

COMMONWEALTH OF MASSACHUSETTS
TRIAL COURT OF THE COMMONWEALTH

MIDDLESEX, SS.

SUPERIOR COURT
Civil Action No. _____

KAREN RUFO,
Plaintiff,

v.

MIDDLESEX COMMUNITY COLLEGE,
PHILIP SISSON, individually and in his
official capacity as President of Middlesex
Community College, MARIELLE ABOU-
MITRI, individually and in her official
capacity as Assistant Director of Employee
and Labor Relations at Middlesex
Community College,
Defendants.

COMPLAINT

NOW COMES Plaintiff Karen Rufo and asserts the following claims against
Defendants Middlesex Community College, Philip Sisson, and Marielle Abou-Mitri:

SUMMARY OF THE CASE

1. Plaintiff Karen Rufo was terminated from her employment as a Latin professor by Defendant Middlesex Community College, by and through Defendants Sisson and Abou-Mitri, because her sincere religious beliefs about abortion prevented her from receiving the COVID-19 vaccine.

2. Although Defendants could have reasonably accommodated Ms. Rufo's beliefs by allowing her to teach online or in a socially distanced environment (as they had during

the course of the entire pandemic until they terminated her), they refused to do so. This constituted blatant religious discrimination under Massachusetts law.

3. As a result of Defendants' discriminatory actions, Ms. Rufo suffered not only lost wages and loss of professional reputation, but significant physical and emotional distress, anxiety, depression, shame, exacerbation of her epilepsy, and more.

4. Ms. Rufo now brings this action to seek justice for Defendants' senseless discrimination, which turned her life upside down.

PARTIES

5. The plaintiff, Karen Rufo, is an individual who resides in Lynn, Essex County, Massachusetts.

6. Defendant Middlesex Community College (or "MCC") is a public corporation operated by and under the Commonwealth of Massachusetts through Massachusetts General Law Chapter 15A, Section 5, which has a principal place of business at 591 Springs Rd., Bedford, Middlesex County, Massachusetts.

7. Defendant Philip Sisson is an individual who, upon information and belief, resides in Middlesex County, Massachusetts. Defendant Sisson is and was at all relevant times President of Defendant Middlesex Community College. He is sued in his individual and official capacities.

8. Defendant Marielle Abou-Mitri is an individual who, upon information and belief, resides in Middlesex County, Massachusetts. Defendant Abou-Mitri was at all relevant times Assistant Director of Employee and Labor Relations in the Human Resources

Department of Defendant Middlesex Community College. She is sued in her individual and official capacities.

FACTUAL ALLEGATIONS

Plaintiff's Employment and the COVID-19 Pandemic

9. Plaintiff was employed by Defendants as a part-time professor of Latin for about six years, from 2015 until she was terminated on January 31, 2022.

10. Plaintiff's duties included creating lesson plans and assignments, instructing students how to read, translate, and write Latin, and evaluating students on their academic performance.

11. During her tenure as an employee of Defendants, Plaintiff performed her duties admirably and received positive reviews from her supervisors.

12. Plaintiff typically had only about five students or less in her classes. If classes were cancelled due to low enrollment, she would often teach any remaining students in an independent study arrangement.

13. Plaintiff's employment with Defendants not only generated supplemental income for her family (she and her husband have two young children), but also allowed her to stay current in the field of Latin instruction, maintain her credentials, and have a professional reference on hand.

14. During the COVID pandemic, beginning in March of 2020, Defendants required all faculty, including Plaintiff, to switch to online courses.

15. Defendants began to advertise these online courses to attract new students during the pandemic.

16. In 2021, Defendants allowed faculty the option of teaching some classes in-person if certain protective measures were followed, such as social distancing, testing, and wearing masks.

17. Plaintiff taught her courses online throughout 2020 and 2021.

18. In December of 2021, one month prior to her termination, Plaintiff had only one independent study student whom she taught entirely online.

19. In the summer of 2021, Defendants announced that all of their employees must receive the COVID-19 vaccination by January 3, 2022, or face termination.

20. Defendants' vaccine mandate policy allowed Defendants to subjectively evaluate requests for accommodation and to use their discretion to grant some requests while denying others. See **Exhibit A**, Vaccine Mandate Policy.

