

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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TINA GOEDE,

Plaintiff,

v.

ASTRAZENECA PHARMACEUTICALS  
LP,

Defendant.

Court File No. \_\_\_\_\_

**COMPLAINT  
JURY TRIAL DEMANDED**

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**INTRODUCTION**

1. Defendant AstraZeneca Pharmaceuticals LP (“AstraZeneca” or “Defendant”) fired Plaintiff Tina Goede because of her religious objections to the COVID-19 vaccine. Defendant failed to accommodate her sincerely held religious beliefs and made no effort as part of the interactive process to find a reasonable accommodation or help Ms. Goede find suitable alternative employment within the company. Defendant thus violated Title VII of the Civil Rights Act of 1964, and Ms. Goede is entitled to an award vindicating her federal statutory rights.

2. Ms. Goede worked as an account sales manager for Defendant from February 15, 2021 until her termination. From the time she was hired until her termination, Ms. Goede’s sales work included going into the field 5 days per week to meet physicians, pharmacists, and nurses regarding the technology her company supplied healthcare providers.

3. Ms. Goede did her job well and met with Defendant’s clients and prospective clients throughout her designated territory. During this time, she submitted to Defendant’s

requirement to undergo weekly COVID-19 testing and wear a mask as the circumstances in the field required.

4. Ms. Goede also proactively cooperated with COVID-19 protocols and exemption requests for the facilities she visited in the field on Defendant's behalf.

5. On or about August 18, 2021, Defendant informed its employees by email that it would be instituting a mandatory COVID-19 vaccination policy ("Vaccine Policy") for all employees. The email claimed that the company would provide accommodations to employees unable to be vaccinated due to medical, religious, or other restrictions. For these employees, the company would require COVID-19 testing once per week.

6. Later, Defendant notified Ms. Goede that she would have until March 31, 2022 to be vaccinated, or until February 28, 2022 to submit an exemption and accommodation request.

7. Ms. Goede submitted her religious exemption and accommodation request prior to the deadline.

8. Defendant followed up with Ms. Goede requesting further answers to intrusive and unnecessary questions regarding her religious beliefs.

9. Ms. Goede complied with all of these demands by returning responses in a timely manner.

10. Despite this, on March 31, 2022, Defendant notified Ms. Goede by email that it denied her request for an exemption and accommodation. Defendant told Ms. Goede that she had until April 20, 2022 to get her first vaccination, and if she did not, her employment with Defendant would be terminated on April 29, 2022.

11. Ms. Goede would not violate her conscience by getting the COVID-19 vaccines, and Defendant terminated her employment on April 29, 2022.

12. Ms. Goede's beliefs are sincere religious beliefs entitled to accommodation under Title VII of the Civil Rights Act of 1964.

13. There was and is no undue hardship for Defendant to keep Ms. Goede employed while accommodating her exemption. Ms. Goede tested weekly and wore a mask in all of the facilities she visited while doing her work for Defendant and adhered to all facility policies applicable to her.

14. To make matters worse, despite its obligation to do so, Defendant failed to make any meaningful effort, as part of the interactive process, to provide Ms. Goede an opportunity to work a different job within the company to accommodate her sincere religious beliefs.

15. Because Ms. Goede's sincerely held religious beliefs prevent her from becoming vaccinated with the COVID-19 vaccine, and Defendant failed to accommodate those beliefs, Ms. Goede is entitled to relief under Title VII of the Civil Rights Act of 1964 and other statutes as described below.

### **THE PARTIES**

16. Plaintiff Tina Goede resides in Otsego, Minnesota, within the District of Minnesota.

17. On information and belief, Defendant AstraZeneca Pharmaceuticals LP is a limited partnership operating and existing under the laws of Delaware, with its principal place of business at 1800 Concord Pike, Wilmington, Delaware 19803. On information and belief, Defendant employs Minnesotans and conducts substantial business in Minnesota.

**JURISDICTION AND VENUE**

18. The Court has subject-matter jurisdiction under 28 U.S.C. §§ 1331 and 42 U.S.C. §§ 2000e-(j), 2000e-2, and 2000e-5(f)(3) (“Title VII”). Ms. Goede alleges federal questions arising under the laws of the United States under Title VII.

19. This Court has authority to award the requested relief pursuant to Title VII of the Civil Rights Act of 1964 and costs and attorneys' fees pursuant to Title VII and 42 U.S.C. § 1988(b).

