

Selection of Significant Legal Cases Since the U.S. Supreme Court Ruling in *Jacobson v. Massachusetts* (1905)

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Summary: U.S. federal courts since *Jacobson v. Massachusetts* have generally recognized that states and government entities have authority to assess the sincerity of religious beliefs in vaccination exemption contexts. However, this authority is not unlimited and must be exercised without religious animus or undue scrutiny. Various circuit and district courts have examined the issue, **developing standards and limits for evaluating religious sincerity while balancing public health interests of the state against First Amendment protections.**

The authority of the government to judge the sincerity of an individual's religious beliefs about vaccination has evolved significantly since *Jacobson v. Massachusetts*. While *Jacobson* established a state's right to mandate vaccinations for public health purposes under their police powers, it did not specifically address the scope of religious exemptions. Since then, courts have developed a framework for evaluating religious exemptions that allows the state to assess the sincerity of religious beliefs but **prohibits evaluation of the validity or theological accuracy of those beliefs. In other words, a court can address whether one's beliefs are sincerely held, not whether they are necessarily valid beliefs.**

Courts have established that the sincerity of religious beliefs is a factual question for the judge or jury to decide. Key cases have established a two-fold inquiry: whether the beliefs are sincerely held and whether they are, in the individual's own scheme, religious rather than merely philosophical, political, or medical in nature.

The jurisprudence shows that courts permit reasonable inquiry into whether objections are genuinely religious in nature, as opposed to merely philosophical, personal, or medical. However, courts have placed important limitations on this authority, prohibiting excessive entanglement with religion, requiring minimal burdens for demonstrating sincerity, and ensuring that evaluation processes remain neutral and generally applicable. **Cases from various circuits demonstrate that while assessment of sincerity is permissible, it must be done without religious hostility and with respect for legitimate religious beliefs, even when they may not appear logical or consistent to others.**

Legal Cases

[Prince v. Massachusetts, 321 U.S. 158 \(1944\)](#)

Legal Issue: Does the state have the authority to restrict religious practices that conflict with laws protecting public health and welfare, and can it evaluate religious beliefs or practices when public safety is at stake?

Summary: Plaintiff, aunt of nine year-old girl handing out religious material, appeals conviction for violating Massachusetts child labor laws claiming free exercise of religion.

Legal Analysis:

*“Acting to guard the general interest in youth's wellbeing, the state, as parens patriae, may restrict the parent's control by requiring school attendance, ... regulating or prohibiting the child's labor ... and in many other ways. ... Its authority is not nullified merely because the parent grounds his claim to control the child's course of conduct on religion or conscience. **Thus, he cannot claim freedom from compulsory vaccination for the child more than for himself on religious grounds. ... The right to practice religion freely does not include liberty to expose the community or the child to communicable disease or the latter to ill health or death.**”*

The Supreme Court held that the state's interest in protecting the health and safety of children and the public can override certain religious freedoms. Religious liberty does not grant an absolute right to violate laws designed for public welfare. Although the Court did not explicitly discuss assessing sincerity of beliefs, it affirmed that the government may regulate religious conduct that poses health risks. The court determined that the state can only impinge upon religious freedom when it is necessary to protect the child from clear and present danger. The state can put protections and limitations on children greater than they can for adults.

“Our ruling does not extend beyond the facts the case presents. We neither lay the foundation “for any [that is, every] state intervention in the indoctrination and participation of children in religion” which may be done “in the name of their health and welfare” nor give warrant for “every limitation on their religious training and activities.”

Judgment affirmed.

This case supports the principle that states can enforce public health laws even when religious objections exist, implying authority to question or limit religious claims that threaten public safety.

[United States v. Seeger United States v. Jakobson Peter v. United States, 380 U.S. 163, 85 S.Ct. 850, 13 L.Ed.2d 733 \(1965\)](#)

Legal issue: What constitutes "religious belief" for conscientious objector status under the Universal Military Training and Service Act?