Plaintiff's Religious Beliefs and Accommodation Request

21. Plaintiff is a Christian.

22. As a Christian, Plaintiff holds the religious belief that abortion is a moral evil that constitutes the taking of an innocent human life.

23. Because of her religious beliefs on abortion, Plaintiff objects to any medicine, treatment, or vaccine that was developed from or tested on cells derived from aborted fetuses.

24. All three of the COVID-19 vaccines available at the time that Defendant required Plaintiff to receive the vaccine were developed from or tested on cells derived from aborted fetuses.

25. Because Plaintiff understood that the COVID-19 vaccines were developed from or tested on cells derived from aborted fetuses, Plaintiff objected to receiving the vaccines based on her religious beliefs.

26. On December 17, 2021, Plaintiff submitted a request to Defendants for a reasonable accommodation of her religious beliefs to the requirement that she receive the COVID-19 vaccine. See **Exhibit B**, Request for Accommodation.¹

27. Plaintiff's request stated, in part,

"I am requesting a religious exemption for the COVID-19 vaccine because it is irrefutable that all three of the vaccines originated in abortion, which I deem murder. To take the vaccine would violate my sincerely held religious belief that abortion is murder. I cannot put an abortion-derived vaccine into my body, the home and temple of the Holy Spirit. To do so would greatly aggravate my conscience [...]" **Exhibit B**.

28. Plaintiff's accommodation request also explained the basis for her religious beliefs, stating,

"It would truly horror and sicken my conscience to put a product connected in any way to abortion into my body, which I hold as the temple of the Holy Spirit. I believe that all human life is sacred to God (Genesis 1:26-27) and that it begins at the moment of conception (Psalm 139:13-14; Psalm 139:16, Jeremiah 1:5). Abortion, then, is the murder of an innocent and defenseless human being, which is a sin (Exodus 20:13; Genesis 9:6; Deuteronomy 27:25). I must not pollute my body, the temple of the Holy Spirit, (1 Corinthians 6:15-20) in any way, which includes ingesting or injecting products made with (developed from and tested on) murdered baby cells. For me, as I believe in Christ, I could never accept such a vaccine as I would see it as being disobedient to the Holy Spirit and therefore I would be sinning against God.

My religious beliefs are steadfast and sincere, and I apply them to all areas of my life. I would never knowingly purchase and use a product that was developed from, tested on, or contained fetal cells. I object to all drugs and medical products, such as vaccines, that do so, not just the COVID vaccines." **Exhibit B**.

¹ Because the accommodation form provided by Defendants was a fillable PDF, portions of Exhibit B are cut off. Plaintiff will be happy to provide the Court with the original fillable PDF document so that it can view Plaintiff's entire request.

29. Plaintiff's accommodation request also explained that she was willing to abide by reasonable safety measures as an accommodation, such as online teaching or social distancing. **Exhibit B.** Plaintiff was also open to masking and/or testing regularly.

Defendants Refuse to Accommodate Plaintiff's Beliefs and Terminate Her

30. Despite Plaintiff's reasonable accommodation request, on January 31, 2022, Defendants summarily terminated Plaintiff.

31. Defendants offered virtually no explanation for the termination, stating only that allowing her to continue teaching would pose an undue hardship to the College. See **Exhibit C**, Termination Letter.

32. Defendants did not engage in an interactive process with Plaintiff to determine how they could accommodate her religious beliefs.

33. At the time that they terminated her, Defendants knew or should have known, based on public health guidance, that although the COVID-19 vaccines may have lessened the severity of the illness, they had proven ineffective at preventing infection or transmission.

34. Defendants' termination letter caused Plaintiff shock, shame, and significant physical and emotional distress. Plaintiff trusted Defendants to respect her sincere religious beliefs and never expected to be subjected to discrimination because of those beliefs. Her physical and emotional distress has included, but has not been limited to, severe anxiety and depression, exacerbation of her epilepsy requiring additional medication, stomach problems, headaches, insomnia, shattered confidence, loneliness and isolation, relational issues, and mood swings.

35. Because Defendant MCC is the only local community college that offers Latin, Plaintiff has not been able to find comparable employment. In order to get another job teaching Latin in a higher education setting, she would need to obtain her PhD, which she is unable to do while taking care of her children and elderly mother.

