



**CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**LONDON N. BREED
MAYOR**

January 23, 2024

Carol Isen
Human Resources Director
Department of Human Resources
1 South Van Ness Avenue, 7th Floor
San Francisco, CA 94103

Dear Carol Isen:

I am forwarding for your review additional information submitted by Eric Eliasson on their appeal of the Human Resources Director's Determination on their Complaint of Discrimination, EEO File No.4061. This matter was forwarded to the Department of Human Resources on December 6, 2022, with CSC Register No.0238-22-6.

Sincerely,

CIVIL SERVICE COMMISSION

SANDRA ENG
Executive Director

Attachment

Cc: Jeanne Buick, Department of Human Resources
Rachel Gardunio, Public Utilities Commission
Kate Howard, Department of Human Resources
Wendy Macy, Public Utilities Commission
Amaila Martinez, Department of Human Resources
Mawuli Tugbenyoh, Department of Human Resources

Documents List

Page 1-3...SF Department of Human Resources EEO Policy

Page 4-17...Eliasson's Rebuttal of SFPUC Position Statement to Federal EEOC

Page 18-22...Eliasson's Appeal form to Civil Service Commission

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Page 34-37...Eliasson's Skelly hearing defense

Page 38-41...City and County of SF press release of Covid Emergency ending

Feb. 28, 2023



EEO Policy

Discrimination and Harassment Prohibited

Discriminating against, or harassing City and County of San Francisco (City) employees, applicants, or persons providing services to the City by contract, including supervisory and non-supervisory employees, because of their sex, race, age, religion, color, national origin, ancestry, physical disability, mental disability, medical condition (associated with cancer, a history of cancer, or genetic characteristics), HIV/AIDS status, genetic information, marital status, sexual orientation, gender, gender identity, gender expression, military and veteran status, or other protected category under the law is prohibited and unlawful. For the purpose of this policy only, the term “employees” includes unpaid interns and volunteers. Discrimination is the unequal treatment of individuals with respect to the terms and conditions of their employment, based on their membership in a protected category. Harassment is unwelcome visual, verbal, or physical conduct engaged in on account of a person's actual or perceived membership in a protected category.

Sexual Harassment Prohibited

Sexual harassment is illegal under federal and state law. Federal law defines sexual harassment as unsolicited and unwelcome sexual advances, requests for sexual favors and other verbal, physical, visual, or written conduct of a sexual nature directed to persons of the same or opposite sex when:

- submission to such conduct is made explicitly or implicitly as a term or condition of employment;
- submission to or rejection of such conduct by an employee or applicant is used as a basis for employment decisions affecting the employee or applicant; or
- such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or otherwise offensive working environment.

State law defines sexual harassment as unwanted sexual advances or verbal, visual, or physical conduct of either a sexual nature, or other conduct based on sex. These are some examples of sexual harassment:

- requests for sexual favors or unwanted sexual advances;
- offering employment benefits in exchange for sexual favors;
- making or threatening reprisals after a negative response to sexual advances;
- verbal harassment (e.g., graphic comments, derogatory comments, sexually suggestive or obscene jokes or telephone calls);
- physical harassment (e.g., assault, impeding or blocking movement, gestures, or any physical interference with normal work or movements); or
- visual forms of harassment (e.g., leering, derogatory or sexually explicit emails, posters, letters, poems, graffiti, cartoons, computer screen savers, or drawings).

Retaliation Prohibited

Retaliation against an individual who reports, files a complaint of, or otherwise opposes conduct the individual reasonably believes to be unlawful discrimination, harassment, or retaliation, or assists in the investigation of a complaint, is also prohibited.

Responsibility for Responding to and Reporting Discrimination, Harassment, and Retaliation

All employees are encouraged to report discriminatory, harassing, or retaliatory behavior, whether directed at themselves or at co-workers.

Supervisory employees are required to take corrective action if employees are subjected to discrimination, harassment, or retaliation on the basis of a protected category. If a complaint is made to a supervisor, or if a supervisor becomes aware of potential discrimination, harassment, or retaliation, the supervisor must immediately report it to the department's Equal Employment Opportunity (EEO) or Human Resources personnel. Any supervisor who receives a complaint of discrimination, harassment, or retaliation and fails to report it may be subject to disciplinary action.

Departments must report all complaints of discrimination, harassment, and retaliation to the Human Resources Director within five days of becoming aware of such complaints. Departments are

responsible for ensuring that all employees know of and are trained periodically regarding this policy.

- [Equal Employment Opportunity Policy - English](#)
- [Equal Employment Opportunity Policy - Chinese](#)
- [Equal Employment Opportunity Policy - Spanish](#)



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April 25, 2023

Roserio Reyes

U.S. EEOC, San Francisco District Office

450 Golden Gate Ave, 5th Floor West

P.O. Box 36025

San Francisco, CA 94102-3661

Re: Rebuttal to the City and County of San Francisco, Public Utilities

Eric E. Eliasson vs. City and County of San Francisco

EEOC Charge No:550-2022-00566C

Dear Rosaria Reyes,

This is my rebuttal to the City and County of San Francisco Public Utilities Position Statement dated April 3, 2023 for the above-referenced Equal Employment Opportunity Commission (EEOC) Charge of Discrimination (Charge) filed by myself (Eric Eliasson).

I. INTRODUCTION

What is the point of a government that has a Constitution that guarantees the rights granted by GOD, if said Government has created loop holes that allow such violations of one's natural GOD given rights to occur. In good faith, I made every effort to express my religious beliefs only to be asked further qualifying questions that had little to nothing to do with my religious objections to this COVID-19 vaccine. My beliefs were made very clear and yet the City and its representatives had so little understanding of my beliefs that they assumed it was the use of fetal tissue in the development or ingredient in the production of the COVID-19 vaccine that was my objection. At no point did I express such objection and as such I came to believe that the HR department was not working in good faith to protect my right to practice or observe what I believe to be true, but instead force all employees of the city to take an untested and unproven medical treatment that I believe, based on years of experience and investigation, had little medical benefit and known adverse reactions.

II. Rebuttal of the Summary of Facts

- A. The City and Its Representatives have stated, "The City is an Equal Opportunity Employer and prohibits discrimination on the bases of race, religion, sex, national origin, creed, ethnicity, age, physical or mental disability, political affiliation, sexual orientation, ancestry, color, medical condition, genetic characteristics, gender identity, marital or domestic partner status, parental status, veteran status, height, weight or any other basis protected by law".(see exhibit A of Respondents Position Statement)

What I did not understand from this policy statement was that it only applied to favored religions. I did not understand that the government only protected an individual's religious freedom from

discrimination if said individual had faith in a government approved Religion. I did not know that the Constitution, Federal, State and local laws had qualifiers that needed to be met in order for the Government to protect individuals GOD given rights. If this is the case, and only Government qualified religions get the protection stated in the Constitution and Policy of the City and County of San Francisco, then my claim of discrimination could lack merit.

I believe that the natural rights given by GOD and recognized by our Legal system is there to protect individual rights, not just those who belong to a Government approved religious institution.

There is no rebuttal for sections B, C & D of the City's Position Statement.

E. On August 27,2021, Eliasson Submitted a Request for Exemption from the City's Vaccination Policy

As stated on the City's Position statement under Section E.

"Eliasson submitted his Employee Request for Religious Accommodation (Request) on August 27, 2021. In his Request, Eliasson identified his religion as "Non Denominational" and clarified his faith is Judeo/Christian but he is neither Jewish nor Christian. When asked to describe the specific tenet, practice, or observation that conflicts with the COVID-19 vaccination requirement, Eliasson wrote: "my faith is based on the idea that I was created in the image of god. . . I was created with free will. To choose between right and wrong. I believe we are currently living through a spiritual battle between good (free will) and evil (Tyranny). I have zero faith in worldly institutions. My faith remains in my creator." Because of his beliefs, Eliasson stated he would not "defile my body with any substance that I believe was created from or by evil." Exhibit D.

The Request form also asked Eliasson to explain how his religious beliefs required him to abstain from COVID-19 vaccinations specifically but not other vaccinations. He wrote: "It is not about vaccines it is about free choice. This shot is not a 'vaccine.' I believe it is being used by evil to harm the worlds population. . . Medical errors are the 3rd leading cause of death in this country. I will not take part in this genocide and do not judge those who do." Exhibit D."

It appears the City's Representatives understood my belief system partially as they expressed it clearly in this section. I am not sure why in such a lengthy Position Statement they would edit my religious reasons for declining to take the COVID-19 Vaccine. (see exhibit D of the Respondent's Position Statement).

This is my response given on the Employee Request for Religious Accommodation (COVID-19 Vaccination Exemption) Form dated 8/27/21:

"My faith is based on Judeo/Christian doctrine although I am not Jewish nor Christian in my faith. My faith is based on the idea that I was created in the image of god, spiritually not physically, as we All are. I was created with free will. To choose between right and wrong. I believe we are currently living through a spiritual battle between good (free will) and evil (Tyranny). I have zero faith in worldly institutions. My faith remains in my creator. I will not defile my body with any substance that I believe

was created from or by evil. Judge me as you will, my faith has taught me that our lives on this earth are at the mercy of evil, but my spirit will always be free."

In the City's Position Statement under Section E, the City's Representative stated, "*Eliasson identified his religion as "Non Denominational" and clarified his faith is Judeo/Christian but he is neither Jewish nor Christian.*" I made no such clarification and this type of mischaracterization only strengthens my belief that the City is not working with good faith to handle all religious exemption claims on a case by case basis. What I stated on the Employee Request for Religious Accommodation (COVID-19 Vaccination Exemption) Form dated 8/27/21 was, "*My faith is based on Judeo/Christian doctrine although I am not Jewish nor Christian in my faith.*" I then immediately followed this sentence with the Judeo/Christian doctrine that I believe and follow, "*My faith is based on the idea that I was created in the image of god, spiritually not physically, as we All are. I was created with free will. To choose between right and wrong. I believe we are currently living through a spiritual battle between good (free will) and evil (Tyranny). I have zero faith in worldly institutions. My faith remains in my creator. I will not defile my body with any substance that I believe was created from or by evil. Judge me as you will, my faith has taught me that our lives on this earth are at the mercy of evil, but my spirit will always be free."*

The City's Position Statement document continued to edit my responses when they stated,

" The Request form also asked Eliasson to explain how his religious beliefs required him to abstain from COVID-19 vaccinations specifically but not other vaccinations. He wrote: "It is not about vaccines it is about free choice. This shot is not a 'vaccine.' I believe it is being used by evil to harm the worlds population. . . Medical errors are the 3rd leading cause of death in this country. I will not take part in this genocide and do not judge those who do." Exhibit D of the ."

My full response was,

"My creator has given me eyes to see and ears to hear. It is not about vaccines it is about free choice. This shot is not a "vaccine". I believe it is being used by evil to harm the worlds population. Our creator has provided an immune system to fend off disease. Of course with the poison that is put in our food and water and with the use of modern medicine that simply covers symptom, makes lots of money and requires additional medicine for the side effects of the original prescribed medicine which has destroyed most peoples natural immune system. Medical errors are the third leading cause of death in this country. I will not take part in this genocide and do not judge those who do."

I did in fact strike language from the City's request form before signing it. The first was in the section in which I marked 'yes' that I could provide a written statement, affidavit, or other documents in support of my religious beliefs, crossing out the qualifier that the statement would be coming from a religious leader or other person describing my beliefs and practices. I crossed this section out because I have no religious leader but GOD, I have no faith in any institutions of this world. I was willing to provide documentation of why I believe what I do, but there were no City Representatives that inquired about my religious beliefs after the "Employee Request for Religious Accommodation" form and follow up

form, "Declaration in support of Employee Religious Exemption Request" . There is nobody in this world that can better explain what I believe than me.

The second section was in the space above my signature; I crossed out the following statement: I also understand that my request for an accommodation may not be approved if it is not reasonable, if it poses a direct threat to the health and/or safety of others in the workplace and/or me, or if it creates an undue hardship for the City. I crossed this out because it was not my understanding and I did not want to falsify this document as it clearly stated that I understand that any falsified information can lead to disciplinary action, up to and including termination of employment. As I had been a valued employee for 11plus years including the worst period of this so-called pandemic. I did not want to jeopardize my civil servant position of 11plus years at age 60, by signing I understood something which I did not. So, I struck what did not match with my understanding or what I was unable to provide.

In a time when I had faith in religious institutions, I spent time in many different Christian denominated churches looking for truth. One of the beliefs they all had in common was the belief of the worldly battle on Earth between good and evil. I believed this to be self-evident, I did not take into account those reviewing my request may have no understanding of the basic doctrine of the Judeo/Christian faith. I would have thought if there were questions about my statement there would have been follow up questions that were related to my stated beliefs on the Religious Accommodation Form. Those questions never came.