Summary: These cases involve claims of conscientious objectors under § 6(j) of the Universal Military Training and Service Act, 50 U.S.C.App. § 456(j) (1958 ed.) ("The Act"), which exempts from combatant training and service in the armed forces of the United States those persons who by reason of their religious training and belief are conscientiously opposed to participation in war in any form. Objectors questioned constitutionality of part of the Act defining religious training and belief.

Legal analysis: "...Some theologians, and indeed some examiners, might be tempted to question the existence of the registrant's 'Supreme Being' or the truth of his concepts. As Mr. Justice Douglas stated in *United States v. Ballard*, 322 U.S. 78, 86, 64 S.Ct. 882, 886, 88 L.Ed. 1148 (1944):

"Men may believe what they cannot prove. They may not be put to the proof of their religious doctrines or beliefs. Religious experiences which are as real as life to some may be incomprehensible to others. Local boards and courts in this sense are not free to reject beliefs because they consider them 'incomprehensible.' Their task is to decide whether the beliefs professed by a registrant are sincerely held and whether they are, in his own scheme of things, religious...."

"5. We recognize the difficulties that have always faced the trier of fact in these cases. We hope that the test that we lay down proves less onerous. The examiner is furnished a standard that permits consideration of criteria with which he has had considerable experience. While the applicant's words may differ, the test is simple of application. It is essentially an objective one, namely, does the claimed belief occupy the same place in the life of the objector as an orthodox belief in God holds in the life of one clearly qualified for exemption?"

[Thomas v. Review Board of Indiana Employment Security Division, 450 U.S. 707, 101 S.Ct. 1425, 67 L.Ed.2d 624 \(1981\)](#)

Summary: Plaintiff Jehovah's witness was **transferred to weapons department** at work, due to religious beliefs he asked to be laid off which was denied, so he quit. He applied for unemployment benefits which were denied because although it the hearing determined he quit due to his religious beliefs, his voluntary termination was not based on good cause arising with his work pursuant to Indiana statute.

Indiana Court of Appeals reversed stating the statute violated the free exercise clause. Indiana Supreme Court reversed saying plaintiff quit voluntarily due to "personal philosophical choice" not religious belief. The Supreme Court held The State's denial of unemployment compensation benefits to petitioner violated his First Amendment right to free exercise of religion under **[Sherbert v. Verner, 374 U.S. 398, 83 S.Ct. 1790, 10 L.Ed.2d 965](#)**. Pp. 713-720.

Legal Analysis: The Indiana court improperly determined that the plaintiff was struggling with his beliefs and not able to carefully articulate them.:

“Courts should not undertake to dissect religious beliefs on such grounds... The guarantee of free exercise is not limited to beliefs which are shared by all of the members of a religious sect. The narrow function of a reviewing court in this context is to determine whether there was an appropriate finding that petitioner terminated his work because such work was forbidden by his religion.”

*“Only beliefs rooted in religion are protected by the Free Exercise Clause, which, by its terms, gives special protection to the exercise of religion. [Sherbert v. Verner, supra](#); [Wisconsin v. Yoder, 406 U.S. 205, 215-216, 92 S.Ct. 1526, 1533, 32 L.Ed.2d 15 \(1972\)](#). The determination of what is a “religious” belief or practice is more often than not a difficult and delicate task, as the division in the Indiana Supreme Court attests.⁷ However, the resolution of that question is not to turn upon a judicial perception of the particular belief or practice in question; **religious beliefs need not be acceptable, logical, consistent, or comprehensible to others in order to merit First Amendment protection.**”*

[Mason v. General Brown Central School District, 851 F.2d 47 \(2d Cir. 1988\)](#)

Summary: Plaintiffs appeal lower court decision in attempt to enroll their son in N.Y. public school without required vaccinations. **Trial court found plaintiff’s beliefs were not religious in nature.**

Legal Analysis: In order to comply with NY law, plaintiffs must show either that the organized religion they belong to conflict with vaccination or their personal sincerely followed religious beliefs conflict with vaccination. Federal Court agreed with lower district court that plaintiffs failed to meet this standard.