36. After Defendants denied her accommodation request, Plaintiff timely filed a complaint of religious discrimination against Defendant MCC with the Massachusetts Commission Against Discrimination (“MCAD”) on January 16, 2022.

37. After a perfunctory investigation, MCAD dismissed Plaintiff’s complaint for lack of probable cause on July 31, 2024, taking Defendants’ assertions of undue hardship at face value.

38. Upon information and belief, Defendants have granted other similarly situated employees reasonable accommodations to their vaccine mandate for religious, medical, or other reasons.

39. Defendants rescinded their COVID-19 vaccine mandate policy after the 2023 Spring semester.

40. As the President of Defendant MCC, Defendant Sisson was its chief executive officer and was ultimately responsible for its policies regarding the COVID-19 vaccination mandate, the religious accommodation process, and employee dismissal for noncompliance with the mandate.

41. As the Assistant Director of Employee and Labor Relations at Defendant MCC, Defendant Abou-Mitri was responsible for administering and enforcing MCC’s policies regarding the COVID-19 vaccination mandate, the religious accommodation process, and employee dismissal for noncompliance with the mandate. According to the termination

letter, Defendant Abou-Mitri is the MCC employee who made the decision to terminate Plaintiff. **Exhibit C.**

COUNT I: Religious Discrimination
M.G.L. c. 151B, § 4
(Middlesex Community College)

42. Plaintiff restates and incorporates by reference the allegations contained in all preceding paragraphs of this complaint.

43. Plaintiff has a sincere religious belief that prevented her from complying with Defendants' requirement that she receive a COVID-19 vaccine.

44. Plaintiff requested a reasonable accommodation to the vaccine requirement, including but not limited to being able to teach her class remotely or to teach in a large classroom where she could socially distance. She was also open to masking and/or regularly testing.

45. Defendant MCC knew or should have known that Plaintiff's proposed accommodations would have been as effective or even more effective at preventing the spread of COVID-19 than the vaccines it was requiring.

46. Although it could have accommodated her without undue hardship, Defendant MCC unreasonably denied Plaintiff's reasonable accommodation request and terminated her. This violated M.G.L. c. 151B, § 4.

47. Defendant MCC also failed to engage in a sufficient interactive process in evaluating Plaintiff's claim. This violated M.G.L. c. 151B, § 4.

48. Defendant MCC's discriminatory actions toward Plaintiff, and its complete lack of effort to accommodate her religious beliefs while accommodating the needs and

beliefs of other similarly situated employees, exposed its hostility toward her sincere Christian religious beliefs regarding abortion and the sanctity of human life.

49. Defendant MCC's implementation of its vaccine mandate policy targeted Plaintiff and fellow Christian employees because of their Christian religious beliefs. This constituted disparate treatment discrimination and violated M.G.L. c. 151B, § 4.

50. Defendant MCC's implementation of its vaccine mandate policy negatively impacted Plaintiff and fellow Christian employees because of their Christian religious beliefs. This constituted disparate impact discrimination and violated M.G.L. c. 151B, § 4.

51. Plaintiff has suffered damages from Defendant MCC's unlawful discrimination, including but not limited to lost wages and benefits, costs associated with finding other employment, stigmatic harm, humiliation, and physical and emotional distress, as explained in greater detail above.

52. Plaintiff has exhausted her administrative remedies. As required by M.G.L. c. 151B, § 5, Plaintiff filed a complaint of religious discrimination with the Massachusetts Commission of Discrimination within 300 days of her termination, which was the last act of discrimination. 90 days have passed since the date Plaintiff was terminated, and as such she may now bring this action in this Court pursuant to M.G.L. c. 151B, § 9.

COUNT II: M.G.L. c. 12, § 11I,
Violation of Art. 46, § 1, of the Amendments to the Massachusetts Constitution
(All defendants)

53. Plaintiff restates and incorporates by reference the allegations contained in all preceding paragraphs of this complaint.

54. Art. 46, § 1, of the Amendments to the Massachusetts Constitution protects the right to the free exercise of religion for all Massachusetts citizens.

55. M.G.L. c. 12, § 11I, also known as the Massachusetts Civil Rights Act, allows individuals to sue other individuals and corporations, whether or not acting under color of state law, who by threats, intimidation, or coercion violate their state or federal civil rights.

56. Plaintiff has a sincere religious belief against abortion that, for reasons articulated above, conflicted with Defendants' COVID-19 vaccine mandate.

