the level of risk already accepted.

- **Blanket Enforcement of Vaccination Policies**

Another common pitfall is enforcing one-size-fits-all policies without considering whether alternative arrangements are feasible. Unless an employer can demonstrate why the same vaccination requirement applies across roles, record of a blanket enforcement policy may undermine its defense. In *Klimek v. CentraCare Health System*, No. 25-1837, 2026 WL 1724207 (8th Cir. June 15, 2026), for example, the Eighth Circuit reversed summary judgment on an ADA

failure-to-accommodate claim involving a nurse who worked 100% remotely in a nonpatient-facing role and sought an exemption based on a claim that “her chronic regional pain syndrome/reflex sympathetic dystrophy” made her medically exempt from all vaccinations. The court rejected the argument that compliance with a vaccine policy was itself an essential job function, especially where in-person patient care was not an essential function of the remote employee’s work. In contrast, the Fourth Circuit in *Miller v. Charleston Area Medical Center*, No. 24-2129, 2026 WL 35966, at *1 (4th Cir. Jan. 6, 2026), held that, for a respiratory therapist, increased transmission risk alone was sufficient to establish undue hardship where core duties required direct contact with vulnerable respiratory patients. Therefore, the Fourth Circuit affirmed summary judgment granted to the hospital, finding that terminating the plaintiff for refusing to receive the required vaccination did not violate Title VII.

- **Improperly Evaluating an Employee’s Religious Objection**

Finally, employers often misstep out of the gate by failing to identify the religious nature of an employee’s request. In *Wright v. Honeywell*, 148 F.4th 779 (5th Cir. 2025), the Fifth Circuit reversed summary judgment for the employer, holding that the employee had presented enough evidence of a sincerely held religious belief to reach a jury. There, the employee’s exemption request contained a mixture of religious beliefs, political viewpoints and personal objections to vaccination. The employer focused on the nonreligious aspects and denied the accommodation. Although the employee’s materials included political statements and personal preference-based objections, the court found that the “sincere religious content” was apparent and that a request may be grounded in both religious and nonreligious reasons. See also *Bazinet*, 113 F.4th at 17 (reversing dismissal because “the mere fact that there is overlap between a religious and political view does not necessarily place the view outside the scope of Title VII’s religious protections.”).

As this demonstrates, employers should not reject a request just because it is imprecise or mixed with secular or personal convictions. Instead, reviewers should ask whether the employee has identified a sincerely held religious belief that conflicts with the work requirement and review the request accordingly under the standards set forth in *Groff*.

Takeaways for Implementing Vaccine Policies and Handling Accommodation Requests

Recent vaccination cases provide useful guidance for employers dealing with vaccination concerns or policy implementation. The strongest defense in support of a policy or denial of an accommodation request is a well-developed and documented record establishing the policy’s importance and why the requested accommodation would impose undue hardship particular to the employer’s business. A general statement that an accommodation would create safety

concerns is weaker than a record showing, for example, how the accommodation would affect staffing levels, expose vulnerable individuals, trigger outbreak protocols or undermine compliance obligations.

Equally important is implementing those policies consistently. Employers should centralize accommodation reviews whenever possible. A centralized process allows employers to compare similar requests, identify inconsistent outcomes, preserve supporting documentation and prevent supervisors from making off-the-cuff decisions that become evidence in an employee's case.

Finally, supervisor training is also critical. Many otherwise defensible decisions are weakened by supervisors' comments questioning an employee's religion, dismissing the request or treating the employee differently afterward. Supervisors should be trained on the employer's accommodation process, and how to respond to an employee's request for a vaccine exemption, as well as all other workplace policies and procedures.

Peter J. Murphy *is an employment and labor partner in Shipman & Goodwin's Hartford, Connecticut office whose practice focuses on employment and labor law. He works with companies in the public- and private-sectors to anticipate and respond to the increasingly complex body of state and federal laws governing the employer-employee relationship.*

Justin B. Cedeño *is an employment and labor associate at the firm where he advises clients on workplace compliance, labor and employment matters, and personnel issues.*

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