The court determined that the plaintiff’s beliefs derived from teachings at chiropractic school rather than being religiously based.

[Employment Division v. Smith, 494 U.S. 872 \(1990\)](#)

Legal Issue: Can the state enforce a neutral, generally applicable law that incidentally burdens religious practices without assessing the sincerity or validity of the religious beliefs involved?

Summary: Two Native American men were fired from their jobs for **ingesting peyote**, a controlled substance, as part of a religious ceremony. They applied for unemployment benefits but were denied due to their dismissal for work-related misconduct involving illegal drug use. They challenged the denial on Free Exercise grounds, claiming the law burdened their religious practices.

Legal Analysis:

The Supreme Court held that neutral laws of general applicability do not violate the Free Exercise Clause even if they incidentally burden religious practices, thus does not require religious exemptions. Allowing religious exceptions to such laws would make every individual a law unto himself, potentially undermining the rule of law. The correct remedy for such action lies in the legislature, not judicial action.

[Church of the Lukumi Babalu Aye v. Hialeah, 508 U.S. 520 \(1993\)](#)

Legal Issue: Can the state evaluate and restrict religious practices by sitting in judgment on the sincerity or validity of religious beliefs, particularly when enforcing laws that target or burden religion?

Summary: The Church of Lukumi Babalu Aye practiced Santería, which includes animal sacrifice as a religious ritual. The city of Hialeah, Florida, enacted ordinances prohibiting animal sacrifice following the church's announcement of plans to perform such rituals. The Church challenged the ordinances as violations of the Free Exercise Clause.

Legal Analysis:

The Supreme Court ruled that the ordinances were neither neutral nor generally applicable; they specifically targeted the religious practice. **The Court emphasized that the government may not target religious beliefs or practices for disfavor and cannot sit in judgment of their validity or sincerity. While neutral laws of general applicability are permitted, laws that target religion or religious conduct must meet strict scrutiny. The decision affirms that the state may enforce general laws but may not sit in judgment of the validity, or content of religious beliefs, especially when those beliefs are the object of government action.**

[Workman v. Mingo County Board of Education, 419 F.3d 369 \(4th Cir. 2005\)](#)

Legal Issue: Does the state (or courts) have the authority to assess the sincerity of an individual's claimed religious beliefs when determining eligibility for a religious exemption from vaccination requirements?

Summary: Workman, an employee of the Mingo County Board of Education, requested a religious exemption from a mandatory vaccination policy due to his religious objections to vaccination. The Board denied the exemption, questioning the sincerity of her beliefs. Workman challenged the denial on the grounds that it violated her First Amendment right to the free exercise of religion.

Legal Analysis: Even if strict scrutiny applies, and the court declined to make that determination, it concluded that such determination was irrelevant. **The mandatory**

vaccination requirement would survive strict scrutiny pursuant to previous Supreme Court decisions. The court dismissed plaintiff's claim that *Jacobson v. Massachusetts* was distinct due to the small pox epidemic.

“[t]he Supreme Court did not limit its holding in *Jacobson* to diseases resending a clear and present danger.” Boone v. Boozeman, 217 F. Supp. 2d 939, 954 (E.D. Ark. 2002).”

The court further established that there is a compelling state interest in preventing the spread of communicable diseases even if, as plaintiff claims, such diseases in question are not very prevalent.

[Caviezel v. Great Neck Pub. Sch., 739 F.Supp.2d 273 \(E.D. N.Y. 2010\)](#)

Legal Issue: Does the First Amendment provide a religious exemption from mandatory school vaccination requirements?