57. Defendants' application of the vaccine mandate substantially burdened Plaintiff's sincere religious belief because it forced her to choose between obeying God by refusing abortion-derived products and keeping her job.

58. By terminating Plaintiff because of her religious beliefs, Defendants burdened her right to free exercise.

59. Although Defendants could have reasonably accommodated Plaintiff's religious beliefs to keep her employed, they refused to do so.

60. Defendants' vaccine mandate policy allowed Defendants to subjectively evaluate requests for accommodation and to use their discretion to grant some requests while denying others.

61. Defendants' vaccine mandate, facially and as applied to Plaintiff, did not serve a compelling governmental interest and did not use the least restrictive means to achieve their asserted interest.

62. Defendants' vaccine mandate, facially and as applied to Plaintiff, was not even rationally related to a legitimate government interest.

63. Defendants' vaccine mandate, facially and as applied to Plaintiff, was not neutral toward religion nor generally applicable.

64. By burdening Plaintiff's free exercise right without sufficient justification, Defendant violated Plaintiff's right to the free exercise of her religious beliefs.

65. Defendants' threats to terminate Plaintiff for exercising her religious beliefs, and their actual termination of her on that basis, constituted threats, intimidation, and coercion within the meaning of M.G.L. c. 12, § 11I.

66. As a result of Defendants' actions, Plaintiff has suffered damages, including but not limited to lost wages and benefits, costs associated with finding other employment, stigmatic harm, humiliation, and physical and emotional distress, as more fully articulated above.

COUNT III: Declaratory Judgment
M.G.L. c. 231A, § 1
(All defendants)

67. Plaintiff restates and incorporates by reference the allegations contained in all preceding paragraphs of this complaint.

68. Art. 46, § 1, of the Amendments to the Massachusetts Constitution protects the right to the free exercise of religion for all Massachusetts citizens.

69. Plaintiff has a sincere religious belief against abortion that, for reasons articulated above, conflicted with Defendants' COVID-19 vaccine mandate.

70. Defendants' application of the vaccine mandate substantially burdened Plaintiff's sincere religious belief because it forced her to choose between obeying God by refusing abortion-derived products and keeping her job.

71. By terminating Plaintiff because of her religious beliefs, Defendants burdened her right to free exercise.

72. Although Defendants could have reasonably accommodated Plaintiff's religious beliefs to keep her employed, they refused to do so.

73. Defendants' vaccine mandate policy allowed Defendants to subjectively evaluate requests for accommodation and to use their discretion to grant some requests while denying others.

74. Defendants' vaccine mandate, facially and as applied to Plaintiff, did not serve a compelling governmental interest and did not use the least restrictive means to achieve their asserted interest.

75. Defendants' vaccine mandate, facially and as applied to Plaintiff, was not even rationally related to a legitimate government interest.

76. Defendants' vaccine mandate, facially and as applied to Plaintiff, was not neutral toward religion nor generally applicable.

77. By burdening Plaintiff's free exercise right without sufficient justification, Defendant violated Plaintiff's right to the free exercise of her religious beliefs.

78. The Plaintiff has exhausted all administrative remedies.

79. An actual and serious controversy has arisen between the parties as to whether or not the Defendants' application of its vaccine mandate policy violated Plaintiffs' right to free exercise.

80. An actual and serious controversy has arisen between the parties as to whether or not the Defendants' vaccine mandate policy was facially constitutional.

81. All parties needed for a just adjudication are before the Court.

82. This Court should declare that Defendants violated Plaintiff's constitutional right to freely exercise her religious beliefs and should award further relief based on such declaratory judgment as necessary and proper.

83. This Court should declare that Defendants' vaccine mandate policy was facially unconstitutional and should award further relief based on such declaratory judgment as necessary and proper.

JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiff Karen Rufo demands judgment against the Defendants and respectfully requests that this Court:

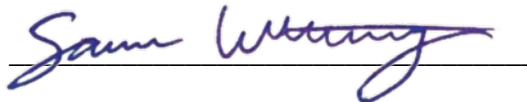
- A. Award compensatory economic damages, including, but not limited to, back pay, front pay, and lost benefits;
- B. Award compensatory non-economic damages, including, but not limited to, pain, suffering, and emotional distress, in an amount according to proof at trial;
- C. Grant all available injunctive relief, including reinstatement; requiring Defendants to adopt adequate policies with respect to religious discrimination, accommodation, retaliation and harassment; and requiring Defendants to provide training on these policies to managers and human resources professionals;
- D. Enter the declarations set forth in Count III above;
- E. Order Defendants to pay prejudgment interest;
- F. Order Defendants to pay punitive damages sufficient to make an example of and to punish Defendants;

- G. Order Defendants to pay Plaintiff's reasonable attorney's fees and costs; and
- H. Grant such further relief as this Court deems just and proper.

Dated: January 30, 2025

Karen G. Rufo
Plaintiff

By her Attorney



Samuel J. Whiting (BBO# 711930)
MASSACHUSETTS LIBERTY LEGAL CENTER
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EXHIBIT A

MCC COVID VACCINATION POLICY

COVID-19 VACCINE POLICY OF THE
MASSACHUSETTS COMMUNITY COLLEGE SYSTEM
FOR EMPLOYEES

INTRODUCTION

In order to provide and maintain a learning and working environment that safeguards the health and well-being of the college community, during 2021 all Massachusetts Community College members, including students, faculty and staff, have been strongly encouraged to be vaccinated against COVID-19.

With the number of new cases of COVID-19 across the Commonwealth in unvaccinated populations, the increased access and availability of vaccines in the Commonwealth, the Food & Drug Administration's full and pending approval of available vaccines, and consistent with guidance from the Centers for Disease Control and Prevention ("CDC") that the COVID-19 vaccine has been proven to be extremely safe and highly effective, the Massachusetts Community College Presidents determined that COVID-19 vaccines should be required. Thus, in September 2021, the Presidents announced that by January 2022, all Massachusetts Community College members, including students, faculty, and staff must be fully vaccinated against COVID-19 and submit verification of their fully vaccinated status to the College absent an approved reasonable accommodation.

SCOPE

The employee vaccination policy applies to all full and part-time employees including faculty and staff, contract and/or hourly employees, interns, and volunteers regardless of whether work assignments are online or in-person as well as to those consultants, vendors or business/governmental invitees that have a regular presence on campus and/or routinely interact with students and/or employees, as determined by the College ("Employees").

The employee vaccination policy does not apply to consultants, vendors or business/governmental invitees who are not regularly on campus and/or who do not routinely interact with students and/or employees (ex. invited to campus for a limited short duration visit) unless such consultants, vendors or business/governmental invitees are otherwise required by the College to follow the requirements outlined in the employee vaccination policy or other College policies.

Consultants, vendors and/or business/governmental invitees who are not regularly on campus and/or who do not routinely interact with students and/or employees (ex. invited to

campus for a limited short duration visit) and/or who are not required by the College to follow the vaccination requirements outlined in the employee policy or other policies will be subject to additional health and safety protocols as determined by the College in consideration of local or state public health or CDC guidance and/or mandates. These additional health and safety requirements will be posted by the College through signage and on the College's websites and/or in agreements as may be applicable.

The employee vaccination policy does not apply to students, including work study students, who are covered under separate student vaccination requirements. Employees who otherwise are enrolled in a course at a community college will also follow the student vaccination policy.

The employee vaccination policy is intended to comply with all applicable federal, state and local laws and is based on applicable guidance from federal and state public health agencies.

COVID-19 VACCINE REQUIREMENT

Verification

On or before January 3, 2022, verification of full vaccination status is required for employees, as defined above in Scope. This policy relies on the CDC's definition of full vaccination status which currently provides in its guidance that "[i]n general, people are considered fully vaccinated:

- 2 weeks after their second dose in a 2-dose series, such as the Pfizer or Moderna vaccines, or
- 2 weeks after a single-dose vaccine, such as Johnson & Johnson's Janssen vaccine."¹

This policy shall incorporate by reference any changes in the CDC's definition of full vaccination status, including but not limited to booster shots.

