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Supreme Court Rejects Massachusetts Hospital Workers' Vaccine Mandate Lawsuit

By [Jack Phillips](#)

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The Supreme Court on Monday turned away a group of workers who sought exemptions from their Massachusetts-based hospital's COVID-19 vaccine mandate.

Their request was denied by Justice Stephen Breyer, the justice assigned to handle emergency matters from Massachusetts, who offered no comment. The legal challenge was filed by eight employees of Mass General Brigham Inc., who were placed on leave or terminated for not getting the vaccine.

In October, the Supreme Court voted 6–3 to let Maine require health care workers get vaccinated without allowing religious exemptions. The court also rejected a petition from New York City teachers and a group of students who attend Indiana University.

Mass General Brigham had required its employees to get COVID-19 vaccines by Nov. 5, according to the filing. The health care system, the plaintiffs argued ([pdf](#)), declined to grant the employees an exemption due to their religious beliefs or medical concerns.

They said Mass General Brigham granted religious or medical exemptions to more than 230 employees.

“The fact that [the hospital system] is already accommodating hundreds of other employees conclusively refutes [Mass General Brigham’s] mere assertions that it would cause an undue hardship to accommodate ‘further exemptions’ or ‘additional unvaccinated employees’ because it needs to ‘minimize the number of unvaccinated staff’ and not ‘allow large numbers of employees to remain unvaccinated,’” they argued.

The plaintiffs also argued that the hospital system’s mandate is a violation of the Americans with Disabilities Act and Title VII of the Civil Rights Act that prohibits religious discrimination in the workplace.

Although the Supreme Court has turned away challenges to some vaccine mandates, the U.S. Fifth Circuit Court of Appeals earlier this month issued a temporary injunction against the Biden administration’s requirement that private businesses with 100 or more workers mandate their employees get the vaccine or submit to regular testing and mask-wearing. Days later, the same appeals court affirmed its injunction.

On Monday, a federal judge based in Missouri blocked the federal government from mandating COVID-19 vaccinations for health care workers in Missouri and in nine other states.

U.S. District Judge Matthew Schelp in the Eastern District of Missouri wrote that regulations handed down by the federal Centers for Medicare and Medicaid were not issued correctly. The agency didn’t obtain the approval from Congress, Schelp wrote, adding that the rules were deployed without a sufficient period for public comment.

“Truly, the impact of this mandate reaches far beyond COVID,” the judge wrote. The agency “seeks to overtake an area of traditional state authority by imposing

an unprecedented demand to federally dictate the private medical decisions of millions of Americans. Such action challenges traditional notions of federalism,” he continued.

The Massachusetts case is Together Employees v. Mass General Brigham; 21A175.