20. This Court has both general and specific personal jurisdiction over Defendant because it conducts significant business, and therefore has a continuous and systematic presence, in the District of Minnesota, as well as sufficient contacts within the District of Minnesota to justify the exercise of this Court’s jurisdiction over it. Further, the acts and omissions alleged herein took place in the District of Minnesota.

21. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b)(2) and 42 U.S.C. § 2000e-5(f)(3) because Defendant is doing business in the District, a substantial part of the events or omissions giving rise to Ms. Goede’s claims occurred in this judicial District, and Ms. Goede would have worked in the District of Minnesota but for the alleged unlawful employment practice.

**FACTUAL ALLEGATIONS**

22. Ms. Goede began her employment with Defendant on or about February 15, 2021. She served as an account sales representative. Her work primarily required her to travel throughout her assigned territory in Minnesota and the Dakotas to meet with physicians, pharmacists, and nurses regarding the medicines and equipment Defendant provided.

23. Ms. Goede was employed to sell Defendant's renal medicines and equipment to health providers.

24. Throughout her employment and during the COVID-19 pandemic, she satisfactorily did her job by continuing to meet with Defendant's clients and prospective clients throughout her designated territory. During this time, she submitted to Defendant's requirement to undergo weekly testing and wear a mask as the circumstances in the field required.

25. Ms. Goede proactively worked directly with and cooperated with COVID-19 protocols and exemption requests for the facilities she visited in the field on behalf of Defendant.

26. Defendant did not facilitate Ms. Goede's personal efforts to comply with all third-party facility requirements.

27. Beginning in March 2021, COVID-19 vaccinations became widely available to adults in the United States.

28. Between March 2021 and August 18, 2021, Defendant's employees were not required to be vaccinated despite the widespread availability of the vaccine during that time.

29. On or about August 18, 2021, Defendant informed its workforce, including Ms. Goede, that it would require all employees to be vaccinated as part of the Vaccine Policy.

**Ms. Goede's Sincerely Held Religious Beliefs**

30. Ms. Goede is a Christian. She believes that the COVID-19 vaccine poses a dangerous intrusion into her body, thus violating her bodily integrity and her duty before God to protect her body and soul from such intrusion. **Exhibit 1.**

31. Ms. Goede believes—based on religious teachings and the Bible—in a Christian worldview. Thus, she believes that, according to the scriptures, her body is the temple of the Holy Spirit; she is therefore, obligated to refuse harmful and immoral substances like those used in the COVID-19 vaccines.

32. Ms. Goede also believes that abortion is the murder of an unborn human being. Therefore, to Ms. Goede, it is an immoral act that is condemned by God, and sin for her to partake in it. She refuses to use a vaccine that is developed or tested using a cell line derived from an aborted baby.

33. For these reasons, Ms. Goede has also refused flu vaccines.

34. In response to Defendant's request, Ms. Goede provided responses expressing her religious convictions against the COVID-19 vaccines. She explained in her responses requesting her religious exemption why the COVID-19 vaccines are incompatible with her religious and Bible-based convictions. **Exhibit 1.**

35. Ms. Goede's religious objection to the COVID-19 vaccine is sincere.

**Defendant's Vaccine Policy and Ms. Goede's Request for Accommodation**

36. On or about August 18, 2021, Defendant informed its employees of its Vaccine Policy requiring all employees to receive a COVID-19 vaccination or else submit a request for religious or medical accommodation, as applicable.

37. Defendant's Vaccine Policy conflicted with Ms. Goede's sincerely held religious beliefs described above, in her request for accommodation, and in her responses to Defendant's questions about her beliefs.

38. On February 16, 2022, Ms. Goede filled out the form Defendant provided its employees to request an exemption from the policy. Defendant acknowledged her request.

39. In her request, she explained to Defendant that she is a Christian and that she declined to receive a COVID-19 vaccination because to do so would violate her sincerely held religious convictions. **Exhibit 1.**

40. Ms. Goede spent a significant amount of time considering her religious beliefs related to her responsibility as a Christian to abstain from these vaccines. This included seeking spiritual counsel from her church.

41. On February 25, 2022, Defendant sent Ms. Goede additional questions seeking more information about her religious beliefs. These questions were intrusive and beyond the scope of a proper inquiry into the sincerity of a religious belief under Title VII.

