

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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<b>AUDREY RAGSDALE,</b>	)	
<b>Plaintiff,</b>	)	
	)	<b>Case No.</b> _____
<b>v.</b>	)	<b>JURY DEMANDED</b>
	)	
<b>METHODIST LE BONHEUR</b>	)	
<b>HEALTHCARE,</b>	)	
<b>Defendant.</b>	)	

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**COMPLAINT**

1. Plaintiff, Audrey Ragsdale, is a resident of Shelby County, Tennessee.

2. Defendant, Methodist Le Bonheur Healthcare [“Methodist”], is a healthcare company with locations in West Tennessee and Mississippi. Specifically, one of Methodist’s facilities, Methodist North Hospital, is located in Memphis, Shelby County, Tennessee, at 3960 New Covington Pike, Memphis, Tennessee 38128. Methodist’s registered agent for service of process is Monica N. Wharton, located at 1211 Union Avenue, Suite 700, Memphis, Tennessee 38104-6600.

3. This action is filed for unlawful termination of employment pursuant to the Tennessee Human Rights Act [“THRA”], TENN. CODE ANN. § 4-21-101, *et seq.*; and Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e. Each of the foregoing statutes provide in pertinent part that all employees should be protected from, *inter alia*, discrimination in employment and that all employees’ interests in dignity and freedom from humiliation should be protected.

4. This Court has federal question jurisdiction over this case pursuant to 28 U.S.C. § 1331 (Original Jurisdiction).

5. This Court is the proper venue pursuant to 28 U.S.C. § 1391(b) and (c).

6. Defendant employs more than 500 employees.

7. Methodist is an integrated, non-profit healthcare system based in Memphis, Tennessee.

8. On or about February 25, 2014, Plaintiff was hired by Defendant as a Medical Technologist I at the Methodist North Hospital located at 3960 New Covington Pike, Memphis, Tennessee 38128. Plaintiff's job assignment as a generalist regularly required her to rotate within the lab to test patient specimens gathered by nurses and doctors within Methodist North Hospital. Plaintiff's role required her to stay in the lab; therefore, she was never interacting with patients. Plaintiff's interaction with other hospital employees, including, but not limited to, nurses, doctors, and administration, was very limited.

9. In March 2020, the COVID-19 pandemic struck.

10. Methodist initially implemented a policy requiring all employees to self-access their possible exposure to COVID-19 with daily health questions and temperature scans upon entry to the building.

11. In April 2020, Methodist implemented a policy requiring all employees to wear a surgical mask. From April 2020 to June 2021, the only requirements for Plaintiff as a condition of her employment regarding COVID-19 was to wear a surgical mask while on site, health questions upon entry to site, and temperature scans upon entry to site.

12. In June 2021, a new variant of COVID-19 emerged which caused the Center for Disease Control ["CDC"] to release updated guidelines.

13. On or about July 27, 2021, CDC released its updated guidelines regarding COVID-19 vaccinations. Methodist decided to implement these new guidelines within its healthcare system.

14. Methodist mandated that all employees were to be fully vaccinated by October 31, 2021. Attached as Exhibit A and incorporated by reference as though fully restated herein is Methodist's COVID-19 Vaccination for MLH Associates and Providers ["Vaccination Policy"].

15. The Vaccination Policy did allow for two types of exemptions: (1) medical and (2) religious.

16. On or about August 9, 2021, Plaintiff emailed Jane Nichols, Lab Director for North Hospital and Plaintiff's Direct Supervisor, regarding a religious exemption. Nichols forwarded said email to Mayzelle Moore, Human Resources Director for North Hospital. Moore emailed Plaintiff the Vaccine Exemption Form.

17. On or about August 19, 2021, Plaintiff submitted the Vaccine Exemption Form. She also included a document titled "Statement of Declination for Offer of Vaccine Products" ["Statement"]. Attached as Exhibit B and incorporated by reference as though fully restated herein is the Vaccine Religious Exemption Form – COVID-19 Vaccine with Statement attached.

18. Plaintiff's Statement outlines her sincerely held religious beliefs. Plaintiff "decline[d] all attempts to access, influence, and/or otherwise alter any and all of my God-given biological material and/or biological systems which are unique, flawless and original design and craftsmanship of [her] Creator." *See* Exhibit B.

19. Additionally, in Plaintiff's Statement, she outlined her requested religiously accepted accommodations of "one non-fitted surgical style mask and continue social distancing without being tested for Influenza or COVID." *See* Exhibit B.

20. Because of Plaintiff's religious beliefs, she did not consent to the excessive COVID-19 nasal swab testing as an invasive medical procedure.

21. On or about Friday, September 24, 2024, Plaintiff was notified her Religious Exemption request was approved. Attached as Exhibit C and incorporated by reference as though fully restated herein is Religious Exemption Approval Email dated September 24, 2021.

22. In said Religious Exemption Approval Email, Plaintiff was required to do the following:

- a. Wear a designated respirator mask provided by [Methodist] at all times other than when actively eating or drinking;
- b. Be tested weekly for COVID-19; and
- c. Maintain social distancing including in breakrooms, and other measures as deemed necessary.

*See Exhibit C.*

23. These accommodations were not the accommodations proposed by Plaintiff in her Statement. Therefore, none of Plaintiff's requested religiously accepted accommodations were approved. Based on the Religious Exemption Approval Email, there was no indication the requested accommodations were even considered. *See Exhibit C.*

24. On or about October 18, 2021, Plaintiff inquired into this by emailing Ms. Moore. She notified Ms. Moore that although she had outlined requested religious exemption accommodations, she felt as if they had not been addressed appropriately. Ms. Moore provided no substantive response to Plaintiff's inquiry into the status of her requested religious accommodations. Ms. Moore simply provided Plaintiff with information regarding a respirator

fitting. Attached as Exhibit D and incorporated by reference as though fully restated herein is Re: ar137777a Religious Exemption dated October 18, 2021.

25. In order to be fitted for her mask, Plaintiff had a choice between two days and had to drive to Methodist Germantown. This fitting was to take place during non-work hours, and there was to be no pay for the time or travel dedicated to the mask fitting. *See* Exhibit D.

26. On or about October 21, 2021, Plaintiff had a phone call with Ms. Moore. It was Plaintiff's day off. Ms. Moore informed Plaintiff the COVID committee had met, and Plaintiff's approved religious exemption accommodations would not be granted. This was a final decision with no opportunity for further discussion or appeal. Moore stated she had to deal with 200 to 300 of "You people" which meant individuals who chose not to be vaccinated. Plaintiff asked if Moore could send an email detailing their conversation, but Ms. Moore refused. Ms. Moore stated she did not wish to be contacted by Plaintiff regarding this issue further.

27. On or about October 22, 2021, Methodist sent an email outlining the COVID testing requirements for individuals who chose to not be vaccinated. Although the COVID tests would be at no cost to Plaintiff or any other Methodist employee, the tests were to be performed during non-work hours, the tests were to be taken at one location – Poplar Healthcare on Hacks Cross, and no more than 48 hours could lapse in between tests. There was to be no compensation for the time or travel involved in testing. Attached as Exhibit E and incorporated by reference as though fully restated herein is Heightened Safety Requirement – Testing email dated October 22, 2021.

28. On or about October 26, 2021, Plaintiff was fitted for her respirator mask.

29. Just three (3) days later, on or about October 29, 2021, Methodist amended its masking requirement from a 3M Elastomeric Respirator mask to a N95 mask.

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