F. Eliasson Failed to Provide the SFPUC with Sufficient Information to Demonstrate a Sincerely Held Religious Belief That Prohibited Him from Receiving a COVID-19 Vaccine

It is a fact that on August 30, 2021, I submitted a supplemental Declaration In Support of Employee Religious Exemption Request (Declaration) that I filled out by myself. In the space given for me to support my assertion that my religious beliefs required that I abstain from COVID-19 vaccinations, I did not provide any new additional information and only repeated what I had already written in my original Request as the reasons for me not taking the COVID-19 vaccine had not changed. I filled this form out as God and I are the only authority on what my religious beliefs are. I was very clear in both forms that my faith is based on Judeo/Christian doctrine that we all are born with free will and the ability to choose between good and evil. I honestly believed that all in this country had this understanding as it is what this Country's Bill of Rights and Constitution recognize. I was truthful on this form and filled it out to the best of my ability. (Exhibit D of the City's Position Statement).

At this point I had filled out 2 forms from the City and it's Representatives. The Employee Request for Religious Accommodation (COVID-19 Vaccination Exemption) and Declaration in support of Employee Religious Exemption Request. The first submitted on 8/27/21 the later on 8/30/21.

As indicated on the City and County of San Francisco DHR COVID-19 VACCINATION MEDICAL AND RELIGIOUS EXEMPTION REQUEST (PROCEDURE) Issued: July 30, 2021 and under the heading "**Religious Exemption Procedure**" section 9, states, " Department personnel officials will make a determination and respond to an employee request for religious exemption from the vaccination requirement within seven

(7) business days of receiving an accommodation request and any supporting information requested by the department.”

My request for a religious exemption had not been approved within 7 business days of the City receiving my request so I emailed Hallie Albert on Sept. 15, 2021.

From: Eliasson, Eric <EEliasson@sfgov.org>
Sent: Wednesday, September 15, 2021 6:06 AM
To: Albert, Hallie B
Cc: O'Connell, John J; [REDACTED]
Subject: E. Eliasson [REDACTED] Religious Exemption Request

Hallie,
With all due respect, are the policies and procedures meant for only employees?
[Vaccination-Medical-Religious-Exemption-Request.pdf \(sfdhr.org\)](#)

In the link above it states under Religious Exemption Procedure, under section 9, it states;

9. Department personnel officials will make a determination and respond to an employee request for religious exemption from the vaccination requirement within seven (7) business days of receiving an accommodation request and any supporting information requested by the department.

I sent my original request for my Religious Exemption-Request on 8/27/21. It was acknowledge as received by you on 8/27/21. On this same date you requested that I fill out another form that supports my claim for my religious beliefs. Which I filled out and submitted via e-mail to you on 8/30/21.

I have not heard back from any representative about the status of my request. It has been 10 business days, 3 days past the stated procedure of making a determination and respond to an employee request.

Eric Eliasson

The response from, **Albert ,Hallie B** (HALbert@sfgov.org)To:you + 2 more [Details](#)

Wed, Sep 15, 2021

Hi Eric: ,

I understand your frustration. **When DHR created that original timeline it was without considering the evolving process, which they dictate.** Now that the requests require multiple levels of review, I cannot state when SFPUC will be able to send you a determination letter but I am doing my best to make that soon. Thank you for your patience as the City addresses this complicated issue.

Hallie

My belief that the City and it's Representatives had any intent to follow policy or procedure had been eliminated after hearing this from HR. I believe the City was no longer working in good faith in this process and their goal was 100% vaccination of all employees regardless of their medical condition or religious beliefs.

The City's Position Statement then states,

"On September 21, 2021, then-acting SFPUC EEO Programs Manager Hallie Albert (Albert) emailed Eliasson additional questions for him to answer as part of the SFPUC's review of his Request. Albert asked Eliasson the following: (1) Have you taken vaccines for any of the following diseases: rubella (measles), varicella (chickenpox), or hepatitis A? (2) If applicable, have you authorized your children to receive vaccines for rubella (measles), varicella (chickenpox), or hepatitis A? (3) If your answer to question #1 and/or #2 is "yes," why is your position with respect to the COVID-19 vaccine different than for these other vaccines, all of which are also grown in cell lines derived from fetuses? (4) Many common medications were also developed using the same type of technology used in the development of Covid-19 vaccines, including Tylenol, Pepto Bismol, aspirin, Tums, Lipitor, Senokot, Motrin, ibuprofen, Maalox, Ex-Lax, Benadryl, Sudafed, albuterol, Preparation H, Claritin, Zolof, Prilosec OTC, and azithromycin. Do your beliefs prohibit you from taking and will you in the future abstain from taking these and other similar medications? If not, what tenet or belief prohibits the use of the Covid-19 vaccine, but permits the use of these other medications?" Exhibit D.

I was very confused by this line of questioning. My belief was that nobody in the City's HR department had bothered to read the previous two forms I had already submitted. Which clearly stated my objections were not about vaccines, but rather the right to choose between good and evil.

The City's Position Statement then states,

"On September 22, 2021, Eliasson responded to Albert's email and refused to provide the additional information needed to determine his request. "Approve or deny my request based on the information I have already provided to you," Eliasson wrote, "it provided more details about my faith that I would choose to share with strangers." He also explained, "My purpose for providing the information that I already have given you . . . was not to convert your belief system or to stop you from having faith in a medical system that has proven to be profit driven with no care given to good health." Exhibit D

The City and it's representatives failed to reflect the reality of my response by editing out what I actually said. My response to Albert's email stated;

"From: [REDACTED] To: Albert, Hallie B Cc: Eliasson, Eric Subject: Fwd: E. Eliasson [REDACTED] Religious Exemption Request Date: Wednesday, September 22, 2021 5:05:26 PM CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hallie, Thank you for the opportunity to test my faith! With all due respect, it has been 15 days since I submitted my last form for religious inquisition by my employer. An employer that by law is not supposed to discriminate against me for my religious beliefs. And yet here we are 11 days past the date that you were to approve or deny my Religious Exemption Request further attempting to pry into my personal and private medical information and religious beliefs. I want to thank you for providing me even more reasons that I should not take this vaccine along with Tylenol, Pepto Bismol, aspirin, Tums, Lipitor, Senokot, Motrin, ibuprofen, Maalox, Ex-Lax, Benadryl, Sudafed, albuterol, Preparation H, Claritin, Zolof, Prilosec OTC, and azithromycin. I had no idea that these products were developed using the same technology used in the development of the Covid-19 vaccine. This just goes to show you the state of lack of information in the process of informed consent. I have already provided you with the religious beliefs that I strongly hold that brought me to the conclusion that I will not take this vaccine. Not that it is any of your business but I was offered a different vaccine last month when I went to the doctors for a back injury and I declined. As if it mattered there are several decisions that I have made in the past that I now regret. I am not a perfect human, but I am more perfect today then I was yesterday and far more perfect as a grandfather then I was as a young father...yet I still make mistakes. My purpose for providing the information that I already have given you in reference to my personal and private medical status, i.e. Covid 19 vaccination status, as well as my personal and private religious beliefs via coercion and threat of termination from my employment for the past 11+ years with the City, was not to convert your belief system or to stop you from having faith in a medical system that has proven to be profit driven with no care given to good health. It was to legally provide requested information to exercise my religious rights recognized by our legal system. Even if the laws stop recognizing my natural rights I would not be coerced into taking this injection or any other medical treatment.

*Approve or deny my request based on the information I have already provided to you, it provided more details about my faith that I would choose to share with strangers and I believe will only be used to discriminate against me. I am confident I am in the right in the eyes of our current legal system as religious discrimination is still not legal. I am also confident that if and when I loose this job my creator will find another path for me. Thank you, Eric Eliasson -----Original Message-----
From: Eliasson, Eric To: 'eric [REDACTED]' Sent: Wed, Sep 22, 2021 12:27 pm Subject: FW: E. Eliasson [REDACTED] Religious Exemption Request." Exhibit D.*

I again cooperated to the fullest by answering all questions Albert had to the best of my ability. The fact that these questions had nothing to do with my religious reasons as stated on the first two forms requesting a religious exemption for not taking the COVID-19 vaccine reenforced my belief that my request for a religious exemption was not being handled in good faith or on a case-by-case basis by the City and it's HR department.

Further the statement made on question 4 stated,

"Many common medications were also developed using the same type of technology used in the development of Covid-19 vaccines, including Tylenol, Pepto Bismol, aspirin, Tums, Lipitor, Senokot, Motrin, ibuprofen, Maalox, Ex-Lax, Benadryl, Sudafed, albuterol, Preparation H, Claritin, Zoloft, Prilosec OTC, and azithromycin. Do your beliefs prohibit you from taking and will you in the future abstain from taking these and other similar medications? If not, what tenet or belief prohibits the use of the Covid-19 vaccine, but permits the use of these other medications?"

This statement is inaccurate and misleading. The COVID-19 vaccines are made using mRNA technology and nano lipid particles, both technologies are lacking in all other medications listed by the City in question#4. They are only similar in the use of aborted human fetal tissue, of which, was not my religious objection to taking the COVID-19 vaccine.

My belief at this time was that I had provided the exact religious reasons I could not take the COVID-19 vaccine and that this line of questioning from the City's representatives was only meant to harass me, as the questions had no connection to the information I had already provided. I believed the City was not acting in good faith and following a procedure that was an, "evolving process, which they dictate." As mentioned by Albert's email to me dated, Wed, Sep 15, 2021 and quoted previously in this document.

G. Accommodations Enabling Eliasson to Work On-Site While Unvaccinated, Including Masking, Distancing, and Regular COVID-19 Testing Would Create and Undue Burden on the City and Pose a Direct Threat to the Health and Safety of Others and Eliasson

There were no offers of accommodation for my religious exemption as my request was denied because of Documentation Insufficient to show a conflict between vaccination requirement and sincerely held religious belief, practice or observance. It was not indicated on my DETERMINATION ON COVID-19 VACCINATION EXEMPTION REQUEST that I was denied because the Accommodation would pose a direct threat to the health and safety of others. It was not indicated on my DETERMINATION ON COVID-19 VACCINATION EXEMPTION REQUEST that I was denied because the accommodation would prevent employee from performing essential functions. It was not indicated on my DETERMINATION ON COVID-19 VACCINATION EXEMPTION REQUEST that I was denied because the accommodation would result in undue hardship for the city. Exhibit D.

Only after 18 months had passed since my request was denied and I filed a complaint of religious discrimination with the City's HR department and the U.S. EEOC, that the City and it's representatives now claim the reasons for my denial are that the accommodation would be unsafe to me, the public and fellow City employees, that the accommodation would prevent me from performing essential functions, that the accommodation would result in undue hardship for the City. THESE WERE NOT THE REASONS STATED FOR MY EXEMPTION REQUEST BEING DENIED!! Exhibit D.

If it is the City's position that, "Accommodations Enabling Eliasson to Work On-Site While Unvaccinated, Including Masking, Distancing, and Regular COVID-19 Testing Would Create and Undue Burden on the City and Pose a Direct

Threat to the Health and Safety of Others and Eliasson.” Then why did the City offer a religious exemption from taking the COVID-19 vaccine to begin with? I believe it is because they legally had to. If we extend the City's position to all requests for medical or religious exemptions submitted to the City and County of San Francisco, there would be no approved requests from the City or it's representatives.

I believe all requests for accommodations were not received in good faith by the City and it's representatives and none could have been considered on a case-by-case basis as the City is now claiming, *“Accommodations Enabling Eliasson to Work On-Site While Unvaccinated, Including Masking, Distancing, and Regular COVID-19 Testing Would Create and Undue Burden on the City and Pose a Direct Threat to the Health and Safety of Others and Eliasson.”* My question again is...Why offer an exemption request if there are no accommodations for the unvaccinated?

I am currently employed in the state of California as a Wastewater Treatment Operator and have worked at another treatment plant within this state before working at my current location. I am still unvaccinated for COVID-19. There is no discriminating policies or procedures for unvaccinated employees at either of my jobs since being discriminatorily terminated by the City and County of San Francisco.

My oldest daughter works for the State of California as a Nurse. She was granted a religious exemption and until last July, they required weekly or biweekly testing of COVID-19 dependent on the local outbreaks in cases. All COVID-19 accommodations have been lifted for her since July.

How is it possible that other employers within this state and those in other states seem to have no discriminating policies regarding unvaccinated employees in the work place and currently manage the now minimal risk of COVID-19 quite well.