Summary: Plaintiff claims public school vaccine mandate is a violation of First Amendment rights and NY Public Health Law which allows for sincerely held religious exemption

Legal analysis: “Neither the United States Supreme Court nor the Court of Appeals for the Second Circuit has directly addressed whether a religious objector is constitutionally exempt from a program of mandatory vaccination. **However, the United States Supreme Court has strongly suggested that no such exemption exists.**”

*“In light of the Supreme Court's direction in this area of law, and finding the District Court opinions disfavoring a First Amendment exception to mandatory vaccination laws to be persuasive, **the Court finds that the free exercise clause of the First Amendment does not provide a right for religious objectors to be exempt from New York's compulsory inoculation law.**”*

[Caviezel v. Great Neck Pub. Sch., 701 F.Supp.2d 414 \(E.D. N.Y. 2010\)](#)

Summary: Plaintiff sought injunction to compel defendants to enroll children with religious exemption in public school. Circuit court questioned plaintiff at length about the nature of religious belief. Plaintiff asserted she was a Pantheist and sees God in everything. She did not belong to an organized religion. Court inquired about the practices of the religion including prayer. Plaintiff testified about her “practicing religion” and her training from churches or temples or other organizations. She said she was an ordained as a minister by a church called Sanctuary of the Beloved after a one-day course. The court asked how the religion affected her choice not to vaccinate and she replied that she believes it is not necessary because humans were designed perfectly. The court pointed out that the Sanctuary of the Beloved did not instruct members to forego vaccination and therefore her objection to vaccination did not stem from the church which ordained her.

Legal Analysis: The court found that plaintiffs failed to prove that their objection to vaccination was religious in nature and that they have a genuine and sincere religious beliefs. The court relied on plaintiff's attorney's letter as well as her testimony in court where she said that she does not believe vaccines are safe.

The court addressed the merits of plaintiff's claim that her objection to vaccination was religious in nature. The court said,

“ For example, the Second Circuit has indicated that “philosophical and personal” belief systems are not “religious” belief, in spite of the fact that these belief systems may be held with “strong conviction” and inform critical life choices. [Mason v. General Brown Cent. School Dist.](#), 851 F.2d 47, 52 (2d Cir.1988). On the other hand, a person need not be a member of a formal religious sect or church to have “religious” beliefs. See [Sherr v. Northport-East Northport Union Free School Dist.](#), 672 F.Supp. 81, 91 (E.D.N.Y.1987). In fact, a person's religious beliefs need not come from a traditional “God”, but rather may follow from a belief in something that “occupies a place in the life of its possessor parallel to that filled by the orthodox belief in God.” [U.S. v. Seeger](#), 380 U.S. 163, 166 85 S.Ct. 850, 13 L.Ed.2d 733 (1965); [Mason](#), 851 F.2d at 51. Ultimately, the Second Circuit's most explicitly expressed opinion on the definition of religion is that courts must tread lightly when undertaking the task. This wise observation was clearly stated in [Friedman v. Clarkstown Cent. School Dist.](#), 75 Fed.Appx. 815, 818 (2d Cir.2003):

“This Circuit repeatedly has emphasized “the limited function of the judiciary in determining whether beliefs are to be accorded first amendment protection.” [Patrick v. LeFevre](#), 745 F.2d 153, 157 (2d Cir.1984); accord [id.](#) (“It cannot be gainsaid that the judiciary is singularly ill-equipped to sit in judgment on the verity of an adherent's religious beliefs. Mindful of this profound limitation, our competence properly extends to determining ‘whether the beliefs professed by a [claimant] are sincerely held and whether they are, in his own scheme of things, religious.’ ”(quoting [United States v. Seeger](#), 380 U.S. 163, 185, 85 S.Ct. 850, 13 L.Ed.2d 733 (1965)));(quoting [Jolly v. Coughlin](#), 76 F.3d 468, 476 (2d Cir.1996)). “While it is a delicate task to evaluate religious sincerity without questioning religious verity, our free exercise doctrine is based upon the premise that courts are capable of distinguishing between these two questions.” [Jolly](#), 76 F.3d at 476.”

[Check v. New York City Department of Education](#), 2013 WL 2181045 (E.D.N.Y. May 20, 2013)

Summary: Plaintiff sought preliminary injunction from NY Department of Education to admit her 5-year old to school without required vaccinations.

Legal Analysis: Court found that plaintiff's concerns were medical in nature and not religious despite finding that her religious beliefs were credible and compelling.