42. Ms. Goede complied with this request by responding with additional information related to her religious convictions objecting to the vaccines. **Exhibit 1.**

43. On April 25, 2022, despite telling its employees that it would accommodate exemptions from the vaccine policy by requiring weekly testing, Defendant informed Ms. Goede that it would not accommodate her religious beliefs.

44. Defendant then emailed Ms. Goede informing her that, because she had not submitted proof of vaccination, her employment was being terminated. **Exhibit 1.**

45. On April 29, 2022, Ms. Goede's employment was officially terminated.

**Defendant Failed to Engage in the Interactive Process, Failed to Accommodate Ms. Goede, and Terminated Her Because of Her Religious Beliefs.**

46. During the months leading up to Ms. Goede's termination, she complied with everything Defendant required except becoming vaccinated. She tested weekly, wore a mask, and responded timely to all of its unreasonable, onerous, and intrusive questions about her religious beliefs—which questions exceed a permissible inquiry under Title VII.

47. Ms. Goede attempted to interact with Defendant to discuss how she might be accommodated; specifically, she reached out to HR Lead, Andrea Criddle on April 1 and April 11, 2022 but never received any response.

48. Defendant did not engage in an interactive process with Ms. Goede. Defendant posed questions to Ms. Goede, upon information and belief, designed to justify not accommodating her. Defendant ignored Ms. Goede's reasonable inquiries about accommodations and exemptions from the Vaccine Policy. Defendant failed to offer any explanation of the denial of accommodation which would allow Ms. Goede herself to propose reasonable alternatives to termination. Defendant did not itself propose any accommodation or alternative option for maintaining Ms. Goede's employment whatsoever. Defendant did not even offer unpaid leave as an accommodation. Defendant did not explain how an accommodation would pose an undue hardship, which would have allowed Ms. Goede to propose reasonable ways to avoid any alleged hardship. Defendant did not explain the basis for denying an exemption or accommodation, which it claimed to have offered.



49. Upon information and belief, Defendant's offer of exemptions and accommodations for Christian employees like Ms. Goede was illusory because if it were an authentic offer, it would have accommodated Ms. Goede.

50. Upon information and belief, Defendant's Vaccine Policy was designed to result in the termination of employees who hold beliefs opposing abortion.

51. Upon information and belief, Defendant's Vaccine Policy was designed to result in the termination of employees who hold beliefs which require them to refuse vaccinations which would, according to their consciences, harm their bodies and thus violate a Biblical command not to defile the temple of the Holy Spirit.

52. Defendant never explained to Ms. Goede why its purported offer of an accommodation for those with religious objections to the vaccines was not available to her to do her job.

53. Defendant terminated Ms. Goede for not complying with its Vaccine Policy.

54. By refusing to accommodate Ms. Goede's sincerely held religious beliefs that served as the basis for her objection to its Vaccine Policy, Defendant unlawfully discriminated against her.

55. Defendant unlawfully compelled Ms. Goede to choose between keeping her employment and violating her sincerely held religious beliefs.

**Additional Defects of Defendant's Vaccine Policy**

56. At the time Defendant refused Ms. Goede a religious accommodation and forced her to get vaccinated or be fired, evidence was publicly available to Defendant that demonstrated that the COVID-19 vaccines available to Americans do not reduce

transmission of the COVID-19 virus but rather only protect the individual recipients of the vaccine from serious infection. *E.g.*, Jennifer Frazer, “The Risk of Vaccinated COVID Transmission Is Not Low,” *Scientific American*, Dec. 16, 2021, available at <https://www.scientificamerican.com/article/the-risk-of-vaccinated-covid-transmission-is-not-low/> (last visited Feb. 22, 2023); Carlos Franco-Paredes, “Transmissibility of SARS-CoV-2 among fully vaccinated individuals,” *The Lancet*, Jan. 1, 2022, available at [https://www.thelancet.com/journals/laninf/article/PIIS1473-3099\(21\)00768-4/fulltext](https://www.thelancet.com/journals/laninf/article/PIIS1473-3099(21)00768-4/fulltext) (last visited Feb. 22, 2023).

57. Further, measures other than mandatory vaccination, such as temperature checks, mask-wearing, social distancing, and quarantining of infected individuals are as effective, if not more effective, at controlling the spread of COVID-19 than mass-vaccinating the population; and Ms. Goede either already did comply or was willing to comply with any and all of those measures.

