

Council members,

I wanted to appear before you during the hearing but there were no positions left. My statements are regarding the proposed Vaccine Mandate Bill and I've included very important facts and numbers on the impact that passing this bill will have on our county. You have the best interests of the county, of course, so I expect you'll find these comments to be worthwhile.

In regards to the proposed mandate, Hans Reimer was quoted in Bethesda magazine on October 7 as referring to about 23% of the county workforce as "a bunch of Trump-loving deplorable anti-vaxers who are making this pandemic last longer and hurt more people than it should." Is this how little the county council values it's first responders and workforce? Not only are these crass comments by Mr. Reimer highly inappropriate, they are also inaccurate. If you speak to any employee who is against the mandate, I can assure you that you will not find even one of them who cites "loving Trump" or being an "anti-vaxer" as the reason for their opposition. His comments are beneath the dignity of an elected official in Montgomery County, they are slanderous, display malice toward these county employees and they are unnecessary. They do nothing to further the debate.

First Responders and other front-line county employees assumed all of the risk throughout the pandemic to ensure that the critical functions of government and public safety were not interrupted. In the beginning of the pandemic, this was done without PPE and without a vaccine available. In spite of that, no call went unanswered no matter how much risk was involved. First Responders, at this point last year, were considered heroes. Many components of our local government continue working from home while First Responders continue to answer emergency calls without interruption, only now, from Mr. Reimer's comments, many of those same employees are portrayed as the worst villains, accused of endangering the public and "hurting more people" than should be, as Mr. Reimer so callously stated. These employees are doing the exact same job as before. Mr Reimer should publicly apologize for and retract those comments and if he won't, he should be censured by the rest of the council. His negativity and public statements are not in the best interests of our county. Apologizing or censuring him serves our county and county employees and shows good will.

Regarding the above referenced bill, the Racial Justice and Social Equity Act of 2019 requires the council to provide an equity impact statement with any bill under consideration by the council. As of yet there is no such statement attached to Bill 34-21. The county council is will likely find that the demographics of those officers opposing the mandate are far from the "Trump-loving deplorable anti-vaxers" that Mr. Reimer believes they are. You will find a substantial number of minority officers included in those numbers of employees. The police department has made significant inroads into hiring minority officers and this bill threatens those gains in ways you are not anticipating. Those employees who leave or are forced out will be highly sought after in this region, as will the others. The negative impact on the county will take years to recover, if recovery is possible at all. This is not in the best interests of our county.

Mr. Elrich and the unions have been working on an agreement that seems to be reasonable, provided that appropriate safeguards are in place for employee privacy, accurate and appropriate metrics for ending testing and solid policies that detail how the testing is done and what happens based on the results obtained. Mr. Elrich was assuming his proper role as head of the executive branch, addressing issues in the branch of government that he directs. Consider reversing those circumstances - if Mr. Elrich came to the county council and told them he was going to fire certain employees in the legislative branch for not doing something he demanded, there would be an uproar from the council that he was overstepping his Section 216 chartered authority and rightly so. Allowing Mr. Elrich and the unions to continue to work on agreements that are reasonable is in the best interests of our county and its employees.

The county assumes that 77% of its employees are legally vaccinated, according to the definition provided in Bill 34-21. This is not an accurate number. The 77% reflects employees who have received at least one shot, not those who are fully vaccinated. The 77% vaccinated number will be smaller when adjusted for those employees. The 77% vaccinated number will also be dramatically reduced when boosters are required to maintain the legally vaccinated status. One should not assume that employees who are legally vaccinated now will also consent to boosters to maintain that status. Many will not consent to boosters and it will further exacerbate staffing levels, starting this whole process over again with another large group of employees.

If the mandate becomes law, Montgomery County will be the only major jurisdiction in Maryland except Baltimore City that either doesn't have a mandate or doesn't offer a testing option for its employees. Recently, the Baltimore City FOP president instructed their officers to provide zero information as to their vaccine status. This will render their mandate moot. Baltimore cannot afford to suspend its entire police department and will not have any real mechanism for enforcement. Fortunately here in Montgomery County, the FOP president and county executive are working together to find a solution. They are collaborating - the council should, in the best interests of the county, allow them to continue to collaborate. Let's keep the best interests of the county on the forefront of the agenda.

For the last year or two and before, police agencies across the nation have had little success recruiting and hiring police officers. Many of those young officers recently hired are now leaving within a few years of hire for better pay and better working conditions than here in the county, or leaving the profession altogether. The Washington DC region has mirrored nationwide difficulties in hiring and retaining officers and Montgomery County is no different. With one of the lowest pay rates in the region, a very difficult political environment biased against police officers and a steadily rising violent crime rate, it should come as no surprise that many of the best police officer applicants are looking elsewhere for careers. It also shouldn't be a surprise that attrition rates for retirements and resignations in the department are accelerating like never before. There are many opportunities in this region, both local and federal. Bill 34-21 is the best recruiting tool for competitor agencies in the region who stand to reap the benefits of highly trained, college educated police officers with good levels of experience leaving the department for agencies that either have no mandate at all or at best only require a testing process. This

includes unvaccinated and vaccinated officers alike, because those left behind will not want to work in an environment that has become significantly less safe due to staffing shortages and the loss of experienced officers. I can't imagine that handing competitor agencies such an easy recruiting tool is in the best interests of our county. Our officers will leave quickly - and MCPD will be unable to fill their roles, leaving an undue burden on the remaining officers.

Furthermore, Title VII of the Civil Rights Act of 1964 is crystal clear that both medical and religious exemptions are required in any mandate. The Maryland Declaration of Rights also requires these exemptions. Bill 34-21 curiously omits these civil rights in its text. Montgomery County has a highly educated workforce. This is a testament to the hiring practices that have occurred here for years. The council should assume that these same employees are well aware of their civil rights and will exercise all available options in defending them.

I know members of the council might believe that many of these officers, firefighters, corrections officers and professional staff are bluffing. If Bill 34-21 becomes law, there might be a small percentage of these employees who will decide to go ahead and get vaccinated to avoid having to leave county employment. Those employees will remain in county employment, more bitter than ever that their employer made them make the Faustian Choice of trading their moral beliefs for keeping their jobs. Those who are terminated will face financial ruin, foreclosure on their homes and other personal property and reputational harm. All of this going into the holiday season. I ask you, is that the type of employer you want to be known to be? Is this in the best interest of the county?

I believe that many who support this mandate do not yet fully understand the nature of the opposition to the mandate. Even the vast majority of those who are fully vaccinated do not support a mandate, because it leaves those employees saying to themselves "ok, they didn't come for me this time, but it's only a matter of time before they do so for something else."

There are alternatives to a mandate and those alternatives are under negotiation. The essential purpose of collective bargaining is workforce harmony between the employer and the employee. Bill 34-21 threatens to permanently alter that relationship. This is not in the best interests of Montgomery County. I love this county and hope to continue to live here happily. Please put the best interests of our county on the forefront of the council's agenda. Oppose Bill 34-21, allow Mr. Elrich to continue to work with local unions on alternatives to vaccine mandates, and please consider ALL those who live in the county - even residents like me, who are fully vaccinated by choice, but are 100% opposed to a mandate.

Thank you for your time in reading this.

Sincerely,

Lindsay Haley