[Phillips ex rel. B.P. v. City of N.Y., 775 F.3d 538 \(2nd Cir. 2015\)](#)

Legal issue Does New York State's requirement for vaccination to attend public school, which includes medical and religious exemptions, violate constitutional rights?

Summary: Plaintiffs challenge on constitutional grounds New York State's requirement that all children be vaccinated in order to attend public school. Plaintiffs argued that the statutory vaccination requirement, which is subject to medical and religious exemptions, violates their substantive due process rights, the Free Exercise Clause of the First Amendment, the Equal Protection Clause of the Fourteenth Amendment, the Ninth Amendment, and both state and municipal law.

Legal analysis: Court referred to *Jacobson v Massachusetts* stating:

“Plaintiffs argue that a growing body of scientific evidence demonstrates that vaccines cause more harm to society than good, but as Jacobson made clear, that is a determination for the legislature, not the individual objectors... Plaintiffs' substantive due process challenge to the mandatory vaccination regime is therefore no more compelling than Jacobson's was more than a century ago.”

“The Supreme Court has stated in persuasive dictum, however, that a parent “cannot claim freedom from compulsory vaccination for the child more than for himself on religious grounds. The right to practice religion freely does not include liberty to expose the community or the child to communicable disease or the latter to ill health or death.” Prince v. Massachusetts, 321 U.S. 158 166–67, 64 S.Ct. 438, 88 L.Ed. 645 (1944).

The Court found that New York went beyond the Constitution in permitting religious exemptions to vaccine mandates.

[NM ex rel. EK v. Hebrew Acad. Long Beach, 155 F.Supp.3d 247 \(E.D. N.Y. 2016\)](#)

Legal issue: Can a parent claim a religious exemption from mandatory school vaccinations based on personal beliefs intertwined with religious teachings?

Summary: Plaintiff presents Constitutional challenge to New York's requirement that school-aged children be vaccinated against certain communicable diseases in order to attend classes. At the hearing, Plaintiff testified that her beliefs were rooted in the Torah which emphasizes noninvasive medical practices. She did not state that her religion forbids vaccination, rather that she feels obligated to pursue less invasive measures of disease prevention. “In this regard, NM testified as to her understanding that, once she reached a personal conclusion on the issue of vaccinations, her beliefs took on the force of Jewish law, and the Torah required her to follow her conscience in that regard.” Plaintiff admitted she had her ears pierced, used novocaine during dental

procedures, took prenatal vitamins at her doctors orders and put sunscreen on her children. Plaintiff admitted there was no Jewish prohibition to vaccination.

Legal analysis: The court found that Plaintiff applied the Torah's teachings selectively and that her objection to vaccination was based in part on side effects. The court pointed out that she was educated about the pros and cons of vaccination from her doctor and only went to a rabbi for a stamp of approval not to vaccinate her children.

The court ruled her decision not to vaccinate was predominately health based and not religious based and she did not sustain the burden of establishing that she has a genuine and sincere religious objection to vaccination.

[Nikolao v. Lyon, 875 F.3d 310 \(6th Cir. 2017\)](#)

Legal Issue: Does requiring parents to discuss religious objections at local health departments for vaccination exemptions violate the First Amendment's religion clauses?

Summary: Plaintiff, a devout Catholic, went to the health department to get a religious exemption for school mandated vaccination where health care workers tried to convince her that the Catholic faith did not preclude vaccination. Despite getting the religious waiver, Plaintiff sued the state and county officials for First Amendment violations.

District court dismissed action, Appellate court affirmed in part and remanded in part.

Legal Analysis: **The court pointed out that Constitutionally, the plaintiff has no right to an exemption.** The court emphasized the importance of vaccination:

“Thus, to stop the outbreak of preventable diseases in public school, the significant majority of children entering the school system must be vaccinated. It is true that Michigan is trying to discourage parents from opting out of vaccination—but it is only doing so to protect children from serious and avoidable diseases. We are hard-pressed to envision a more secular purpose than this.”

