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## **USA: Sikhs and Covid-19**

*A solution for Sikh medical students, physicians caught between their religion and their profession.*

By Paul M. Sherer

Direct Relief (28.09.2020) – <https://bit.ly/3cKQdc2> – He was a third-year medical student, training to become an emergency medicine doctor. By May, more than two months into the Covid-19 pandemic, the situation had stabilized enough for the hospital to allow medical students to resume a vital part of their education: following attending physicians and residents during their morning rounds of patient visits, learning by

observing.

But the student, who asked to be identified only as Mr. Singh, found himself facing a dilemma that cut to the core of his identity.

Before allowing students to resume their rounds, the hospital required them to pass a fit test for N95 respirators, the heavy-duty face masks that block most very small particles. Occupational Safety and Health Administration (OSHA) regulations state that N95 respirators can only be worn over a clean-shaven face to ensure a tight seal.

As a practicing member of the Sikh religion, Mr. Singh wears an unshorn beard, one of the five “articles of faith” of the religion that “serve as an external uniform that unifies Sikhs and binds them to the beliefs of the religion.” Requiring a Sikh to shave is asking him to violate a central practice of his faith.

Mr. Singh approached his superiors to discuss his concern. “As per my faith I can’t shave,” he told them, asking if there were any other alternatives. He was sent to speak to a hospital administrator, who he expected would help him find a solution.

Instead, “she told me I needed to reevaluate my priorities, in terms of practicing medicine or practicing my faith,” Mr. Singh recounts.

The ultimatum threatened to knock Mr. Singh off his life's path. "I need to finish these core rotations before I can go on to take licensing exams," Mr. Singh said. "I was really worried I wouldn't be able to rotate, and that would set off a cascade of consequences."

This past spring, Sikh doctors and medical students across the U.S. and Canada found themselves in the same bind. In one widely publicized case in Montreal, a pair of physician brothers made the agonizing decision to shave their beards. "In this time of pandemic, I am faced with an existential crisis," one of the brothers said in a widely viewed video. "This is a decision that has left me with great sadness, and I truly mourn the loss of something that has been a major part of my identity."

"Sadly, that video worked against a lot of our clients," said Amrith Kaur Aakre, legal director of the Sikh Coalition, a civil rights group that has been helping Sikh medical workers pressured to shave their beards. "A lot of the hospitals then started to think that shaving one of your religious articles of faith was a choice that you can get a dispensation for."

Tightening the personal bind, many Sikh medical workers have described their feeling that continuing to treat patients amid the crisis was a way of honoring one of the three daily principles of Sikhi, "service to humanity." They joined other medical professionals across the United States who showed great bravery and sacrifice, caring for gravely ill patients at a time when health workers faced severe shortages of personal protective equipment in the early months of the

pandemic.

Mr. Singh sat down with his parents for a very difficult conversation. Should he compromise his religious beliefs, or give up his dream of becoming a doctor? “They’ve been here since the 1970s, and said that dealing with institutional discrimination isn’t new to them, but they never expected their kids would face something like this,” he said.

“We eventually agreed that ultimately if this was going to get in the way of rotating, I would have no choice about complying,” Mr. Singh said. “But I didn’t want to do that before using all the resources we had.”

Mr. Singh asked his medical school to back him up. The school reached out to the hospital but was rebuffed, and declined to push the issue, reluctant to risk its relationship with the hospital.

Mr. Singh then approached the Sikh Coalition. The Coalition went to the hospital’s parent organization (a large health network in the Northeastern United States), where it found officials who were more sensitive to the situation and were willing to seek a solution.

The hospital arranged for Mr. Singh to have access to a then-scarce powered air-purifying device (PAPR). Unlike tight fitting respirators like the N95, PAPRs cover the user’s full face, head and shoulders under a hood with a clear visor. PAPRs don’t require that the wearer be clean shaven.

Just as with N95 respirators, PAPRs became very difficult to obtain as the pandemic spread and the need far outstripped supply. Hospitals that tried to secure PAPRs faced months-long waits for delivery.

The Sikh Coalition, together with its partner the North American Sikh Medical and Dental Association, began working to obtain a supply of controlled air purifying respirators (CAPRs) – another type of loose-fitting respirator that does not require the wearer to be clean shaven – that could be loaned to Sikh medical workers.

Direct Relief Executive Vice President and Senior Advisor Bhupi Singh, who sits on the Sikh Coalition's strategic advisory board, heard about the effort.

***Direct Relief was able to secure 24 PAPRs for the Sikh Coalition, drawing from a donation of 6,000 PAPRs from 3M that Direct Relief was distributing to hospitals and health clinics across the United States.***

### ***Reasonable accommodation***

Beyond the challenge of building awareness and support among medical leaders, Sikhs and others who need some accommodation for their religious practices face a legal hurdle.

Under Title VII of the Civil Rights Act of 1964, as amended in 1972, employers must provide “reasonable” accommodations for their employees’ religious beliefs and practices, unless those accommodations would impose an “undue hardship” on them. However, in 1977’s *Trans World Airlines, Inc. v. Hardison*, the U.S. Supreme Court ruled that an “undue hardship” exists whenever an accommodation would require “more than a de minimis cost” to the employer.

The Sikh Coalition in July filed an amicus brief in a case currently pending before the Supreme Court that would overturn *Hardison*, arguing that “since *Hardison*, case after case has denied Muslim and Sikh workers’ requests for reasonable accommodations under the current de minimis rule—often because of a speculative harm or small financial cost.”

Moreover, the Sikh Coalition has found that many Sikh medical professionals and students are reluctant to publicly voice their concern about the issue.

“A lot of doctors, residents and medical students who reached out to us are really concerned about retaliation and workplace hostility if they make a stink, or publicize the fact they had to go through this process and reach out to a civil rights organization in order to make the accommodations happen,” said the Sikh Coalition’s Aakre.

“We don’t want there to be this misrepresentation of how difficult or challenging it is to accommodate Sikhs,” she said, expressing concern that “all of a sudden medical schools will start pretextually not allowing Sikhs in.”

## ***Back to work***

Ironically, during the remainder of the spring Mr. Singh never needed to use the PAPR or even an N95 respirator. He was working in a ward that had no COVID-19 patients, and the staff wore surgical masks rather than N95s. Mr. Singh started his fourth year of medical school on Aug. 31.

“I don’t think it should have been this complicated for me to practice my faith and follow my career passion to help others—I’m going to continue to do both for the rest of my life,” Mr. Singh said. “But I’m thankful to those who helped me through this process, and I’m hopeful that my experience will show anyone else who is told ‘no, you can’t do this’ that there is a way forward for them, too.”

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