¹ This guidance applies to COVID-19 vaccines currently approved or authorized for emergency use by the U.S. Food and Drug Administration (Pfizer-BioNTech, Moderna, and Johnson & Johnson [J&J]/Janssen COVID-19 vaccines) and some vaccines used for U.S. participants in COVID-19 vaccine trials (such as Novavax). This guidance can also be applied to COVID-19 vaccines that have been listed for emergency use by the World Health Organization (such as AstraZeneca/Oxford). More information is available at [Interim Clinical Considerations for Use of COVID-19 Vaccines | CDC](#)

On or before January 3, 2022, Employees shall provide written proof of an official record of full vaccination status to the College either through an electronic verification process which may include a designated email address, website link, and/or other electronic platform established by the College for such purpose or in person to the Human Resources Office. Employees who work for more than one Community College shall provide vaccination verification to each separate employer on or before January 3, 2022. Employees must follow their College's instructions for providing written proof of full vaccination status and all vaccine verification information shall be treated as confidential.

Employees who fail to submit verification of full vaccination by the January 3, 2022 deadline are not permitted to work either on campus or through telework or to be on campus for any purpose absent an approved reasonable accommodation.

As applicable, Employees shall be placed on leave without pay for no more than 14 calendar days pending submission of the required verification or receipt and approval of an appropriately documented reasonable accommodation. If an employee has a reasonable accommodation request pending and/or has received an initial or subsequent dose of a vaccine but has not yet reached full vaccination status, the College will permit such employee to utilize any accrued personal, vacation and/or compensatory time for the above period. Further, a College may extend the above period to enable an Employee to reach full vaccination status if the Employee has satisfactorily demonstrated that they have started the vaccination process.

Continued failure to submit required verification absent an approved reasonable accommodation shall be cause for discipline up to and including termination consistent with applicable collective bargaining agreements and/or employee handbook.

Request for Reasonable Accommodation

Employees who are unable to submit proof of full vaccination status for any reason and seek a reasonable accommodation should direct their request to the College's Human Resources Office. Employees who work for more than one Community College shall provide their request for reasonable accommodation to each separate employer. Employees must follow their College's instructions regarding reasonable accommodation requests, including submission of necessary documentation.

Requests for reasonable accommodations, including requests to be exempt from the vaccine requirement for medical or religious reasons, will be considered consistent with applicable laws, Equal Employment Opportunity Commission

(EEOC)/Massachusetts Commission Against Discrimination (MCAD) guidance, and the Board of Higher Education Policy on Affirmative Action, Equal Opportunity and Diversity for the Massachusetts Community Colleges. The College will engage in an interactive process to determine if the Employee is eligible for a reasonable accommodation and, if so, whether the requested accommodation is reasonable and does not create an undue hardship for the College and/or does not pose a direct threat to the health or safety of the Employee or others in the learning and working environment, if applicable.

The individualized interactive process is estimated to take a minimum of ten (10) business days following the receipt of satisfactory documentation supporting the Employee's eligibility for reasonable accommodation. Thus, Employees seeking an approved reasonable accommodation before the January 3, 2022 deadline should submit their reasonable accommodation request and provide necessary documentation as soon as possible and without delay in order to allow adequate time for the individualized interactive process to occur in compliance with this policy.

In the event a reasonable accommodation request is approved, the Employee may be subject to additional health and safety protocols and/or excluded from campus and/or college activities including but not limited to travel for the protection of the health of the Employee and the community, as determined by the College in consideration of local or state public health or CDC guidance and/or mandates.

EXHIBIT B

**PLAINTIFF
ACCOMMODATION
REQUEST**

REASONABLE ACCOMMODATION REQUEST | EMPLOYEES

This form should be used by any **employee** requesting a reasonable accommodation to the COVID-19 vaccine policy of the Massachusetts Community College system ("Employee Vaccination Policy".)

Massachusetts Community College members, including students, faculty, and staff must be fully vaccinated against COVID-19 and submit verification of their fully vaccinated status to the College absent an approved reasonable accommodation consistent with the Employee Vaccination Policy.

All requests for reasonable accommodation, including any requests to be exempt from vaccine requirements for medical or religious reasons, will be considered consistent with applicable laws and legal guidance and the Board of Higher Education Policy on Affirmative Action, Equal Opportunity & Diversity for the Massachusetts Community Colleges. The College will engage in an interactive process to determine if you are eligible for a reasonable accommodation, and if so, whether the requested accommodation is reasonable and does not create an undue hardship for the College and/or does not pose a direct threat to the health or safety of others in the learning and working environment, as applicable.

