

Good Afternoon Council President Hucker, Council Vice President Albornoz, and members of the County Council,

My name is Earl Stoddard, Assistant Chief Administrative Officer and I am here to provide testimony on behalf of County Executive Marc Elrich on Expedited Bill 34-21 which would impose a COVID-19 vaccine mandate on county employees and mandates disciplinary remedies, including termination, for those that do not comply.

County Executive is proud of the enormous effort undertaken by County employees during the COVID-19 pandemic and the great sacrifices they made to maintain the delivery of critical services to our residents. Mr. Elrich knows the Council shares this sentiment and appreciates the intent of Bill 34-21 but is deeply concerned the bill as written will create critical challenges to the delivery of essential services.

The County Executive supports vaccine mandates. We have seen across the country that they result in significantly higher vaccine uptake in places where they are implemented. The County Executive's principal concern is with the collateral impacts from staff loss associated with those personnel who may retire, transfer, resign, or – as would be mandated by law - be terminated, particularly within the public safety agencies. The Council is aware that recruitment and retention in the Police Department, Fire & Rescue Services, and Corrections have been challenges for several years now. In combination with the difficult working environment of the last 20 months has left those departments understaffed and have no choice but to use service protection mechanisms like overtime, forced holds, and leave restrictions.

On September 27, the County Executive directed frontline public safety agencies to conduct risk assessments about the range of impacts caused by potential noncompliance with a vaccine mandate. Those reviews were provided to the Council ahead of this hearing. The key takeaway is that even if a mandate results in 95% or greater compliance (as I suspect it would), most of our public safety programs cannot sustain a 3-5% reduction in staffing without reducing services. It takes time to recruit and train replacement staff, so those impacts would inherently be long-lasting. The County Executive strongly believes that any personnel reduction reduces public safety coverage puts our residents at unnecessary risk and must be avoided.

Pursuant to the Board of Health's Regulation 19-975 requiring the implementation of a Vaccine or Testing plan, Executive Branch staff are continuing to implement the Vaccine or Testing plan. Testing programs are being stood up across county agencies while we work concurrently to get additional employees to report their vaccination status. The County Executive strongly believes that testing, even for those that are vaccinated, is an important addition to protecting our workforce and residents. This effort will expand with acquisition of additional rapid tests made available through ongoing State and Federal efforts, as well as County procurement.

The County Executive asks that the Council be cognizant of the collateral impacts described in risk assessments and mitigate negative impacts to essential services. There are many sectors where personnel losses result in inconvenience or longer wait times; but our public safety agencies provide services that sustain life and protect property.

All of us want vaccinated county workers. All of us also want to maintain the timely services that protect lives. Right now, Expedited Bill 34-21 does not adequately address the preservation of services and should not be enacted without amendment to address protection of public safety service delivery.