It has been widely reported that COVID-19 vaccinated people can still catch and spread COVID-19. Just to name a few, President Biden, Dr. Fauci and Dr. Walensky have all stated they have taken the COVID-19 vaccine and still caught the disease after vaccination. If it is possible to catch COVID-19 even after vaccination, then it is possible for COVID-19 vaccinated people who catch COVID-19 to spread the disease to others. What undue burden on the City has this created? I would imagine the City is still testing all of it's employees if it is known that COVID-19 vaccinated people can catch and spread the disease. If this is the case, offering testing to me and other unvaccinated employees would not be an added burden. If they are not testing vaccinated people who can still catch and spread COVID-19 then unvaccinated people would not need to be tested as both share the risk of catching and spreading COVID-19.

The City and it's representatives continue to mislead and obscure reality. The City has used language that attempts to state a more serious burden to the City by having unvaccinated employees at the work place.

Under Section G of the City's Position Statement it claims,

“To permanently accommodate employees who would always be unvaccinated, the City would have to maintain, administer, and pay for the materials, staffing, and infrastructure for such a program indefinitely. This was stated on the City's Position Statement dated April 3 of this year, that I am now rebutting.

The San Francisco Department of Public Health (SFDPH) announced on February 16 of this year, that City's COVID-19 Public health emergency declaration and Health Officer Order No. C19-07y, “Safer Return Together”. Along with additional health orders, will end on February 28 in alignment with the end of California's COVID-19 State of Emergency. (see [SAN FRANCISCO TO END COVID-19 PUBLIC HEALTH EMERGENCY DECLARATION AND HEALTH ORDERS | San Francisco \(sf.gov\)](#))

I believe the City and it's Representatives are not working in good faith. The announcement by the City that it will end COVID-19 Public Health Emergency Declaration and Health Orders on Feb. 28, 2023 states;

“People can continue to choose to wear masks around others for added protection and people should respect other's choices around their health.”

It would seem people can **choose** to wear masks and the City would not need to accommodate anyone for wearing a mask. The City claimed having to permanently provide masks would be a burden. The irony of making the statement, “people should respect other's choices around health.” If this were the case, I would not have been

discriminated against and terminated. This statement compliments my religious objection to the vaccine. It is about choice and free will that GOD has granted to all!!

It further states;

"It remains important for individuals to be diligent about their health and the health of others as the virus is still with us. Please stay home when sick, continue to wash hands and keep well-fitted masks such as a N95, KN95 or KF94 on hand."

How would the above possibly burden the City? I already stay home when sick, masks are fairly inexpensive as is handwashing.

It further states;

"The federal emergency is also ending on May 11, 2023."

The title of Section "G" of the City's Position Statement, "Accommodations Enabling Eliasson to Work On-Site While Unvaccinated, Including Masking, Distancing, and Regular COVID-19 Testing Would Create and Undue Burden on the City and Pose a Direct Threat to the Health and Safety of Others and Eliasson." Is not accurate as the Health Emergency has ended on Feb. 28, 2023 and the Federal Emergency will be ending May 11, 2023 according to the City's own document.

I was not denied a religious exemption from taking the COVID-19 vaccine because it would create an undue burden on the City and pose a direct threat to the health and safety of others and myself, but because my documentation was insufficient to show a conflict between vaccine requirement and sincerely held religious belief, practice or observance.

The City's Position Statement under section "G" further states;

"The SFPUC has also determined that any accommodation enabling Eliasson to remain unvaccinated while performing the essential functions of his position, some of which require the ability to work on-site, posed a direct threat to the health and safety of others and Eliasson. Vaccinated co-workers would also have been burdened in having to continue to wear masks."

All of my work required me to work on-site, I was called an essential worker by my employer during the peak of this event. There were signs stating me and my co-workers who worked at the largest Wastewater Treatment Plant in the City as Hero's. I was not a direct threat then and the City announced the health emergency ended over a month ago. If the vaccine prevents one from catching or spreading Covid-19, why would vaccinated co-workers be burdened in having to continue wearing masks? This is the reason I did not understand what exemptions would entail. If those that are vaccinated can catch or spread the disease how are they less of a safety/ health risk

The City's Position Statement under section "G" further states;

"At the time of Eliasson's request for exemption, at present, and continuing, COVID-19 poses a risk, especially to individuals who are not fully vaccinated certain safety measures remain necessary to protect against COVID-19 cases and deaths. Unvaccinated employees are at a greater risk of contracting and spreading COVID-19 within the workplace and City facilities, and to the public that depends on City services."

At the time of my request for exemption, at present, and continuing? The City announced the end of the Health Emergency over a month ago, before the City's Representative sent their Position Statement to the U.S. EEOC. I did not see in the City's document page any information supporting the statement, "Unvaccinated employees are at a greater risk of contracting and spreading COVID-19 within the workplace and City facilities, and to the public that depends on City services." Where is the science that supports this statement. The City has already acknowledged that if unvaccinated employees worked on site that vaccinated employees would be further burdened to wear a mask Why do vaccinated need to wear a mask if around unvaccinated if there is no risk of vaccinated employees catching or spreading the disease? If there is a risk to both then discriminating one over another is wrong.

H. On October 7, 2021, the SFPUC Denied Eliasson's Request for Religious Exemption and Eliasson was Required to Comply with the City's COVID-19 Vaccination Policy as a Condition of his Continued Employment with the SFPUC

In this section the City is affirming what I have stated earlier in this rebuttal. My exemption was denied due to, "Documentation Insufficient to Show a Conflict Between Vaccination Requirement and Sincerely Held Religious Belief, Practice or Observance." It was not because it would create an undue burden on the City and pose a direct threat to the health and safety of others and myself as stated under section "G" of the City's Position Statement.

Clearly my exemption request was denied. By the City's own statement there can be no religious exemptions approved because such approval would be too burdensome for the City to accommodate. According to section "G" of the City's Position Statement, "*Accommodations Enabling Eliasson to Work On-Site While Unvaccinated, Including Masking, Distancing, and Regular COVID-19 Testing Would Create an Undue Burden on the City and Pose a Direct Threat to the Health and Safety of Others and Eliasson.*" If this were true, no unvaccinated employees exist in the City of San Francisco, regardless of their religious beliefs or medical conditions. Why does the City and its representatives offer an exemption if they know none will be approved?

I. On November 8, 2021, After Eliasson Failed to Comply with the City's Policy, the SFPUC Provided Notice of a Proposed Dismissal and an Opportunity to Respond to the Charges

I failed to comply with the City's policy because to do so would violate my belief that GOD created all of us with free will, to choose between good and evil. As stated in the City's announcement to end the Health Emergency, "*people should respect other's choices around their health.*" This was not an uncommon thought or belief(see [SAN FRANCISCO TO END COVID-19 PUBLIC HEALTH EMERGENCY DECLARATION AND HEALTH ORDERS | San Francisco \(sf.gov\)](#))

The City and its representatives are consistent in altering my reasons for taking the COVID-19 vaccine. In the memorandum from Lynn Fong to Rachel Gardunio, subject: Skelly Officer Report and Recommendations Regarding the Proposed Dismissal of Eric Eliasson, it is stated;

"Employee Response to the Charge Eric Eliasson's response to the charges are as follows: 1.) Violation of CCSF COVID-19 Vaccination Policy. a. Policy is immoral, and b. The City has not provided scientific evidence that would reflect how the employee would be of harm to other employees. Furthermore, the policy is "full of opinion" and short on scientific facts. i. There is no scientific evidence for the claim, "Vaccination is the most effective way to prevent transmissions and limit COVID-19 cases and deaths" and the vaccines do not prevent employees from catching the disease. ii. There is no scientific evidence for the claim, "Unvaccinated employees are at greater risk of contracting and spreading COVID19 within the workplace". c. Employees can work past November 1, 2021 because employees who are not fully vaccinated and are permitted in the workplace after November 1, 2021 must continue to wear a mask. 2.) Failure to meet minimum qualifications/conditions of employment. a. This is baseless because had the religious exemption been approved, there would be no further charges. 3.) Failure to follow Rules and Regulations/Failure to Follow Instructions. a. I work in an environment mostly void of standards. There would be very few employees working front line in the Wastewater treatment plants because the City has offered no documentation that demonstrates a history of my failure to follow rules and regulations."

Though many of these statements are close to why I believe this is driven by evil and somewhat reflect my beliefs, my opening statement was very clear. I stated;

"The following statements and documents are not for the purpose of converting your beliefs, but simply to document that this attempt to control my body is offensive to the core of my beliefs and unjust. This push to vaccinate every human has nothing to do with health or safety and everything to do with compliance with a policy that has no scientific basis and is politically driven. I am not guided by politics, I am guided by what I perceive as good or evil through the information that my creator exposes my spirit to. I believe my body is my temple, that I was given this body at birth by my creator and through my parents. I believe that what goes into my body will only be of my

choosing. I believe as the sole owner of my body I have a natural right to choose what medical interventions I take or don't take. I believe it is none of my employers or anyone else's business what I do with my body and what medical interventions I choose or don't choose. I am a Man who cherishes my privacy, it was offensive to be coerced and threatened with termination to report my medical status to my employer, i.e. vaccination status. Particularly when I knew I would be discriminated against for doing so. It was offensive to hear parts of my government as well as my employer mandating that I am required to take part in any medical interventions I deemed unnecessary, particularly when it goes against my religious beliefs and is unproven. Just because I don't share the same faith as those who denied my Religious Exemption request, doesn't make me a bad employee or a health and safety threat worthy of termination. I have little to NO faith in government institutions....NONE of them. I question everything and accept nothing without supporting evidence from sources I trust. My faith is in my creator and it has kept me alive and well for over 59 years. I will not be changing what I believe, the principles of self ownership that most in this society used to believe after the abolition of slavery. I believe this is an unlawful policy. A discriminating policy. It may be legal, but so was slavery in this country, it doesn't make it moral!! My expectations for this process is very low. So far it has proven to be bias, unjust, discriminatory, unscientific and politically driven. I am however very grateful, for the first opportunity to defend what I believe to be the moral and true position that I hold."

The City and it's representatives appear to be selective and prejudice about what my true beliefs are. They seem to focus on the worldly observations I express while discounting and ignoring my core belief that I was created by GOD. That GOD has given us free will, to choose between good and evil.

In my defense statement for the Skelly Hearing I concluded;

"Conclusion: All of the charges against me stem from me refusing to take a medical treatment, COVID-19 "vaccine" against my will. I did not refuse it because I am a defiant employee, or because I am anti-vax, because I am neither. I refused it because I do not believe in doing anything that goes against what I believe to be true. If the science were followed this would not be an issue. The science says this COVID-19 "vaccine" won't stop infection nor the spread of infection. The science says the survivability rate of this infection for most people is near 100%. Science says there are treatments like Ivermectin that prevents the need 4 for vaccination. Science says natural immunity is stronger than immunity provided by this COVID-19 "vaccine" that doesn't provide any immunity but simply some protection from severe infections and hospitalizations. Science says that there are ZERO long term safety studies on this COVID-19 "vaccine". The CDC VAERS reporting system reports some 15,000 deaths that have been associated with taking this COVID-19 "vaccine" and well over 400,000 reports of adverse events after taking this COVID-19 "vaccine". Faith is the reason for these charges against me. Though I would like to comply with all policies and procedures that my employer gives me, this one I can not. It would violate the very essence of my believe that I was created by god with free will to choose between good and evil. Man can not force me to do anything I believe supports evil. I believe the City is my employer not my master, even the City can not make me violate what I believe to be true. If it is decided that I should be terminated for violating a policy that goes against my moral and religious beliefs I have no control. I have performed the job I have done well for the last 11 years. It is wrong to force, coerce or threaten another human to do anything that would violate their principles and religious beliefs. The simple fact that I am willing to lose my civil service job of the last 11 years, that took a few years prior to hiring to educating myself so I could meet the minimum standards for employment as a Waste Water Treatment Operator, because I will not follow the CCSF-COVID-19 Vaccination Policy, a policy that will violate my moral and religious beliefs... If that is not enough evidence of how strong my religious beliefs are then nothing will be."

There is no rebuttal for section J of the City's Position Statement.

III. COMPLAINT ALLEGATIONS

The City and it's Representatives state that my claim is without merit. My claim is based on the fact that the City implemented a policy which forced me to choose between my job and my religious convictions. Under section III of the City's Position statement they claim;

“Furthermore, no accommodation was required after the SFPUC determined that Eliasson had failed to provide sufficient documentation demonstrating a conflict between a sincerely held religious belief and the City’s Policy. Regardless, even if Eliasson had provided sufficient documentation to demonstrate a conflict, the SFPUC could not have reasonably accommodated Eliasson in his position.”

I don’t understand why the City offered me or anyone a religious exemption request, if there were never any reasonable accommodations. I provided documentation that the City required of me to request a religious exemption from taking the COVID-19 vaccine. (SEE SECTION “E & F” of this document). I was not aware that my faith needed to be approved by my employer before I could live within my faith. My understanding of the City’s Discrimination Policy and Religious Exemption process was to provide what I believed and how my faith prevents me from following evil. I did not know that the City and it’s representatives would not be working in good faith, that they would edit and misrepresent my beliefs to others, that they would take me for a liar, that they would accuse me of being unsafe to work or be in public.