If unable to submit verification of full vaccination status and seeking a reasonable accommodation to comply with the Employee Vaccination Policy, you should complete and submit this form along with the requested documentation as soon as possible and without delay in order to allow adequate time for the individualized interactive process to occur.

Employee Name Karen Rufo

Employee ID (if applicable) [REDACTED]

College Email (if applicable) mowerk@middlesex.mass.edu

Personal Email (if not currently employed) [REDACTED]

Work Phone N/A Cell Phone (optional) [REDACTED]

Position Title Latin Instructor

Regular Work Schedule Tuesday Evening Class

Regular Work Location Currently Assigned Cowan Building -Lowell

Describe why you are unable to be fully vaccinated against COVID-19 and/or unable to submit verification of full vaccination status in compliance with the Employee Vaccination Policy.

Due to my deeply and sincerely held religious beliefs, I am unable to get the COVID-19 vaccine. As I will explain more fully below, all three of the COVID-19 vaccines were either developed from or tested on fetal cell lines from aborted children. Since I believe abortion is murder and a sin in God's eyes, I cannot take these vaccines.

Describe the reasonable accommodation you are requesting (including the applicable time period, if any) and all other alternate reasonable accommodations you considered (if none considered, list other alternate reasonable accommodations that may address your needs).

I am requesting the reasonable accommodation of teaching online. If I need to teach in a classroom, I request that I have a classroom large enough to enforce social distancing.

If your request is based on a disability (e.g., a health condition), describe your disability and how it prevents/limits you from obtaining the COVID-19 vaccine and/or submitting verification of full vaccination status in compliance with the Employee Vaccination Policy.

→ *REQUIRED: Attach current documentation from your healthcare provider supporting your request for a reasonable accommodation based on disability*

Not applicable. My request is based on my own sincerely held religious beliefs.

If your request is based on religion, describe your sincerely-held religious beliefs or practices that prevent or limit you from obtaining the COVID-19 vaccine and/or submitting verification of full vaccination status in compliance with the Employee Vaccination Policy.

I am requesting a religious exemption for the COVID-19 vaccine because it is irrefutable that all three of the vaccines originated in abortion, which I deem murder. To take the vaccine would violate my sincerely held religious belief that abortion is murder. I cannot put an abortion-derived vaccine into my body, the home and temple of the Holy Spirit.

How long have you adhered to these religious beliefs or practices?

I have been opposed to abortion since I was 18 years old. I have been opposed to using any drug or product (such as a vaccine) since learning that aborted fetal cells are used in their development.

Are you a member of a particular church or religious organization that also holds these religious beliefs or practices?

Yes No

If yes, what is the name of the church/religious organization and how long have you been a member?

Although I identify as a Christian, I am not a member of any particular church or religious organization. I am a “born-again” Christian and I believe in Jesus Christ. +

If you wish, you may provide additional examples of how you abide by these religious beliefs or practices in your daily life that support your request.

I object to and do not knowingly use any drug or product (such as a vaccine) that was either researched, tested, or developed using aborted fetal cell lines in its origin or contains aborted fetal cells. If someone were to inform and prove to me that a drug or product I use was researched, tested, or developed using aborted fetal cell lines or +

Does anything other than the COVID-19 vaccine verification requirement interfere with these religious beliefs or practices?

Yes No

If yes, specify examples.

I do not willfully or knowingly consume or purchase or utilize any products that are developed from, tested on, or contain aborted fetal cells. Here is a list of products I avoid due to their connection to aborted fetal cells. +

Have you received other vaccinations (e.g., Tdap, Hepatitis B, MMR, Varicella, or Meningococcal)?

Yes No

If yes, explain why these religious beliefs or practices did not prevent or limit you from obtaining these vaccinations.

Since I have become steadfast in my religious beliefs as an adult, I have never knowingly taken any medication or vaccines in the past that were researched, developed, or tested in their origin using aborted fetal cell lines or contain aborted fetal +

Have these religious beliefs or practices prevented or limited you from receiving any other vaccination(s)?

Yes No

If no, why?

Explain why your objection to the COVID-19 vaccination is not based on secular grounds such as personal philosophy, preference or inconvenience.

→ *OPTIONAL: Attach documentation supporting your request for reasonable accommodation based on religion, if any.*

Not applicable. My request is based on my own deeply and sincerely held religious beliefs. Please see explanation above.

