

MANDATORY VACCINATIONS

Adjudicating religious exemptions

Employers who wish to implement a mandatory vaccination policy must allow for employees to raise objections or apply for exemption from the policy on the basis of, amongst others, religious grounds. Religious beliefs and opinions are categorised as special personal information and the requirements in relation to the processing of this information must be adhered to. This list is designed to assist employers with some of the considerations to be taken into account when adjudicating exemption applications on the basis of religion.



What is the reason for the employee's religious exemption application? Does the employee meet the company's requirements for religious exemptions?



Is the religion relied on by the employee a recognised religious group?



Is the religious belief relied on by the employee as a central tenant of the religion in question?



Is the religious belief still recognised, relevant and practiced in the present context?



Is there a direct link between the employees' religious exemption application and their objection to receiving the COVID-19 vaccine?



Has the employee presented evidence from an official religious organisation or authority to support their exemption application?



Will the company have the right to independently verify the evidence of the religious organisation or authority? Will this be at the Company's cost? Which team of persons will be appointed for this purpose?



Does the reason advanced for a religious exemption apply to all available COVID-19 vaccines?



Can the employee be reasonably accommodated? i.e. continued remote working; working at the workplace but in isolation or other wearing a N95 mask, amongst others.



Will the granting of the exemption impede on the employee's ability to perform their duties should the company be unable to reasonably accommodate the employee?