A. The SFPUC’s Denial of Eliasson’s Exemption Request Was Based on Legitimate Non-Discriminatory Business Reasons Applied Under a Neutral Policy

In this section of the City’s Position Statement it was stated;

“The SFPUC’s denial of Eliasson’s exemption request was not based on his alleged religion, but was instead based on legitimate, non-discriminatory business reasons applied under a neutral policy. Eliasson was not targeted for believing in any particular religion. Rather, he failed to provide sufficient documentation to show a conflict between the City’s COVID-19 vaccination Policy requirements and a sincerely held religious belief. Furthermore, the SFPUC fairly determined that the potential accommodations for Eliasson were unreasonable because they created an undue burden on the City and posed a direct threat to the health and safety of Eliasson and others.”

The City has made it clear in section “H-III” that;

“even if Eliasson had provided sufficient documentation to demonstrate a conflict, the SFPUC could not have reasonably accommodated Eliasson in his position.”

I provided enough documentation of my religious beliefs and my objections to this policy of forcing all employees, including myself, to take a medical intervention not of my choosing. My faith is much in line with the City’s own Health Departments press release about the end of the medical emergency within the City when they stated, *“people should respect other’s choices around their health.”* (see [SAN FRANCISCO TO END COVID-19 PUBLIC HEALTH EMERGENCY DECLARATION AND HEALTH ORDERS | San Francisco \(sf.gov\)](#))

The City and it’s representatives in their Position Statement has made it quite clear of their position. There can be no religious exemptions or medical exemptions as the accommodations would be too burdensome on the City, Staff and the Public of San Francisco without any scientific or financial evidence to support such claims. If this were the case, no person in the World who is unvaccinated would be allowed in public let alone be employable. The City’s claim that it would be too much of a burden to accommodate an exemption is false. The City’s Health Department has stated the Medical emergency is over, they have stated that vaccines are safe and effective, yet the City and it’s representatives claim that if unvaccinated are allowed in the work place, vaccinated would have to wear masks. If masks work, I should be able to purchase my own masks and all should be protected. Yet nobody now needs to wear masks because the emergency is over. I have been terminated for not following a mandatory COVID-19 vaccine policy that violates my most basic religious beliefs. I stated these beliefs to the City in the forms provided and the City’s representatives insult me by stating that, *“Eliasson’s exemption request was not based on his alleged religion...”* (see Section III-A of the City’s Position Statement). I don’t have an alleged religion!! I have a sincerely held religious belief, practice and observance that I was created by GOD and given free will to choose between good and evil, to choose what is best for me and my family.

1. Evidence Demonstrates That Eliasson Failed to Provide Sufficient Documentation to Show a Conflict Between the Vaccination Requirement and a Sincerely Held Religious Belief, and Failed to Engage in the Interactive Process

There is no such evidence. I do not know why the City chose to add this to their position statement as it did not matter what my beliefs were, what mattered according to the City’s Position Statement, is that providing an exemption

to me, and presumably all unvaccinated employees, would allegedly cause an undue burden on the City, Staff and Public of San Francisco, even though this was not the reason for my exemption request being denied.

I provided the documentation that was required, and provided by the City, to request a Religious Exemption Request. The fact that the City and its representatives don't share my faith does not disprove my faith. Faith cannot be documented.

Under section "A-1" of the City's Position Statement they state;

"In his Request, Eliasson failed to identify the specific tenet, practice, or observation that required him to abstain from receiving a COVID-19 vaccine, nor even a specific religion beyond being "non-denominational." Instead, Eliasson offered generalized religious beliefs, such as "I was created in the image of god" and that he was "created with free will." Believing that he was living in a "spiritual battle between good (free will) and evil (tyranny)," Eliasson also stated that he would not "defile my body with any substance that I believe was created from or by evil." These beliefs, generously broad in scope, were also non-specific to COVID-19 vaccines and could, in theory, be applied to any work policy or requirement Eliasson might have wanted to make a religious objection against." (see Exhibit D of City's Position Statement).

I did identify the specific tenet, practice or observation of my faith that required me to abstain from receiving the COVID-19 vaccine. Everything I stated is true and what I believe. (see Exhibit D of City's Position Statement). If the City and its representatives needed more documentation about my religious beliefs, none were provided to me during this process.

But all of this is moot, as the City has clearly stated that;

"even if Eliasson had provided sufficient documentation to demonstrate a conflict, the SFPUC could not have reasonably accommodated Eliasson in his position." (see section H-III of the City's Position Statement)

Even though the above quote is the City's and its representative's claim, they continued to attempt to deny my faith and stated;

"Notably, Eliasson's objection to the vaccination requirement was ultimately scientific and political rather than religious. He indicated his true reason for objection was premised on the inaccurate scientific beliefs that the COVID-19 is not a vaccine but being used to cause a genocide: "It is not about vaccines it is about free choice. This shot is not a 'vaccine.' I believe it is being used by evil to harm the worlds population Medical errors are the 3rd leading cause of death in this country. I will not take part in this genocide" Exhibit D."

My body doesn't live in the spiritual realm, my body and soul are currently on this perceived physical world. I use the senses that GOD has given me to reason what is good and what is evil. I do not comply with evil. My true reason to objecting to this policy was clearly stated on the Employee Request for Religious Accommodation (COVID-19 Vaccination Exemption) form. There were no challenges to my beliefs by the City during this process. The City's representative's only seemed to care about my past medical discussions on follow up questions. I stated clearly what I believe and it was always about my faith in GOD.

2. Any Permanent Accommodation Would Only Be Reasonable If It Enabled Eliasson to Regularly Work On-Site

AND

3. The SFPUC Could Not Reasonably Accommodate Eliasson in his Position Because Accommodations Enabling his to Perform his Essential Duties On-Site Would Cause an Undue Burden to the City and Pose a Direct Threat to the Health and Safety of Others and Himself

Is it the City's position that unvaccinated people should not be allowed at work or be in public? Currently the City's Health Department has ended the City's Health Emergency and no accommodation would be needed for any employees were it not for the City's own Policy.

The City and its representatives are hiding behind the legal reasoning that to accommodate an unvaccinated employee would be so burdensome in their attempt to cover their discrimination against me for my religious beliefs,

that the City's representatives claim are alleged religious beliefs. I have stated my beliefs on the forms the City provided. I was truthful in my statements and replied in a timely manner.

Since my termination for my religious beliefs occurred, I have worked for two different employers at two different Wastewater treatment plants. There were no accommodations required for unvaccinated employees.

I have traveled this month via airplane to Louisiana from California and back having layovers in three different airports. I have attended concerts, movie theaters, clubs, shopping centers and many other public places and have not been required by any authorities to do any special acts because I am unvaccinated.

How is it that all of my daily functions of living such as working, traveling, and eating and drinking at public venues have not burdened those that I have been to, yet the City is claiming that my physical presents would create such a burden to them, staff, the public and myself?

B. Evidence Also Demonstrates Eliasson Had No Sincerely Held Religious Belief Regarding Vaccinations

I did not realize proof of my faith was required. My understanding of this process was that I make a claim of my faith and how my faith would prevent me from complying with a policy that violated my religious beliefs. I did that.

The City and it's representatives have made it clear that what I believed did not matter. As any accommodation would be too burdensome for the City, Staff and Public of San Francisco to allow any unvaccinated people within city limits. Although this was not the reason stated on the Determination on Covid-19 Vaccination Exemption request. (see Exhibit D of City's Position Statement)

IV. CONCLUSION

My life experience has shown me that evil exists in this world. I have faith in GOD and my spiritual journey after life. I have worked in good faith in representing my religious beliefs that prevent me from being coerced to comply with evil. I use the senses that GOD has provided all of us to reason what is good and what is evil. I believe it is evil to compel, coerce or force any person to do anything. There is no authority on this world that supersedes GOD!!! The City and it's representatives created a policy of coercion and threat of termination for not taking a medical treatment that was unneeded and ineffective with known adverse reactions. I believe it is evil to manufacture a vaccine that won't stop the spread of the disease it is intended to prevent. I believe it is evil to coerce, threaten or force someone to take such a product. I believe it is evil to coerce, threaten or force someone to take any medical intervention and then remove any financial liability from those that manufacture products that are known to cause harm.

I am 60 years old and was employed by the City and County of San Francisco for 11plus years. My faith in GOD has allowed me to choose good(free will), over evil(tyranny, coercion, threats). If my willingness to lose my Civil Service Employment of 11plus years for following my religious beliefs is not evidence of the requirement of my sincerely held religious belief, practice or observance, then there is nothing I can provide to prove my faith. But the City and it's representatives have made it very clear that my beliefs don't matter. What they claim matters, is the alleged burden my physical presents would cause to the City, Staff and public with no evidence supporting this claim. Unlike the City and it's representatives I follow and believe what the City's Health Department stated in their press release of the end of this Medical Emergency that I and all that I know have survived when they stated, "**people should respect other's choices around their health.**" I suppose this respect they speak of was lost during this event and now that it is over, it is again recognized by City representatives from the Health Department but not from the City's HR department or EEOC division. (see SAN FRANCISCO TO END COVID-19 PUBLIC HEALTH EMERGENCY DECLARATION AND HEALTH ORDERS | San Francisco (sf.gov))



CIVIL SERVICE COMMISSION
City and County of San Francisco
 25 Van Ness Avenue, Suite 720
 San Francisco, California 94102-6033
 Executive Officer
 (628) 652-1100

CSC Register No.

To:

CC:

APPEAL TO THE CIVIL SERVICE COMMISSION

<p>INSTRUCTIONS: Submit an original copy of this form to the Executive Officer of the Civil Service Commission at the address above within the designated number of days following the postmarked mailing date or email date (whichever is applicable) of the Department of Human Resources' or Municipal Transportation Agency's notification to the appellant. The appellant's/authorized representative's original signature is required. (E-mail is not accepted.) It is recommended that you include all relevant information and documentation in support of your appeal.</p>	<p>TYPE OF APPEAL: (Check One) <input type="checkbox"/> Examination Matters (by close of business on 5th working day) <input type="checkbox"/> Employee Compensation Matters (by close of business on 7th working day) - Limited application <input type="checkbox"/> Personal Service Contracts (Posting Period) <input checked="" type="checkbox"/> Other Matters (i.e., Human Resources Director/Executive Officer Action) (30 Calendar days) <input type="checkbox"/> Future Employability Recommendations (See Notice to Employee)</p>
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“During the Shelter Order dated March 17, 2020, we are accepting appeals by email at civilservice@sfgov.org”

Eric Dwayne Eliasson 750 Phelps St., SF 415-920-4700

Full Name of Appellant	Work Address	Work Telephone
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7372	Stationary Engineer	SFPUC/WWE	
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Job Code	Title	Department	
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		Ca	
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Residence Address	City	State	Zip	Home Telephone
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Full Name of Authorized Representative (if any)	Telephone Number of Representative (including Area Code)
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NOTE: If this is deemed to be a timely and appealable matter, the department will submit a staff report to the Civil Service Commission to request that it be scheduled for hearing. You will be notified approximately one week in advance of the hearing date, at which time you will be able to pick up a copy of the department's staff report at the Commission's offices. If you would instead prefer Commission staff to email you a copy of the meeting notice and staff report, please provide your email address below.

Email: ericeliass@aol.com

COMPLETE THE BASIS OF THIS APPEAL ON THE REVERSE SIDE. (Use additional page(s) if necessary)

<p>Does the basis of this appeal include new information not previously presented in the appeal to the Human Resources Director? If so, please specify.</p>	<p>Check One: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
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Eric Eliasson	12/2/22
Original Signature of Appellant or Authorized Representative	Date

CSC-12 (5/2021) Date Received by Civil Service Commission: _____

State the basis of this appeal in detail. For more information about appeal rights and deadlines, please review the Civil Service Rules located on the Civil Service Commission's website at www.sfgov.org/CivilService.