58. Given that “safety” is the reason Defendant claimed to impose the Vaccine Policy, and given the evidence available to Defendant that safety is advanced little or not at all by the Vaccine Policy, Defendant cannot demonstrate that an undue hardship would have actually existed if it had accommodated Ms. Goede.

59. Further, given that Defendant allowed all employees to work without vaccination from the time the vaccines became available in March 2021 through the termination of Ms. Goede in April 2022—more than a year—accommodating Ms. Goede could not have posed an undue hardship to Defendant.

60. Defendant's decision to deny Ms. Goede an accommodation was not a reasonable action and was not supported by available evidence at the time.

61. Defendant's Vaccine Policy, which upon information and belief was designed to result in the termination of employees with beliefs like Ms. Goede's, was not a reasonable policy and was intentionally discriminatory.

62. Defendant's termination of Ms. Goede was intentional discrimination, with malice and reckless indifference to her rights under Title VII, as demonstrated by the allegations herein.

**Ms. Goede Exhausted All Administrative Remedies**

63. On June 13, 2022, Ms. Goede filed a Charge of Discrimination in the Minnesota Department of Human Rights, which was cross-filed with the U.S. EEOC. **Exhibit 2.**

64. On December 12, 2022, the Minnesota Department of Human Rights issued Ms. Goede a right-to-sue notice. The EEOC investigation was also terminated on this date.

**Exhibits 2 and 3.**

**CAUSE OF ACTION**

**Count One**

**42 U.S.C. §§ 2000e, et. seq.**

**Title VII Religious Discrimination**

65. Plaintiff reincorporates the foregoing as if fully written herein.

66. Title VII of the Civil Rights Act of 1964 prohibits Defendant from discriminating against its employees on the basis of their sincerely held religious beliefs. See 42 U.S.C. § 2000e-2(a).

67. As alleged herein, Ms. Goede holds sincere religious beliefs that preclude her from receiving a COVID-19 vaccine.

68. Ms. Goede informed Defendant of those beliefs and requested a religious exemption and reasonable accommodation from the Vaccine Policy.

69. When Defendant refused to accommodate her, it also failed to initiate the interactive process regarding Ms. Goede's accommodation request.

70. Despite Ms. Goede's best efforts to initiate an interactive process, Defendant made no effort to meaningfully engage in that process or to accommodate Ms. Goede's sincerely held religious beliefs.

71. Beside the interactive process, Defendant failed to provide Ms. Goede with a reasonable accommodation, and instead terminated her employment, thereby discriminating against her because of her religious beliefs.

72. Defendant's failure to accommodate the Ms. Goede has harmed and will continue to harm her.

73. By failing to engage in the interactive process or offer any reasonable accommodation, Defendant's discriminatory actions were intentional and/or reckless and in violation of Title VII.

74. Ms. Goede filed charges with the Minnesota Department of Human Rights and the EEOC complaining of these discriminatory actions on June 13, 2022. She was issued a right-to-sue letter on December 12, 2022.

75. By the acts, policies, and practices set forth in more detail above, Defendant has discriminated against Ms. Goede in the terms and conditions of her employment on the basis of her religion, in violation of Title VII of the Civil Rights Act of 1964.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff Tina Goede respectfully requests that the Court enter judgment against Defendant and provide her with the following relief:

- A. A declaratory judgment that Defendant violated Ms. Goede's rights under Title VII;
- B. An award of actual, nominal, and general damages in favor of Ms. Goede because of Defendant's violations of Title VII, in an amount to be proven at trial;
- C. An award of compensatory damages in an amount to be proven at trial;
- D. An award of back pay, front pay, treble damages and statutory penalties, interest, emotional distress and pain and suffering, damages to compensate for dignitary harm to Ms. Goede, and any other damages or penalties available at law;
- E. Reinstatement to Ms. Goede's former position at Defendant, with credit for years of work service during the time she was illegally terminated, and wage and benefit increases consistent with what an employee in her position would have received during her illegal termination;

- F. An award of punitive damages because of Defendant's intentional discrimination against Ms. Goede with malice and reckless indifference to her rights under Title VII.
- G. Reasonable attorneys' fees, costs, and other costs and disbursements in this action pursuant to 42 U.S.C. § 1988, upon Ms. Goede prevailing and appropriate motion for the same;
- H. All and any further relief to which Ms. Goede may be entitled; and
- I. A trial by jury of all such matters properly tried as such is requested.

**UPPER MIDWEST LAW CENTER**

Dated: March 9, 2023

/s/ James V. F. Dickey

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