[Does v. Mills U.S. District Court Maine 2021](#)

Summary: Plaintiffs, 8 healthcare workers sought a preliminary injunction prohibiting Maine's governor from requiring all health care facility workers to get the COVID-19 shot. Plaintiffs alleged that the vaccine requirement violated their First Amendment right and other federal and statutory rights because it did not carve out a religious exemption.

Legal Analysis: The court recognized that *Jacobson v Massachusetts* did not address the scope of one's constitutional rights under the First Amendment's Free Exercise Clause regarding vaccine mandates and addressed the issue. The

court determined that the COVID-19 shot mandate was facially neutral. Because the vaccine mandate is both neutral and generally applicable, rational basis applies.

Importantly, the court pointed out that even if strict scrutiny applied, the COVID-19 shot mandate would survive plaintiff's Free Exercise challenge.

[Grantonz, et al v. Earley, et al, No. 1:2021cv02137 - Document 14 \(N.D. Ohio 2021\)](#)

Summary: Plaintiffs, employees of the Cleveland Municipal Court, were denied religious exemptions to COVID-19 shot mandate. Plaintiffs allege that they have suffered constitutional violations of their First Amendment right to free exercise of religion and their Fourteenth Amendment rights to privacy, personal autonomy and identity. **Plaintiff cites the use of fetal cells as contrary to her religious beliefs.**

Legal Analysis: The Court quoted *Thomas v. Review Bd. of Ind. Employment Security Div.*, [450 U.S. 707](#), 714 (1981), “[R]eligious beliefs need not be acceptable, logical, consistent, or comprehensible to others in order to merit First Amendment protection.”

The court used strict scrutiny because Plaintiffs were forced to choose between following their religious beliefs or forfeiting their jobs which significantly burdened their free exercise of religion and is, therefore, not neutral.

“The Free Exercise Clause does not protect sympathetic religious practices alone. And that’s exactly what the federal courts are not to judge-how individuals comply with their own faith as they see it. Roberts v. Neace, [958 F.3d 409](#), 416 (6th Cir. 2020), citing Smith, 494 U.S. at 886-87.”

The court decided that the Plaintiffs had a likelihood of success on the merits and defendants were enjoined from enforcing the vaccine mandate.

[Lukaszczyk v. Cook Cnty., 47 F.4th 587 \(7th Cir. 2022\)](#)

Legal issue: Can state and local COVID-19 shot mandates be challenged successfully on the grounds of violating constitutional rights to due process and free exercise of religion?

Summary: Consolidated decision involving three district judges denied motions for preliminary injunctions against state and local COVID-19 shot mandates. The plaintiffs argue the mandates violate their constitutional rights to substantive due process, procedural due process, and the free exercise of religion. They also contend the mandates violate Illinois state law.

Court concluded that Plaintiffs fail to develop factual records to support their claims and fail to show a likelihood of success on the merits. District Court decisions are upheld.

Legal Analysis: The court distinguished *Jacobson v Massachusetts* because 1. COVID-19 death rates were far less for the unvaccinated than smallpox; and 2. The decision predated [United States v. Carolene Products Co.](#), 304 U.S. 144, 58 S.Ct. 778, 82 L.Ed. 1234 (1938)

“Neither this court nor the district judges deny that requiring the administration of an unwanted vaccine involves important privacy interests. But the record developed and presented here does not demonstrate that these interests qualify as a fundamental right under substantive due process.”

In [Aliano v. Twp. of Maplewood, Civil Action 22-cv-5598 \(ES\) \(AME\) \(D. N.J. Jul 07, 2023\)](#).

Summary: Firefighters sought religious exemption to COVID-19 shot which was denied and their employment terminated.

Plaintiffs claims dismissed with prejudice.

Legal Analysis: The court addressed the requirements for plaintiffs to demonstrate sincere religious beliefs. The court noted that plaintiffs must "plead with specificity the factual basis behind the religious based objection, and not merely conclusory statements" to plead a cause of action.

“In assessing the sufficiency of a plaintiff’s pleading, courts engage a two-part inquiry into whether the plaintiff’s stated belief is (i) sincerely held and (ii) religious within the plaintiff’s “own scheme of things.”