On August 27, 2021 I requested an exemption to the City's immoral vaccination requirement based on my sincerely held religious beliefs. I certified via the Religious Accommodation (COVID-19 Vaccination Exemption) form, "***My faith is based on Judeo/Christian doctrine although I am not Jewish nor Christian in faith. My faith is based on the idea that I was created in the image of God, spiritually not physically, as we all are. I was created with free will. To choose between right and wrong. I believe we are currently living through a spiritual battle between good (free will) and evil (Tyranny). I have zero faith in worldly institutions. My faith remains in my creator. I will not defile my body with any substance that I believe was created from or by evil. Judge me as you will, my faith has taught me that our lives on this earth are at the mercy of evil, but my spirit will always be free.***" I have provided a copy

On page two of the exemption form I was asked to provide information if my religion, belief system, or practice requires you to abstain from the COVID-19 vaccination, but not other types of vaccinations, I was asked to please describe the specific tenet, practice, or observation that expressly conflicts with the COVID-19 vaccination. I again certified, "***My creator has given me eyes to see and ears to hear. It is not about vaccines it is about free choice. This shot is not a "vaccine". I believe it is being used by evil to harm the world's population. Our creator has provided an immune system to fend off disease. Of course, with the poison that is put in our food and water and with the use of modern medicine that simply covers symptoms, makes lots of money and requires additional medicine for the side effects of the original prescribed medicine which has destroyed most people's natural immune system. Medical errors are the 3rd leading cause of in this country. I will not take part in this genocide and do not judge those that do.***" I have provided a copy

The above is the basis of my request for a religious accommodation. Though I submitted my request on August 27, 2021, my request was not denied until October 8, 2021. According to the City's COVID-19 VACCINATION MEDICAL AND RELIGIOUS EXEMPTION REQUEST procedure issued: July 30, 2021, under section 9 Religious Exemption Procedures it states, "***Department personnel officials will make a determination and respond to an employee request for religious exemption from the vaccination requirement within seven (7) business days of receiving an accommodation request and any supporting information requested by the department.***" The City and its representatives did not make a determination to my request within the 7 days as stated in there procedures. I have provided a copy

On the "DETERMINATION OF COVID-19 VACCINATION EXEMPTION REQUEST" form it was checked that my request was denied. On the form it is stated by the City and its Representatives that, "***Your request for an exemption based on an asserted sincerely held religious belief, practice or observance is DENIED for the following reason(s).***" There were 5 reasons the City and its Representatives had for my denial. The ONLY checked reason for my denial was, "***Documentation Insufficient to show a conflict between vaccination requirements and sincerely held religious belief, practice or observance***". It was not indicated that the denial was due to "***Accommodation would pose a direct threat to the health and safety of others and/yourself.***" This is the main reason for attempting to force all employees to vaccinate against COVID-19. If it was not determined that I would pose a direct threat to the health and safety of other and/myself then why could my request not be approved? It was also not indicated, "***Accommodation would prevent employee from performing essential function(s).***" Then why would my request be denied? It was also not indicated that, "***Accommodation would result in undue hardship for the City.***" Then why would my request be denied? I have provided a copy

On October 14, 2021 I filed an appeal with the City's EEO department via email. I stated, "My name is Eric Eliasson and my pronoun is whatever you wish to use.

My contact information is [REDACTED]. Cel phone [REDACTED], home phone [REDACTED] email [REDACTED]

My job title is Stationary Engineer 7372.

The issue and basis of my complaint is that the Mayor has made it policy that all city employees must take a Covid 19 "vaccine" in order to keep the job I have held faithfully for over 11 years regardless of my strongly held religious belief against said "vaccine". In addition such policy is in conflict with the ideas of discriminating individuals for their medical condition.

The date of my civil rights violation started on the date the mayor mandated medical treatment that is in conflict with my strongly held religious belief in order to maintain my 11+ years of employment that I have had with the city. I submitted a religious exemption request on 8/27/21 and filled out another questionnaire about my personal and private religious beliefs that was requested by Hallie Albert which I filled out and returned on 8/30/21. On 9/24/21 I was given another

questionnaire at the request of Hallie Albert asking more questions about my personal and private religious beliefs that I responded to on 9/22/21. On 10/8/21 I was notified via email from Hallie Albert that my request for religious exemption was denied due to “documentation insufficient to show a conflict between vaccination requirement and sincerely held religious belief, practice or observance.” I had provided documentation of my strongly held religious beliefs against said medical treatment in the first form for requesting religious exemption from this medical procedure and twice more when Hallie Albert kept inquiring further about my private and personal religious beliefs. As the reason your department declined my request for religious exemption was not due to the accommodation posing a direct threat to the health and safety of others and or myself, nor, the accommodation would prevent the employee from performing essential functions, nor, the accommodation would result in undue hardship for the city, nor, other reasons, the only conclusion I can come to is I am being discriminated against for my religious beliefs. In the email I received from Hallie Albert on 10/8/21 it was said, “The Department has determined that the information you supplied does not meet the applicable standards under state and federal law, as well as the City’s policies and procedures, for a religious exemption to the City’s Covid-19 vaccination requirements.” As I responded then and now...I had no idea that I had to meet any applicable standards under state and federal law as well as the City’s policies and procedures in regards to my strongly held religious beliefs against this or any other matter concerning my religious beliefs. This I believe is where my belief system clearly does not conform to the City’s. I believe that God has given me life through my parents, God has given me free will to choose between good and evil. There is no higher authority over my body and my choices than that which I believe to be true. I will not take this “vaccine”. I do not want to be discriminated against for my religious beliefs. I do not want to be discriminated against for my medical condition. I do not want to be terminated from my employment when I have done nothing wrong other than follow my religious beliefs.

Eric Eliasson”

Not once, either for my original request for an exemption nor my appeal has anyone contacted or interviewed me personally about my religious reasons for not taking said “vaccine”.

On November 9, 2022, over a year after I was placed on administrative leave, I finally received a decision from Carol Isen stating that my appeal had been denied. In the first paragraph it is stated that, ***“The Charter defines discrimination as a violation of civil rights on account of race, religion, disability, sex, age or other protected category.”*** My right to follow my faith and what I believe to be true, is the reason for my termination. Under section III, “FINDINGS & ANALYSES FOR DISCRIMINATION COMPLAINT”, Section A, it states, ***“Religious beliefs include those centered around the existence of God or gods, as well as moral or ethical beliefs regarding right and wrong, which are sincerely held with the strength of traditional religious views.”*** Did none of the City’s Representatives read the forms I submitted? I believe there to be a GOD, maybe more than one but I am connected to one, my creator. I believe we are in the midst of a spiritual war on this earth between good (Free will) and evil (tyranny). I believe it is immoral and unethical to coerce any individual to take or do anything for which they believe to come from evil or to be evil. I stated such in my original religious exemption form. Did no one read it? These beliefs are core and sincerely held with strength of traditional religious views of the Judeo/Christian faith, which doctrine I follow.

Carol Isen then goes on to claim in section 1 of the, “FINDINGS & ANALYSES FOR DISCRIMINATION COMPLAINT”, that, ***“Your beliefs about the COVID-19 Vaccination are personal and not Religious.”*** How offensive is that!!! Carol Isen nor any human can determine what I believe or don’t believe. It is true that the beliefs I hold are personal, because to me religious faith is personal. I come to determine what good or evil is based on the actions or inactions of people. It is true that I fear the side effects of this experimental treatment that has no long-term safety studies. It is true that I have a desire to live a “healthy” or “pure” lifestyle. It is true I have a belief that the vaccine will do more harm than good; and I do distrust the institutions pushing this agenda. This does not take away the fact that I believe the agenda is driven for and by evil and I can not comply because of this fact.

In section 2 Carol Isen's claim is that my secular claim is insufficient. It is true that I do believe that the City's vaccine mandate constitutes an unlawful infringement on my personal freedoms and violates my right to bodily sovereignty. My body is a gift from God and my parents, coercing anyone to take anything without their consent is evil. Does anyone not believe this? This country and supposedly the City recognizes peoples right to practice their faith and claims it is against the law and policy to discriminate for such reasons. These are in fact secular policies that I am fighting against to protect my lawful rights to informed consent. I have followed all procedures to claim the rights given to me by God and allegedly recognized by law and policy.

In section 3 Carol Isen claims, ***"Instructions from God are insufficient to show a sincerely held religious belief system prohibits vaccination."*** It is further stated, ***"While such instructions can form the basis for a sincere belief that vaccination is prohibited, these instructions are personal in nature and not part of a religious belief system."*** It is my belief that I was created by God and given free will to choose between good and evil. This is personal in nature as it is my personal belief system which is shared by many in the Judeo/Christian faith, which doctrines I follow.

In section B, Carol Isen is now claiming that the Accommodation would pose an undue hardship. So only after I appeal the decision to decline my Religious exemption for vaccination does it become a hardship for the City. This reason was not indicated on the denial form and could have been. How is this possible? Not a hardship in 2021 but now a hardship?

In section B1 it is stated, "An accommodation would burden the department with securing dedicated testing resources". It continues, ***"Since the time you submitted your religious accommodation request and continuing today, the City has been challenged to meet the need for employee COVID-19 testing resources....The limited number of tests available to conduct weekly surveillance testing for unvaccinated employees and vaccinated coworkers presents an undue burden for the department."*** There are no differences between vaccinated and unvaccinated regarding testing. Being unvaccinated does not increase the burden of testing vaccinated employees. So again it seems discrimination is alive and well towards those unvaccinated, regardless of the reasons.

In section B2, "An accommodation would burden the department by decreasing the number of persons in your classification available to perform essential job functions". How strange it is that back in 2021 on the denial form given to me this was not one of the options indicated for my denial. It is only after I appeal my denial and after nearly a year that now somehow this has become a reason for my denial. The City and it's representative must not remember that I was an essential employee that worked through the peak of this event. There were signs at my workplace stating we were hero's for providing essential services during the peak of this event. How short peoples memories are.

In section C it states, "Accommodation would pose a direct threat to your health and safety and that of others in the workplace". Thank GOD for documentation. This again was not indicated for the reason of the original denial form. It was not until I appealed the denial that now somehow I am somehow a health and safety risk. This is nonsense. It has well been established that vaccination does not stop the spread or infection or even stop the infection of those vaccinated. I use for example the fact that it has been widely reported that President Biden, Dr. Anthony Fauci and Dr. Rochelle Wilensky have all been infected with COVID-19 after full vaccination. It has been a year since all unvaccinated employees have been terminated. Have there been no cases of COVID-19 at the workplace since a year ago?

I believe that the City had no intentions of allowing any accommodations for any reason. The fact that I have never been interviewed about my religious beliefs strengthens that belief. The reason for the denial of my accommodation went from, "Documentation insufficient to show a conflict between vaccination

requirement and sincerely held religious belief, practice or observance”, back in 2021 to now all possible reasons only after I appeal the decision. Good and Evil are determined by the actions or inactions of people. I have done nothing wrong. I followed what I believe and was discriminated against for my beliefs. How naive I was to think the rights that laws and policies were meant to protect were not followed. Fortunately I follow an authority much higher than law or policy....I have done the right thing!!

CSC-12 (5/2021)

(Use additional sheets if needed)



CONFIDENTIAL

April 3, 2023

Rosario Reyes
 U.S. EEOC, San Francisco District Office
 450 Golden Gate Avenue
 San Francisco, CA 94102-3661

Via EEOC Respondent Portal

RE: Position Statement
 Eliasson / City and Cnty. of San Francisco, Public Utilities Comm'n
 EEOC Charge No. 550-2022-00566

Dear Rosario Reyes:

The San Francisco Public Utilities Commission (SFPUC) submits this response to the above-referenced Equal Employment Opportunity Commission (EEOC) Charge of Discrimination (Charge) filed by Eric D. Eliasson (Eliasson).

The SFPUC takes EEO complaints seriously and is submitting this response in a good-faith effort to assist the EEOC in its investigation. As the SFPUC's investigation into this matter is ongoing, the SFPUC reserves the right to modify or supplement its response if necessary.

I. INTRODUCTION

Eliasson's claim of discrimination lacks merit because he failed to provide the SFPUC with sufficient information to demonstrate a conflict between Eliasson's sincerely held religious belief and the City and County of San Francisco's (City) COVID-19 vaccination requirement for continued employment. Furthermore, the SFPUC reasonably determined that any potential accommodations would be an undue burden and posed a direct threat to the health and safety of Eliasson and others. Because of this, the SFPUC had a legitimate, non-discriminatory business reason to deny Eliasson's request for an exemption to the City's vaccination requirement for its employees. After this determination was made, the SFPUC was not required to accommodate Eliasson, and therefore Eliasson was required to comply with the City's COVID-19 vaccination requirement.

II. SUMMARY OF FACTS

A. Respondent San Francisco Public Utilities Commission

The SFPUC is a department of the City and County of San Francisco (City) that provides water, wastewater, and municipal power services to San Francisco. The SFPUC also supplies water within three other Bay Area counties and is the third-largest municipal utility in California, serving 2.7 million residential, commercial, and industrial customers.

The City is an Equal Opportunity Employer and prohibits discrimination on the basis of race, religion, sex, national origin, creed, ethnicity, age, physical or mental disability, political affiliation, sexual orientation, ancestry, color, medical condition, genetic characteristics, gender identity, marital or domestic partner status, parental status, veteran

London N. Breed
 Mayor

Newsha Ajami
 President

Sophie Maxwell
 Vice President

Tim Paulson
 Commissioner

Anthony Rivera
 Commissioner

Kate H. Stacy
 Commissioner

Dennis J. Herrera
 General Manager



status, height, weight, or any other basis protected by law. The City also prohibits retaliation against any employee for making a good faith complaint of discrimination or harassment, for raising concerns of discrimination, for filing a complaint, or because of a person's participation in an employment discrimination investigation either as a complainant or witness. Exhibit A.

