

## THE EPOCH TIMES



Vials with Pfizer-BioNTech and Moderna COVID-19 vaccine labels in an illustration picture taken on March 19, 2021. (Dado Ruvic/File Photo/Reuters)

US NEWS PREMIUM

# 117 Employees File Lawsuit Against Texas Hospital for Requiring COVID-19 Vaccine

BY JACK PHILLIPS May 30, 2021 Updated: June 1, 2021

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More than 100 employees at Houston Methodist Hospital filed a lawsuit against their employer for allegedly requiring all staff members to receive a COVID-19 vaccine in order to keep their jobs.

Saying the COVID-19 vaccines are experimental and they don't want to be "guinea pigs," the 117 employees argued in court that it's unlawful for their employers to require them to take the shots.

“Methodist Hospital is forcing its employees to be human ‘guinea pigs’ as a condition for continued employment,” their lawsuit (pdf) states. They wrote that the hospital’s COVID-19 vaccination mandate “requires the employee to subject themselves to medical experimentation as a prerequisite to feeding their families.”

They took issue receiving “experimental COVID-19 mRNA” vaccines such as ones made by Pfizer and Moderna.

“For the first time in the history of the United States, an employer is forcing an employee to participate in an experimental vaccine trial as a condition for continued employment,” the lawsuit states.

The plaintiffs cited a letter—included in the lawsuit—from the [CEO](#) and president of Houston Methodist, Marc Boom, who allegedly directed employees to “please see the HR policy that outlines the consequences of not being compliant by June 7, which include suspension and eventually termination.”

Meanwhile, at the top of the lawsuit, an alleged quote from David Bernard, a CEO of a Houston Methodist branch, was included. Bernard purportedly told an employee that “100 percent vaccination is more important than your individual freedom. ... Everyone [sic] of you is replaceable. If you don’t like what your [sic] doing you can leave and we will replace your spot.”

A spokesperson for Houston Methodist disputed the quote in a statement to The Epoch Times, saying on May 30 that Bernard “did NOT say that to this disgruntled employee,” and he “has respect for all his employees—we are a values-based organization with respect as one of our core values.” The spokesperson did not comment on the letter from Boom.

The lawsuit also asserted that employers’ mandating COVID-19 vaccines is problematic because “there is much” the Food and Drug Administration (FDA) “does not know about these products even as it authorizes them for emergency use, including their effectiveness against infection, death, and transmission of SARS-CoV-2, the virus that is allegedly the cause of the COVID disease.” The FDA approved an emergency use authorization for the vaccines made by [Moderna](#) and [Pfizer](#) in

December 2020 and gave the emergency authorization for Johnson & Johnson's vaccine in early 2021.

The lawsuit was filed by Jared Woodfill, a Houston-area attorney, who told ABC News that the Houston Methodist mandate violates the Nuremberg Code of 1947, written after the fall of the Nazi regime in Germany.

“To promote its business and increase profits at the expense of other health care providers and their employees' health, defendants advertise to the public that they 'require all employees and employed physicians to get a COVID-19 vaccine.' More clearly, defendants' employees are being forced to serve as human 'guinea pigs' to increase defendants' profits,” Woodfill said, adding that it is a “severe and blatant” violation of Texas law and the [Nuremberg Code](#)—a set of research ethics principles relating to human experimentation.

Houston Methodist, the attorney claimed, forced employees to get the shot to “promote its business” over its “employees' health.” He noted that most of the plaintiffs in the suit aren't health care providers.

Boom issued a statement after the lawsuit was filed, saying that 99 percent of the hospital's nearly 30,000 employees have received a COVID-19 vaccine.

“We proudly stand by our employees and our mission to protect our patients.

“It is unfortunate that the few remaining employees who refuse to get vaccinated and put our patients first are responding in this way,” Boom said, according to a spokesperson for the hospital system. “It is legal for health care institutions to mandate vaccines, as we have done with the flu vaccine since 2009.”

A full legal response from Houston Methodist has yet to be filed.

The Houston Methodist spokesperson also included a link to the federal [Equal Employment Opportunity Commission \(EEOC\) on May 28 having posted](#) updated guidelines that suggest employers can make employees be vaccinated.

According to the agency's guidance issued on May 28, EEOC laws "do not prevent an employer from requiring all employees physically entering the workplace to be vaccinated for COVID-19, so long as employers comply with the reasonable accommodation provisions of the ADA and Title VII of the Civil Rights Act of 1964 and other EEO considerations.

"Other laws, not in EEOC's jurisdiction, may place additional restrictions on employers."

The lawsuit was filed in a state court in Montgomery County, Texas, and alleges wrongful discharge as well as a violation of the at-will employment doctrine's public policy exception.