

Your Name  
Your Address

Date:

Dear [managers name],

### **COVID-19 vaccination**

I am writing to you in connection with your proposal to require all employees to give details of their COVID-19 vaccination status, or details of their clinical exemption from vaccination.

My position is that this effectively amounts to a request by you, for me to have a COVID-19 vaccination to remain employed with you on my current terms. You have indicated that employees who declare that they are not vaccinated, will have their employment duties altered.

You state that your position is as a result of following government guidance and arises as you wish to “keep all employees safe”. However, your request amounts to a direct contravention of both domestic and international law, particularly with respect to human rights. The Regulations also breach common law rights enshrined in UK case law. Given this, you have no basis to compel me to have a COVID-19 vaccination.

In addition to the above, my contract of employment with you does not state that it is a requirement that I be vaccinated with a COVID-19 vaccination, or that I need to declare my vaccination status to you. You cannot change my contract without my agreement, and therefore to try and force a change by threatening me with job loss or change of duties, if I do not take a COVID-19 vaccination or declare my vaccination status to you, is in breach of my contract.

Under current employment law I am protected from being dismissed, or having my duties altered, due to any personal decision not to have a COVID-19 vaccination and/or declare my vaccination status to you. I could claim constructive or unfair dismissal, as any decision to end or alter my employment could be found unreasonable as it could be seen as: -

1. a way of compelling me to have the vaccination, falling short only of forcing a needle into my arm, which any employment tribunal would struggle to justify.
2. in breach of various articles of the Human Rights Act
3. in breach of UK domestic law
4. overreaching my genuine and reasonable fears about harms I may befall if I have a COVID-19 vaccination
5. discrimination in breach of the Equality Act 2010, as my reasons for refusal of the COVID-19 vaccine are related to my religious, spiritual, and philosophical beliefs. This may therefore give rise to a claim that I am being treated less favourably than other employees because of my refusal
6. constituting a criminal offence for which you will be personally liable, or bring you within liability under tort, by compelling a person to take a medicine, or to have any form of treatment, without meeting the requirements of obtaining full informed consent for the same. The right to full informed consent is enshrined in common law via decisions handed down by the UK Supreme Court

The above points are explained, in the context of domestic and international legislation and case law, by the enclosed Explanatory Notes document. I recommend that you read this document

fully, as the legislation and case law cited will form the basis of any claim I will make, should my employment be threatened in any way.

Threatening my employment includes, but is not limited to:

- Restricting my duties and preventing me from being client facing
- Attempting to terminate my contract of employment
- Placing me under the company's disciplinary procedure
- Withholding employment under zero-hour contracts

I would therefore like to make clear that any attempt to dismiss me from my role, redeploy me to non-client facing duties, or indeed place me under the firm's disciplinary procedure, will result in me seeking independent legal advice and taking appropriate action to protect my employment position.

I reserve my right to take action against you personally as my manager, as well as take action personally against the company owner, (who I consider would be vicariously liable in such a matter), for any loss of income or other detriment to my employment status, as well as any other damages that I incur.

This is the only letter that I will send in connection with this issue, before taking appropriate legal advice.

Please acknowledge receipt of this correspondence within 14 days of the date cited above and ensure that it is placed on my personnel file.

Yours sincerely,

cc to business owner and HR