“As to the second prong, the Third Circuit has adopted three factors—the [Africa](#) factors—to consider when determining whether a belief is “religious” in nature. [Africa v. Commonwealth of Pennsylvania](#), 662 F.2d 1025, 1032 (3d Cir. 1981).

These include whether the belief (i) “addresses fundamental and ultimate questions having to do with deep and imponderable matters”; (ii) “is comprehensive in nature”; and (iii) is accompanied by “certain formal and external signs.”

Cesare v. PACT MSO, LLC., 736 F.Supp.3d 93 (D. Conn. 2024)

Summary: Medical practice that required COVID-19 shot for employees had their executive committee evaluate religious exemption requests which denied plaintiff’s religious exemptions. **Plaintiffs sued and Defendant’s brought summary judgment motion on the ground that there was no bonafide religious belief to qualify for the exemption.**

Legal Analysis: The issues are whether the Plaintiff’s beliefs are sincerely held and are in his own scheme of things, religious in nature. **The court denied summary judgment**

on the basis that a reasonable fact finder could find that the Plaintiffs beliefs were sincerely held religious beliefs.

"The resolution of whether a belief is religious does not "turn upon a judicial perception of the particular belief or practice in question; religious beliefs need not be acceptable, logical, consistent, or comprehensible to others" [Thomas, 450 U.S. at 714, 101 S.Ct. 1425](#). Instead, the question turns on determining whether the beliefs are in a plaintiff's "own scheme of things, religious." [Patrick, 745 F.2d at 158](#). Courts may analyze whether a plaintiff's belief involves an "ultimate concern." [Barber, 650 F.2d at 440](#).

"A concern is ultimate when it is more than intellectual." *Id.* (internal quotation marks and citation omitted). **"A concern is more than intellectual when a believer would categorically 'disregard elementary self-interest in preference to transgressing its tenets.' "**

[Lane v. BayHealth Med. Ctr., 24-1157, 24-1248, 24-1249 \(3rd Cir. Nov 15, 2024\)](#)

Legal issue: Can objections to a COVID-19 vaccine mandate based on beliefs that one's body is God's temple qualify as religious beliefs under Title VII for religious discrimination claims?

Summary: Plaintiff's former Bayhealth Medical Center employees objected to the COVID-19 shot requirement due to their religious beliefs. **Their request for a religious exemption was denied.**

The District court dismissed the plaintiffs' complaint concluding their objections were medical, scientific, personal or secular in nature and not religious despite their generalized references to scripture.

The Appellate court affirmed the lower court's decision.

Legal Analysis: Courts must examine a religious belief to determine that it is indeed religious in nature and not based on personal belief masked as religious. **Plaintiffs claim that the shot violates scripture because it is unsafe, toxic or harmful but those are beliefs and not facts for which the court can determine are religiously based. Plaintiffs must connect their religious belief to their objection to a vaccine.**

"Indeed, to allow such generalized objections would leave "almost no limit to the accommodations that an employer would have to entertain under Title VII's ban on religious discrimination."

[Gardner-Alfred v. Federal Reserve Bank of New York, No. 23-7544 \(2d Cir. 2025\).](#)

Summary: Fired employees fired from Federal reserve bank for claiming religious exemption to the COVID-19 shot.

Legal Analysis: District court granted summary judgment to defendant. Appellate Court found that there were genuine disputes as to material facts defeating the Federal Reserve's summary judgment motion against Diaz. The Appellate Court merely looked at whether there was sufficient evidence to establish a genuine dispute of material fact regarding whether the plaintiff's religious beliefs conflicted with the Federal Reserve's vaccination policy in order to overcome the motion for summary judgment.

The Court found all of the evidence could lead a reasonable jury to give credibility to Diaz's claims that her objection to the COVID-19 shot were religious in nature and therefore violated her rights. It is the jury's decision as to whether Diaz's religious objections are sincere in nature, not the courts on a summary judgement motion.