



STATE OF ALABAMA
OFFICE OF THE ATTORNEY GENERAL

STEVE MARSHALL
ATTORNEY GENERAL

501 WASHINGTON AVENUE
P.O. BOX 300152
MONTGOMERY, AL 36130-0152
(334) 242-7300
ALABAMAAG.GOV

October 28, 2021

Attorney General Steve Marshall joins State Appropriators, State Personnel Department to Advise Employers on Medical and Religious Exemptions

Over the course of the last week, many of Alabama’s public universities and some state agencies have received notice that they are subject to the federal-contractor vaccination mandate. Some of these entities have opted to move forward with implementing the mandate. This advisory is issued to remind affected employers of their obligation to meaningfully review and accommodate employee requests for medical and religious exemptions to the vaccination mandate.

The federal Equal Employment Opportunity Commission has long recognized an employee’s right of reasonable accommodation in the workplace based upon a disability (medical reason) or a sincerely held religious belief. These obligations of an employer to employees are in effect, regardless of whether the employer is subject to the federal-contractor mandate. To be clear, the U.S. Constitution, the Constitution of Alabama, and federal law’s Title VII—all of which provide protection to employees seeking an exemption—are in no way preempted by the terms of a modified contract with the federal government.

Alabama-based employers, and particularly public university employers, should liberally construe—in favor of the employee—any exemption sought by an employee for medical or religious reasons. In reviewing an employee’s request for a religious exemption, employers should not inquire into the validity of an employee’s religious beliefs, including the motives or reasons for holding the belief. Any public university employee who is denied a reasonable request for exemption should immediately contact the Civil Division of the Attorney General’s Office. The Attorney General’s Office, working with the State Personnel Department, will assist in transferring these employees into other public university/state employment.

No employee of a public university in Alabama, nor any employee of Alabama state government, will forfeit their livelihood as a result of the federal government’s flagrant overreach. Note that the Attorney General’s Office is preparing its lawsuit to challenge the federal government’s federal-contractor mandate and will seek an immediate injunction.

Steve Marshall
Attorney General

Jackie Graham, Director
State Personnel Department

Mac McCutcheon
Speaker of the House

Greg Reed
President Pro Tem

Representative Danny Garrett, Chair
House Ways and Means Education
Committee

Senator Arthur Orr, Chair
Senate Finance and Taxation Education
Committee

Representative Steve Clouse, Chair
House Ways and Means General Fund
Committee

Senator Greg Albritton, Chair
Senate Finance and Taxation General
Fund Committee