If your request is based on a special circumstance that is not related to disability or religion but which you believe would qualify you for a reasonable accommodation, explain in detail the nature of, and rationale for, your request.

→ *OPTIONAL: Attach documentation supporting your request for reasonable accommodation based on special circumstances, if any.*

Not applicable. My request is based on my own deeply and sincerely held religious beliefs. Please see explanation above.

EMPLOYEE CERTIFICATION | All Employees Must Review and Sign

By my signature below, I certify that the information I have provided on this form, including any attached documentation, is truthful, complete, and accurate and I acknowledge that, following the effective date of the Employee Vaccination Policy:

- the individualized interactive process is estimated to take a minimum of ten (10) business days after receipt of satisfactory documentation supporting my eligibility for reasonable accommodation and clarification and/or additional documentation may be requested at any point in the interactive process;
- the interactive process cannot begin until I have submitted truthful, complete and accurate information and all supporting documentation requested;
- if my request for accommodation is based on a disability (ex. health condition), current documentation from my healthcare provider supporting my request is required; and
- if the information I submit is deemed to be fraudulent or untruthful I may be subject to interim employment action and/or discipline consistent with applicable collective bargaining agreements and employee handbooks.

Signature of Employee _____

Karen Rufo

Digital Signer:Karen Rufo
DN:C=US, E=karenmina527@yahoo.com, CN=Karen Rufo
Date:2021.12.17
17:54:16 -07:00

Date 12/17/2021

EXHIBIT C

**TERMINATION
LETTER**



Bedford Campus • 591 Springs Road • Bedford, MA 01730-1197 • 781-280-3200
Lowell Campus • 33 Kearney Square • Lowell, MA 01852-1987 • 978-656-3200

Via MCC Email, First Class Mail and Certified Mail

January 31, 2022

Karen Rufo
[REDACTED]
[REDACTED]

Dear Karen,

By letter dated January 10, 2022 you were notified that the College was considering dismissal of your employment as a Part-Time DAY faculty from the College for the following reasons which constitute just cause:

- You remain noncompliant with the Covid-19 Vaccine Policy of the Massachusetts Community College System for Employees (“Employee Vaccination Policy”) which requires that on or before January 3, 2022 employees shall provide written verification of full vaccination status or have requested, and been approved for, a reasonable accommodation. Your continued failure to submit required verification absent an approved reasonable accommodation is considered behavior that interferes with the normal operation of the College, insubordination, and/or would be considered to pose a threat to the health or safety of the College community.

In accordance with the applicable provisions of the collective bargaining agreement, the College provided you with an opportunity to meet to present any information that you wanted the College to consider, or in the alternative, to provide any written materials to the College within twenty (20) days of the letter.

You declined the opportunity to meet and provided a written response to the College on January 27, 2022. In your written response to the College you provided, “The College’s blatant disregard of my sincerely held religious objections to these vaccines violates federal and state law and discriminates against me.” The College took your request for a reasonable accommodation seriously as we look to provide a diverse, equitable and inclusive working and learning environment for all employees, students and visitors to our campuses. The College is committed to a working and learning environment free of discrimination. To learn more about the College’s anti-discrimination policy, you can review the College’s Policy on Affirmative Action, Equal Opportunity and Diversity (PAA) located here:

<https://www.middlesex.mass.edu/diversityandequityaffairs/aa0.aspx>

Further, after carefully reviewing your response, it remains the College's professional judgment that you have not complied with the Employee Vaccination Policy and as such your continued noncompliance constitutes just cause.

Accordingly, the College has determined that you will be dismissed from your position of Part-Time DAY faculty at the College effective immediately. If you are in possession of any College property you are directed to contact Lauren Hutchinson at hutchinsonl@middlesex.mass.edu to make immediate arrangements to return any College property, including but not limited to keys, access cards and laptop computer. You are also required to return any and all codes, materials, and/or documents, whether physical or electronic, belonging to the College and/or that you worked on in connection with your position as Part-Time DAY Faculty of the World Language Institute. (originals and all copies).

Sincerely,

Maridelle Abou-Mitri

Assistant Director, Employee and Labor Relations
Middlesex Community College, Human Resources
Office: (781) 280-3502
aboumitrim@middlesex.mass.edu

Cc: Marilyn Glazer-Weisner, Director of World Language Institute
Personnel File