

Module 10 Assignment

Memorandum

Re: Legal arguments for public employees opposing Covid 19 vaccine mandates.

Issue

Whether Federal or Florida state employees who have refused a Covid 19 vaccination can successfully challenge a vaccine mandate imposed by their employer and whether courts have recognized that these mandates can violate an employee's rights under. Administrative Procedure Act.

Discussion/ Argument

1. **Religious discrimination And First Amendment arguments:** As reported by Reuters, public transit workers warned jury verdicts totaling over \$1,000,000 after each being fired for refusing the Covid 19 vaccine on religious grounds. The claims are based on title seven of the Civil Rights Act, arguing that they should have been reasonably accommodated rather than terminated.
2. **Administrative challenges:** Public employees may argue that the vaccine mandate Violates administrative law. For example, in Missouri versus Biden, the plaintiff states that through their litigation, COVID 19 vaccination mandates exceeded the power of the Department of Health and Human Services Secretary. The District Court agreed, Of authorization for such requirement.
3. Florida and other states have argued that certain mandates Intruding on state sovereignty, they pointed out limits on the federal government's power. These arguments could resonate for state employees in Florida, which would provide a basis for resisting those mandates.

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Lgl Rsrch & Writing

4. **Policy Arguments:** According to Britannica's coverage of employer vaccine mandates, Critics argue that mandates invade personal privacy, and may force disclosure of religious or medical beliefs, could represent workplace discrimination. They also believe that less coercive ways such as masking, testing, or remote work may achieve those goals without infringing on the individual's rights.

Conclusion

Federal and Florida state employees have a strong basis to refuse Covid 19 vaccine mandates. The Supreme Court's decision in *Biden v. Missouri*, 142 S. Ct. 647, 211 L.Ed.2d 433 (2022) supports challenges to mandates lacking statutory authority or compliance. There are protections under Title 7 and Florida's executive policies that protect employees' rights. Therefore, employees can lawfully resist vaccine mandates without forfeiting their employment rights.