B. Charging Party Eric D. Eliasson

On August 23, 2010, the SFPUC hired Eliasson as a 7372 Stationary Engineer, Sewage Plant in the Wastewater Enterprise, Maintenance Division. Effective December 7, 2021, Eliasson was dismissed from his employment with the City for violation of the City's Policy, failure to meet the minimum conditions of employment, and failure to follow rules and regulations.

C. Eliasson's Essential Functions Required On-Site Work

Positions in the 7372 Stationary Engineer classification, such as Eliasson's, include essential functions requiring on-site work. Examples of such essential functions include, but are not limited to:

- Makes regular visual, audio, olfactory and tactile inspections and/or manual tests of all plant machinery and equipment, including auxiliary equipment, in an assigned area or pumping station, maintaining logs and records of required maintenance, completed maintenance, equipment and work order history by taking periodic readings of gauges and meters to ensure that sewage plant is working safely, efficiently and properly; and to provide an accurate record of maintenance, preventive maintenance, equipment, and work order history;
- Performs a variety of manual tasks requiring the handling of equipment exposed to raw sewage; collects and performs simple assessments of raw sewage and chemical samples on prescribed schedule at specific locations by making chemical and physical assessments to assess the efficiency of the treatment processes and to ensure compliance with the NPDES Permit (National Pollution Discharge Elimination System, Permit);
- Operates, inspects, maintains, overhauls and makes major and minor repairs to wide variety of pumping, heating, ventilating, process machinery and equipment in a wastewater treatment plant or pumping station, including pumps, bar racks, grit collectors, conveyors and washers, chlorinators, evaporators and storage tanks, sludge collectors, drive units, deodorizing equipment and a wide variety of metering and recording devices to assure the safety and efficiency of equipment and facilities; includes lubricating and greasing machinery and equipment; cleaning and maintaining machinery, equipment and facility to ensure safety and equipment reliability;
- Inspects sewage pipe lines, tanks and gates to check for the condition of equipment, for infiltration and blockage of debris and build-up of mineral deposits, etc., by draining tanks, by monitoring pressure and flow indicators and by visual inspection to determine any problem areas to ensure proper operation;
- Operates, inspects and maintains solids treatment and flocculating chemical systems by monitoring and adjusting flow indicators or controllers, by visual inspection and by analysis of samples to ensure optimum treatment;
- Operates, inspects and maintains disinfection and dechlorination systems by performing tests and analyzing sample to determine proper chemical dosages to ensure that effluent or final discharge meets Regional and State pollution control requirements; and

- May assist in training and in supervising work of apprentices or other trainees by oral instruction and hands-on demonstration in the operation and maintenance of sewage treatment processes to ensure competent performance of required skills by apprentices and other trainees.

Exhibit B. Some of these essential functions must be performed on-site; it is impossible to perform them remotely.

D. City’s COVID-19 Vaccination Policy Adopted June 2021

On June 23, 2021, the City issued a COVID-19 Vaccination Policy (Policy), which provided:

To best protect its employees and others in City facilities, and fulfill its obligations to the public, all employees must, as a condition of employment: (1) report their vaccination status to the City; and (2) be fully vaccinated and report that vaccination status to the City no later than . . . the applicable deadline . . .

Exhibit C. More specifically, the Policy required that all City employees report their vaccination status to the City by July 29, 2021 and be fully vaccinated and have reported that status to the City by November 1, 2021. Some City employees were subject to earlier vaccination deadlines depending on whether they were subject to other state or local vaccination requirements. Exhibit C.

The Policy also provided for exemptions based on reasonable accommodation:

Employees with a medical condition or other medical restriction that affects their eligibility for a vaccine, as verified by their medical provider, or those with a sincerely held religious belief that prohibits them from receiving a vaccine, may request a reasonable accommodation to be excused from this vaccination requirement but must still report their status by the August 12, 2021 extended deadline. The City will review requests for accommodation on a case-by-case basis and engage in an interactive process with employees who submit such requests.

Exhibit C (emphasis added).

E. On August 27, 2021, Eliasson Submitted a Request for Exemption from the City’s Vaccination Policy

Eliasson submitted his Employee Request for Religious Accommodation (Request) on August 27, 2021. In his Request, Eliasson identified his religion as “Non Denominational” and clarified his faith is Judeo/Christian but he is neither Jewish nor Christian. When asked to describe the specific tenet, practice, or observation that conflicts with the COVID-19 vaccination requirement, Eliasson wrote: “my faith is based on the idea that I was created in the image of god. . . I was created with free will. To choose between right and wrong. I believe we are currently living through a spiritual battle between good (free will) and evil (Tyranny). I have zero faith in worldly institutions. My faith remains in my creator.” Because of his beliefs, Eliasson stated he would not “defile my body with any substance that I believe was created from or by evil.” Exhibit D.

The Request form also asked Eliasson to explain how his religious beliefs required him to abstain from COVID-19 vaccinations specifically but not other vaccinations. He wrote: “It is not about vaccines it is about free choice. This shot is not a ‘vaccine.’ I believe it is being used by evil to

harm the worlds population. . . Medical errors are the 3rd leading cause of death in this country. I will not take part in this genocide and do not judge those who do.” Exhibit D.

Notably, Eliasson struck language from the City’s request form before signing it. The first was in the section in which Eliasson marked ‘yes’ that he could provide a written statement, affidavit, or other documents in support of his religious beliefs, crossing out the qualifier that the statement would be coming from a religious leader or other person describing Eliasson’s beliefs and practices. The second section was in the space above his signature; Eliasson crossed out the following statement:

I also understand that my request for an accommodation may not be approved if it is not reasonable, if it poses a direct threat to the health and/or safety of others in the workplace and/or me, or if it creates an undue hardship for the City.

Exhibit D.

F. **Eliasson Failed to Provide the SFPUC with Sufficient Information to Demonstrate a Sincerely Held Religious Belief That Prohibited Him from Receiving a COVID-19 Vaccine**

On August 30, 2021, Eliasson submitted a supplemental Declaration In Support of Employee Religious Exemption Request (Declaration) that he filled out by himself. In the space given for Eliasson to support his assertion that his religious beliefs required he abstain from COVID-19 vaccinations, Eliasson did not provide any new additional information and only repeated what he had already written in his original Request. Exhibit D.

On September 21, 2021, then-acting SFPUC EEO Programs Manager Hallie Albert (Albert) emailed Eliasson additional questions for him to answer as part of the SFPUC’s review of his Request. Albert asked Eliasson the following:

- (1) Have you taken vaccines for any of the following diseases: rubella (measles), varicella (chickenpox), or hepatitis A?
- (2) If applicable, have you authorized your children to receive vaccines for rubella (measles), varicella (chickenpox), or hepatitis A?
- (3) If your answer to question #1 and/or #2 is “yes,” why is your position with respect to the COVID-19 vaccine different than for these other vaccines, all of which are also grown in cell lines derived from fetuses?
- (4) Many common medications were also developed using the same type of technology used in the development of Covid-19 vaccines, including Tylenol, Pepto Bismol, aspirin, Tums, Lipitor, Senokot, Motrin, ibuprofen, Maalox, Ex-Lax, Benadryl, Sudafed, albuterol, Preparation H, Claritin, Zoloft, Prilosec OTC, and azithromycin. Do your beliefs prohibit you from taking and will you in the future abstain from taking these and other similar medications? If not, what tenet or belief prohibits the use of the Covid-19 vaccine, but permits the use of these other medications?

Exhibit D.

On September 22, 2021, Eliasson responded to Albert’s email and refused to provide the additional information needed to determine his request. “Approve or deny my request based on the

information I have already provided to you,” Eliasson wrote, “it provided more details about my faith that I would choose to share with strangers.” He also explained, “My purpose for providing the information that I already have given you . . . was not to convert your belief system or to stop you from having faith in a medical system that has proven to be profit driven with no care given to good health.” Exhibit D.

G. Accommodations Enabling Eliasson to Work On-Site While Unvaccinated, Including Masking, Distancing, and Regular COVID-19 Testing Would Create and Undue Burden on the City and Pose a Direct Threat to the Health and Safety of Others and Eliasson

The SFPUC and City have determined that the ongoing, indefinite cost and logistical complexity of creating, maintaining, and administering a program of regular COVID-19 testing and accurate, timely reporting of results as part of an accommodation to Eliasson and potentially thousands of City employees would be an undue burden on the City.

To permanently accommodate employees who would always be unvaccinated, the City would have to maintain, administer, and pay for the materials, staffing, and infrastructure for such a program indefinitely. The breadth and complexity of such a program would be vast. The City employs over 44,000 people, and any significant portion of the workforce requesting this accommodation would involve hundreds or thousands of individuals. These employees are spread across at least 106 City Departments or Agencies in dozens or hundreds of worksites. Those worksites are not contained within City borders, as various City Departments operate facilities such as a jail and an international airport in neighboring counties. For example, the SFPUC owns the Hetch Hetchy Regional Water System, a complex water supply system spanning the width of the state from the Sierras to the Pacific Ocean and encompassing multiple dams, reservoirs, pipelines, tunnels, pump stations, hydroelectric powerhouses, and water treatment plants.

Additionally, the act of testing and reporting would be costly and difficult to administer, as well as burdensome for a limited number of managers and resources for different work sites. The San Francisco Department of Public Health advised that masking and testing twice weekly would not sufficiently protect coworkers and members of the public, and that unvaccinated individuals on-site would need to be tested at least five days per week for more contagious variants, like the omicron variant that became the predominant strain within the U.S. in early 2022. The availability of component materials for tests was scarce and in high demand at the time, and tests and materials continue to have scarcity at different periods. The City would also have to directly administer the testing for validated results (or find a way to validate the accuracy of self-administered, self-reported tests), and then after testing, find a way to confidentially, timely report relevant results back to each accommodated individual’s department and manager.

The SFPUC has also determined that any accommodation enabling Eliasson to remain unvaccinated while performing the essential functions of his position, some of which require the ability to work on-site, posed a direct threat to the health and safety of others and Eliasson. Vaccinated co-workers would also have been burdened in having to continue to wear masks. The City has an obligation to provide a safe and healthy workplace to protect its employees and the public, particularly in late 2021 as it increasingly reopened services and returned more employees to their respective worksites. Vaccination is the most effective way to prevent transmission and limit COVID-19 hospitalizations and deaths. At the time of Eliasson’s request for exemption, at present, and continuing, COVID-19 poses a risk, especially to individuals who are not fully vaccinated, and

certain safety measures remain necessary to protect against COVID-19 cases and deaths. Unvaccinated employees are at a greater risk of contracting and spreading COVID-19 within the workplace and City facilities, and to the public that depends on City services.

H. On October 7, 2021, the SFPUC Denied Eliasson’s Request for Religious Exemption and Eliasson was Required to Comply with the City’s COVID-19 Vaccination Policy as a Condition of his Continued Employment with the SFPUC

On October 7, 2021, Albert informed Eliasson that the SFPUC had denied his Request. In the SFPUC’s Determination on COVID-19 Vaccination Exemption Request, Eliasson’s Request was denied for “Documentation Insufficient to Show a Conflict Between Vaccination Requirement and Sincerely Held Religious Belief, Practice or Observance.” Exhibit D; Exhibit E, Attachment O.

Because the SFPUC denied Eliasson's request for an exemption, he was still subject to the City’s Policy and was required to comply with the Policy as a condition of his employment. On October 29, 2021, the SFPUC informed Eliasson that he would need to be vaccinated to comply. Although the Policy required employees to be fully vaccinated by November 1, 2021, the SFPUC gave Eliasson additional time beyond the Policy deadline to comply with the vaccine of his choice rather than only the Johnson & Johnson vaccine, which conferred full vaccination status two weeks after one dose. Exhibit E, Attachment O.

I. On November 8, 2021, After Eliasson Failed to Comply with the City’s Policy, the SFPUC Provided Notice of a Proposed Dismissal and an Opportunity to Respond to the Charges

On November 8, 2021, Greg Norby, Wastewater Enterprise Assistant General Manager, sent Eliasson a “Notice of Proposed Disciplinary Action and Employee Conference/*Skelly* Meeting (*Skelly* Notice) and Placement on Paid Administrative Leave.” The *Skelly* Notice charged Eliasson with “Violation of CCSF COVID-19 Vaccination Policy; Failure to meet minimum qualifications/conditions of employment; Failure to Follow Rules and Regulations/Failure to Follow Instructions; Insubordination; and Acts which present an immediate danger to public health and safety,” and recommended Eliasson be dismissed from his position. Exhibit E.

The *Skelly* Notice provided extensive facts and supporting documentation as the basis for the charges and recommendation of dismissal, including:

- On June 23, 2021, the issuance of the City’s COVID-19 Vaccination Policy;
- From to June 24 to September 22, 2021, eight SFPUC HRS COVID-19 Digests emailed to all staff, including Eliasson, informing them of the City’s Policy requirements;
- On September 27, 2021, a Policy reminder specific to non-compliant employees, including Eliasson;
- On September 28, 2021, a hard copy notice of non-compliance mailed to Eliasson and a one-on-one discussion between Eliasson and John O’Connell, Chief Stationary Engineer, Sewage Plant, offering information and assistance with compliance;
- The denial of Eliasson’s request for exemption and the October 29, 2021 email to Eliasson of the deadline to receive his first dose of a COVID-19 vaccine and provide a copy of that record; and

- Relevant excerpts from the SFPUC New Employee Orientation Handbook defining misconduct and special circumstances that are grounds for termination.

Exhibit E, Attachments B–P.

The SFPUC also afforded Eliasson an employee conference, or *Skelly* meeting, that provided Eliasson with the opportunity to respond to the charges and proposed discipline against him. The *Skelly* meeting was held on November 18, 2021, and present were Eliasson, the *Skelly* Officer Lynn Fong (Fong), and Malocca Hawkins and Michael Ho from SFPUC Human Resource Services, Employee and Labor Relations Division. Eliasson responded to the SFPUC’s charges as follows:

- For the charge that he violated the City’s COVID-19 Vaccination Policy, Eliasson responded that the Policy was immoral and “full of opinion,” not scientific facts. He also pointed out that partially vaccinated employees were still permitted in the workplace after the vaccination deadline had passed and would continue to wear masks;
- For the charge that he failed to meet the minimum qualifications/conditions of his employment, Eliasson responded that the charge was baseless because, if his Request had been approved, there would have been no further charges;
- For the charge that he failed to follow rules and regulations/failed to follow instructions, Eliasson responded that the City offered no documentation to demonstrate that he had a history of failing to follow rules and regulations, and he also argued that he worked in an environment mostly void of standards;
- For the charge of insubordination, Eliasson responded that he was lawfully allowed to not follow directives he believed unsafe; and
- For the charge that he committed acts which presented an immediate danger to the public health and safety, Eliasson questioned how he was an immediate danger to public health and safety if vaccines did not stop people from getting infected or spreading the disease.

Exhibit F.

J. Effective December 7, 2021, Eliasson Was Non-Punitively Separated from His Employment with the SFPUC for Failure to Comply with City’s Policy, After a *Skelly* Officer Sustained the Charges Against Eliasson

On November 19, 2021, the independent *Skelly* officer, Fong, found that Eliasson’s justifications for not following the City’s Policy were not persuasive. Because the health and wellbeing of City employees and the public were top priorities during the emergency response to the COVID-19 pandemic, Eliasson’s failure to comply with the Policy endangered the health and safety of the City’s workforce and the public served by the City. Fong sustained the charges against Eliasson and recommended that Eliasson be released from his position as proposed by the SFPUC. Exhibit F.

On December 6, 2021, Dennis Herrera (Herrera), SFPUC General Manager, sent notice to Eliasson that he had adopted the *Skelly* Officer’s recommendation affirming the *Skelly* Notice. Effective by close of business on December 6, 2021, Eliasson was terminated from his position as a 7372 Stationary Engineer, Sewage Plant with the SFPUC. This release was non-punitive, and Eliasson was free to seek future employment with the City. Exhibit F.

III. COMPLAINT ALLEGATIONS

Eliasson claims that the SFPUC discriminated against him based on his religion when it denied him a reasonable accommodation for his sincerely held religious beliefs. Charge, p. 1.

Eliasson’s claim is without merit. The documents establish that the SFPUC had legitimate, non-discriminatory business reasons for denying Eliasson’s request for religious exemption. Furthermore, no accommodation was required after the SFPUC determined that Eliasson had failed to provide sufficient documentation demonstrating a conflict between a sincerely held religious belief and the City’s Policy. **Regardless, even if Eliasson *had* provided sufficient documentation to demonstrate a conflict, the SFPUC could not have reasonably accommodated Eliasson in his position.**

A. The SFPUC’s Denial of Eliasson’s Exemption Request Was Based on Legitimate Non-Discriminatory Business Reasons Applied Under a Neutral Policy

The SFPUC’s denial of Eliasson’s exemption request was not based on his alleged religion, but was instead based on legitimate, non-discriminatory business reasons applied under a neutral policy. Eliasson was not targeted for believing in any particular religion. Rather, he failed to provide sufficient documentation to show a conflict between the City’s COVID-19 vaccination Policy requirements and a sincerely held religious belief. Furthermore, the SFPUC fairly determined that the potential accommodations for Eliasson were unreasonable because they created an undue burden on the City and posed a direct threat to the health and safety of Eliasson and others. Exhibit D.

1. Evidence Demonstrates That Eliasson Failed to Provide Sufficient Documentation to Show a Conflict Between the Vaccination Requirement and a Sincerely Held Religious Belief, and Failed to Engage in the Interactive Process

Whether or not Eliasson has *some* sincerely held religious belief, he did not provide the SFPUC with sufficient documentation demonstrating a sincerely held religious belief *that would prohibit him from taking the COVID-19 vaccine.*

In his Request, Eliasson failed to identify the specific tenet, practice, or observation that required him to abstain from receiving a COVID-19 vaccine, nor even a specific religion beyond being “non-denominational.” Instead, Eliasson offered generalized religious beliefs, such as “I was created in the image of god” and that he was “created with free will.” Believing that he was living in a “spiritual battle between good (free will) and evil (tyranny),” Eliasson also stated that he would not “defile my body with any substance that I believe was created from or by evil.” These beliefs, generously broad in scope, were also non-specific to COVID-19 vaccines and could, in theory, be applied to any work policy or requirement Eliasson might have wanted to make a religious objection against. Exhibit D.

Notably, Eliasson’s objection to the vaccination requirement was ultimately scientific and political rather than religious. He indicated his true reason for objection was premised on the inaccurate scientific beliefs that the COVID-19 is not a vaccine but being used to cause a genocide: “It is not about vaccines it is about free choice. This shot is not a ‘vaccine.’ I believe it is being used by evil

to harm the worlds population Medical errors are the 3rd leading cause of death in this country. I will not take part in this genocide” Exhibit D.

Furthermore, though he had multiple opportunities to do so, Eliasson failed to provide any additional documentation or information to support the religious beliefs he stated in his Request. For example, though Eliasson could not or merely refused to provide a declaration from a religious leader, religious scholar, or person knowledgeable about his religious beliefs, practices, or observances, and instead submitted a repetitive Declaration signed by himself. Eliasson also refused to answer Albert’s additional questions, ones Albert explicitly stated were a part of the City’s review process for exemption requests from the City’s COVID-19 Policy. Eliasson flatly refused to provide additional information required for his determination and responded, “Approve or deny my request based on the information I have already provided to you.” Eliasson clearly refused to and failed to engage in good faith, interactive process. Exhibit D.

Altogether, the information provided by Eliasson in his religious exemption request did not provide the SFPUC with sufficient information demonstrating a conflict between the City’s Policy and a sincerely held religious belief, and Eliasson failed to engage in the interactive process, and so Eliasson’s request for a religious accommodation was denied.

The City adopted the Policy not only to protect the health and wellbeing of its employees, but also to protect the health and wellbeing of the greater public at-large. Because Eliasson did not provide sufficient documentation to support his request for a religious exemption from the City’s Policy, the SFPUC had legitimate, non-discriminatory business reasons to deny it. And once the SFPUC had determined that Eliasson was not qualified for a reasonable accommodation, the SFPUC was not required to provide him with one.

2. **Any Permanent Accommodation Would Only Be Reasonable If It Enabled Eliasson to Regularly Work On-Site**

Some of the essential functions of Eliasson’s 7372 Stationary Engineer, Sewage Plant position required that Eliasson be able to regularly perform work on-site. For example, it would be impossible for Eliasson to assist in training and supervising without physically being at a jobsite. See Section II.C above. Furthermore, it is not reasonable—nor is the SFPUC required under law—to remove a position’s essential functions to accommodate an employee. Eliasson’s position exists to perform those specific functions, including those functions that require on-site work.

For any permanent accommodation to be reasonable, the accommodation would have to enable Eliasson to work regularly on-site with other coworkers. However, as discussed below, it would not have been reasonable to allow Eliasson to remain unvaccinated while working on-site. Nor would it have been reasonable to require that the SFPUC or City create and sustain a massive program to regularly test unvaccinated employees indefinitely.

3. **The SFPUC Could Not Reasonably Accommodate Eliasson in his Position Because Accommodations Enabling his to Perform his Essential Duties On-Site Would Cause an Undue Burden to the City and Pose a Direct Threat to the Health and Safety of Others and Himself**

The SFPUC and City reasonably determined that it would be an undue burden on the City to create and indefinitely sustain a program to provide regular COVID-19 testing as part of a permanent accommodation, and any permanent accommodation allowing Eliasson to remain unvaccinated while working on-site posed a direct threat to the health and safety of others and himself.

The ongoing, indefinite cost and logistical complexity of creating, maintaining, and administering a program of regular COVID-19 testing and accurate, timely reporting of results as part of an accommodation to Eliasson and potentially thousands of City employees would be an incredible undertaking that would incur a great cost in finances, staffing time, and other resources. Please see Section II.G above for further discussion of the many factual complications of such a program. Even if accommodated employees paid for their own tests, which are not always available or reliable, the City would have to find a way to validate the accuracy of the self-administered, self-reported test results and timely report those validated results to the applicable Departments and managers.

The City has an obligation to provide a safe and healthy workplace to protect its employees, the public, and their loved ones at home, many of whom could be members of high-risk populations. Vaccination is the most effective way to prevent transmission and limit COVID-19 hospitalizations and deaths. COVID-19 posed a risk at the time of Eliasson's request for exemption and continues to pose a risk to this day, and all unvaccinated employees are at a greater risk of contracting and spreading COVID-19 both within the workplace and City facilities, as well as to the public that depends on City services.

For these reasons, the SFPUC could not reasonably accommodate Eliasson in his position, and had a non-discriminatory, legitimate business reason to deny his request for exemption from the Policy, a neutral policy that was applied evenly to all applicants, including Eliasson.

B. Evidence Also Demonstrates Eliasson Had No Sincerely Held Religious Belief Regarding Vaccinations

Although unnecessary to reach the conclusion that Eliasson's Charge should be dismissed, the SFPUC also notes the evidence supports a finding that Eliasson has no sincerely held religious belief regarding vaccinations in general, let alone the COVID-19 vaccine specifically. Eliasson's justifications were grounded in his personal beliefs about the medical and healthcare system of the United States rather than specified religious prohibitions against vaccines. For example, Eliasson stated "the use of modern medicine simply covers symptoms, makes lots of money and requires additional side effects of the original prescribed medicine" and "my purpose for providing the information . . . was not . . . to stop you from having faith in a medical system that has proven to be profit driven with no care given to good health." Because, according to Eliasson, "medical errors [we]re the 3rd leading cause of death" in the United States, he would not take part in a system he considered a "genocide." Exhibit D. (Eliasson's statistic is both inaccurate and unfortunately ironic: according to the CDC, COVID-19 is the third leading cause of death in the United States.) These concerns, in addition to Eliasson's failure to specify a specific religious tenet, practice, or observation prohibiting COVID-19 vaccinations, suggest that Eliasson's conflict with the City's Policy was based more on personal, health-related beliefs, rather than religious ones.

IV. CONCLUSION

As set forth above and in the attached documents, Eliasson's representations to the SFPUC were insufficient, and his allegations cannot sustain a claim of discrimination. Accordingly, the SFPUC respectfully requests that the EEOC issue a "No Cause" finding and dismiss the Charge.

The SFPUC and the City remain committed to providing an equal employment opportunity for all persons and ensuring a nondiscriminatory work environment. I hope the foregoing information adequately addresses your requests in this matter. Please contact me at (628) 215-0968 or CVerano@sfgwater.org if you have any questions.

Sincerely,



Caitlin Verano
EEO Programs Specialist
SFPUC Human Resources

c: Amalia Martinez, Director, EEO and Leave Programs, DHR

ATTACHMENTS:

- Exhibit A: City's Equal Employment Opportunity (EEO) Policy
- Exhibit B: Stationary Engineer, Sewage Plant (#7372) Job Description
- Exhibit C: City's COVID-19 Vaccination Policy
- Exhibit D: Employee Request for Religious Accommodation;
Declaration in Support of Employee Religious Exemption Request; and
September 21, 2021 Email from Albert Regarding "E. Eliasson 61555 Religious
Exemption Request"; and
Determination on COVID-19 Vaccination Exemption Request
- Exhibit E: November 8, 2021 Letter Regarding "Notice of Proposed Disciplinary Action and
Employee Conference/Skelly Meeting (Skelly Notice) and Placement on Paid
Administrative Leave" and Attachments
- Exhibit F: November 19, 2021 Memorandum Regarding "Skelly Office Report and
Recommendations Regarding the Proposed Dismissal of Eric Eliasson"; and
December 6, 2021 Letter Regarding "Notice of Dismissal"

The issue at hand is my faith. My employer is claiming the following charges as grounds for termination

- Violation of CCSF COVID-19 Vaccination Policy;
- Failure to meet minimum qualifications/conditions of employment;
- Failure to Follow Rules and Regulations/Failure to Follow instructions;
- Insubordination: and
- Acts which present an immediate danger to public health and safety.

SECTION ONE: Violation of CCSF-COVID-19 Vaccination Policy:

The first charge, Violation of CCSF-COVID-19 Vaccination Policy, this is the charge that allowed for all of the other charges listed against me. If this immoral policy had not been created and executed and my application for a Religious Exemption not been denied, I would not be in this process in the first place. This policy has provided no scientific evidence that would reflect how I can be of any harm to anyone. The policy is full of opinion and short on scientific facts.

Under the **“Purpose Statement”** of the CCSF-COVID-19 Vaccination Policy, it states claims that I believe to be from politicized and captured Government Agencies, i.e. the CDC, FDA and the NIH, that I hold ZERO faith in (Document A, B & T). The policy makes scientific claims which have not been proven. For example, under the section of the CCSF-COVID-19 Vaccination Policy, **“Purpose Statement”** makes the claim that, “Vaccination is the most effective way to prevent transmissions and limit COVID-19 cases and deaths”. There is no scientific evidence provided for this claim and it is common knowledge that the “COVID-19 vaccines” do not stop you from catching or spreading this disease. This is the reason even vaccinated employees still need to wear a mask when indoors, it is why this Skelly Meeting is being held remotely. It claims falsely with no evidence in support that, “Unvaccinated employees, interns, fellows, and volunteers are at greater risk of contracting and spreading COVID-19 within the workplace and City facilities, and to the public that depends on City services”. I have seen no scientific studies that prove this, there is enough data available today to know that there is little difference between the risk to vaccinated people catching or spreading COVID-19 versus the unvaccinated, as all are at risk of catching or spreading this “disease”. The known benefits of getting the vaccine is not immunization, but lowering of the severity of the illness IF you become infected.

Under the section, **“Legal Requirements”** of the CCSF-COVID-19 Vaccination Policy, it states that, “the Cal/OSHA rules require employers to verify and document that an employee is fully vaccinated before allowing that employee to discontinue masking indoors. For unvaccinated employees or employees for whom the City does not have documentation verifying fully vaccinated status, the City must enforce masking, provide COVID-19 testing following a close contact in the workplace or anytime they have COVID-19 symptoms, and exclude these employees from the workplace for 10 days after a close contact. Upon request, the City also must provide non vaccinated employees with respirators (N95 masks) and

provide education about using that type of mask.” Nowhere did I see it say I was a health or safety risk and therefore should be terminated.

Under the section, “**Vaccination Requirements for Employees**” it states, “Employees who are not fully vaccinated against COVID-19 and who are permitted in the workplace after November 1, 2021 must continue to wear a well-fitted mask at all times while at the workplace.” This illustrates that employees that are unvaccinated can in fact work past Nov. 1, 2021. Those employees that are permitted would pose no more of a health and safety risk than myself. In fact, the only reason I am here today and not at work is because my request for a Religious Exemption was declined by no fault of mine. This is either a matter of Health and Safety or it isn’t. How can it be that some unvaccinated people are a health and safety risk while others are totally fine to work?

I made every effort to stay in compliance with this policy by submitting my Religious Exemption form and follow up inquires in a timely manner, which was declined by no fault of mine (Documents C, D, E & F).

SECTION TWO: Failure to meet minimum qualifications/conditions of employment:

The next charge, failure to meet minimum qualifications/conditions of employment is baseless were it not for the new COVID-19 vaccination Policy. I hold a grade III Waste Water Certificate and the minimum requirement for my job is a Grade II Certificate (Document G, H & I). Had my religious exemption request been approved, there would be no charges against me.

SECTION THREE: Failure to Follow Rules and Regulations/Failure to Follow instructions:

The next charge is a challenge for me, Failure to Follow Rules and Regulations/Failure to Follow instructions. I work in an environment mostly void of standards. There are LOTO policies that collectively are not followed or Code of Safe Practices policies that collectively are not followed. It is very difficult to know which policies are to be followed and which are not (Doc H, I, J, K, L, M & U). In fact in my case, the policy for the religious exemption process was not followed by our HR dept. (Document N). If not following rules and regulations was a reason for termination, there would be very few employees working front line in our Waste Water Treatment Plants. The City has offered no documentation that demonstrates a history of my Failure to Follow Rules and Regulations/Failure to Follow instructions. As a valued employee I do my best to follow all rules and regulations, even when our Managers do not. As to Failure to Follow instructions, I followed to a “T” all instructions pertaining to submitting my religious exemption forms. It is no fault of mine that my religious exemption request was declined (Document C, D, E & F).

SECTION FOUR: Insubordination:

Insubordination is the next charge against me. I am lawfully allowed to not follow directives that I believe to be unsafe (Document A, B, C, O, P, Q, R & S). I found no documentation in the materials that I received on this action against me that shows a history of me being insubordinate. Had the Religious Exemption that I submitted been approved, we would not be here.

SECTION FIVE: Acts which present an immediate danger to the public health and safety:

The last charge against me is the most far reaching of all the others, acts which present an immediate danger to the public health and safety. This reflects the levels of absurdity in this entire global event up to and including this action against me (Document X). How is it that I am an immediate danger to public health and safety? (Document C & V) I could not find any scientific studies in the documents provided me that give evidence of this charge. The whole reason I have gone from being an essential worker, a worker that didn't work from home, a worker who works directly with the sewage from a City claiming to be in a global pandemic, a "hero" who works for SFPUC into a present and immediate danger to the public health and safety is because I won't take medical treatment so called "Vaccine"(Document T) that would violate the strongly held religious beliefs that I hold. Though I have known this for months and it has been known by people of science from the start and is now mainstream knowledge, these "vaccines" DO NOT stop you from getting infected, DO NOT stop you from spreading the disease. All this "vaccine" is meant to do is lower your chances of severe illness. Unlike most employees during this "pandemic", I worked on site throughout this event. I have inquired about the number of coworkers that have died or been hospitalized. There have been many cases, a few hospitalizations and ZERO deaths from any of the essential workers at WWE, this was before the "vaccine" was available. Had this been a true "pandemic" I am sure there would have been mass hospitalizations and mass deaths of our front line essential workers who treat the City's waste water. My personal experience is that I know of many cases, no hospitalizations and no deaths of fellow co-workers (Document W). I would need to be infectious to be a "present an immediate danger to the public health and safety". During this time as an essential worker, we were required to complete a health survey that for quite some time included taking my body temperature, we were instructed to wear masks and socially distance. It has been a challenge. I have never failed the health screening. People who choose not to take this vaccine and those who have, are no threat to anyone unless they are infectious. This **IS** the science. I have not been proven to be infectious therefore I can not be determined to be a "present an immediate danger to the public health and safety". In fact, the reason that my religious exemption request was denied was not due to; Accommodation would pose a direct threat to the Health and Safety of others and/or yourself. (Document C).

Conclusion:

All of the charges against me stem from me refusing to take a medical treatment, COVID-19 "vaccine" against my will. I did not refuse it because I am a defiant employee, or because I am anti-vax, because I am neither. I refused it because I do not believe in doing anything that goes against what I believe to be true. If the science were followed this would not be an issue. The science says this COVID-19 "vaccine" won't stop infection nor the spread of infection. The science says the survivability rate of this infection for most people is near 100%. Science says there are treatments like Ivermectin that prevents the need

for vaccination. Science says natural immunity is stronger than immunity provided by this COVID-19 “vaccine” that doesn’t provide any immunity but simply some protection from severe infections and hospitalizations. Science says that there are ZERO long term safety studies on this COVID-19 “vaccine”. The CDC VAERS reporting system reports some 15,000 deaths that have been associated with taking this COVID-19 “vaccine” and well over 400,000 reports of adverse events after taking this COVID-19 “vaccine”. **Faith** is the reason for these charges against me. Though I would like to comply with all policies and procedures that my employer gives me, this one I can not. It would violate the very essence of my believe that I was created by god with free will to choose between good and evil. Man can not force me to do anything I believe supports evil. I believe the City is my employer not my master, even the City can not make me violate what I believe to be true. If it is decided that I should be terminated for violating a policy that goes against my moral and religious beliefs I have no control. I have performed the job I have done well for the last 11 years. It is wrong to force, coerce or threaten another human to do anything that would violate their principles and religious beliefs. The simple fact that I am willing to lose my civil service job of the last 11 years, that took a few years prior to hiring to educating myself so I could meet the minimum standards for employment as a Waste Water Treatment Operator, because I will not follow the CCSF-COVID-19 Vaccination Policy, a policy that will violate my moral and religious beliefs... If that is not enough evidence of how strong my religious beliefs are then nothing will be.

News

SAN FRANCISCO TO END COVID-19 PUBLIC HEALTH EMERGENCY DECLARATION AND HEALTH ORDERS

PRESS RELEASE

February 16, 2023

The San Francisco Department of Public Health (SFDPH) today announced that the City's COVID-19 public health emergency declaration and Health Officer Order No. C19-07y, "Safer Return Together", along with additional health orders, will end on February 28 in alignment with the end of California's COVID-19 State of Emergency.

While the threat from COVID-19 is not over, as both the virus and the tools to respond to it have evolved over the past three years, San Francisco is now in a significantly better position today than at any prior time in the pandemic due to the City's high vaccination and booster rates and the availability of effective COVID-19 treatments.

State masking requirements will continue to supersede local health orders, if the state is more restrictive. While the San Francisco Health Officer will rescind the Safer Return

Together order, the Health Officer intends to issue two orders that will affect hospitals, skilled nursing facilities, and other healthcare and jail settings in the event the state rescinds their current health orders or makes them less restrictive.

Under the first order, staff in these settings will still be required to wear a mask when interacting with patients, clients, or people who are incarcerated. Masking requirements for the general public in these settings will end. In addition, masking requirements in homeless shelters for both the general public and staff will also end. Those who operate these facilities can decide to be more restrictive than local health guidelines and may still implement their own requirements.

People can continue to choose to wear masks around others for added protection and **people should respect other's choices around their health.**

SFDPH will be monitoring the ongoing national discussions about COVID-19 vaccination schedules and will reevaluate local vaccination requirements once federal and state recommendations are made.

San Francisco has led the nation in its response to COVID-19, which would not have been possible without the robust vaccination and testing infrastructure put in place by SFDPH, in partnership with community-based organizations and health systems partners throughout the City, as well as the participation and cooperation of San Francisco residents. Due to these efforts, San Francisco has one of the highest primary vaccination series completion rates in the nation, and with 38% of residents receiving the updated bivalent booster, the City continues to be well ahead of state and national rates.

"Today's announcement is a testament to the extraordinary efforts of San Francisco residents, and to the progress that we have made collectively as a city to prevent the worst outcomes of COVID-19," said Health Officer Dr. Susan Philip. "While the ending of the public health emergency declaration and health orders does not mean the end of COVID-19, we are in a better place than we were three years ago, and the effective tools we now have such as at-home tests, vaccines, boosters and treatments will continue to save lives."

It remains important for individuals to be diligent about their health and the health of others as the virus is still with us. Please stay home when sick, continue to wash hands

and keep well-fitted masks such as a N95, KN95 or KF94 on hand.

The federal emergency is also ending on May 11, 2023. SFDPH encourages eligible residents to seek out COVID-19 resources such as at-home tests, treatments for those who test positive, and the updated bivalent booster, which are currently free. Information on all these resources can be found at sf.gov/covid.

Although the COVID-19 landscape continues to change, our commitment to communities most impacted by the virus stands firm. We will continue our vital partnerships with communities to ensure that lower barrier COVID-19 resources, such as testing and vaccinations, remain available to those most in need even as we shift from an emergency response to long-term recovery.

SFDPH has, and always will, provide care to those without access to insurance or who have other barriers through our strong community partnerships and robust San Francisco Health Network which includes neighborhood clinics, as well as Zuckerberg San Francisco General Hospital.

###

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