

In Favor HB1171 Labor and Employment—Maryland Employee Protection Plan for Vaccine Refusal

March 5, 2021

Dear Chair Davis, Vice-Chair Dumais, and esteemed members of the Economic Matters Committee,

I am here today to urge you to vote in favor of HB1171. I help run a small non-profit school. This bill would help our organization immensely. As a small school it is hard to find quality teachers and staff. We are a cooperative school and parents have a lot of input regarding policies at the school. If parent pressure required us to mandate the vaccine, we very well might lose members of our staff. If we had to require the vaccine and a staff member was injured, they would not be able to sue the vaccine manufacturers. An article from CNBC says, “If you experience severe side effects after getting a Covid vaccine, lawyers tell CNBC there is basically no one to blame in a U.S. court of law.”

(<https://www.cnbc.com/2020/12/16/covid-vaccine-side-effects-compensation-lawsuit.html#:~:text=You%20can't%20sue%20Pfizer%20or%20Moderna%20if%20you%20have,compensate%20you%20for%20damages%20either&text=Under%20the%20PREP%20Act%2C%20companies,goes%20wrong%20with%20their%20vaccines.>) As an employer requiring it though, we could be sued. Our small business is currently thriving but a lawsuit like this would destroy us.

Another reason to support this bill is the protection it provides to workers, especially the members of the Black, Indigenous, and People of Color community. Historically, governments and the medical community have marginalized BIPOC people and not let them make their own medical decisions. Please read the included articles I have submitted as PDFs:

- Bad Medicine—The Harm That Comes from Racism—the New York Times Link: <https://www.nytimes.com/2020/01/13/upshot/bad-medicine-the-harm-that-comes-from-racism.html>

- Racial and Ethnic Disparities Continue in Pregnancy-Related Deaths—CDC
<https://www.cdc.gov/media/releases/2019/p0905-racial-ethnic-disparities-pregnancy-deaths.html>
- Racial Disparities in Health care—NCBI Bookshelf
<https://www.ncbi.nlm.nih.gov/books/NBK220347/>
- Reckoning with Histories of Racism—The Lancet
[https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(20\)32032-8/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(20)32032-8/fulltext)

Everyone should have the right to decide with their own doctors what is best for their health. Our organization, like many others, is actively striving to diversify our staff. We don't want to be in the position of not being able to hire a person of color because they wish to wait and see further studies of the Covid-19 vaccine before getting it. And as an all white board of directors it feels insensitive and inappropriate to tell a person of color what medical procedures they should receive in order to be able to work for us.

But what about community spread? Wouldn't an organization want to require the vaccine to prevent spreading Covid? As of submission of this testimony, the FDA website says this in it's Frequently Asked Questions about the Covid-19 vaccines:

"...the scientific community does not yet know if the Pfizer-BioNTech COVID-19 Vaccine will reduce such transmission." (See included PDF Pfizer-BioNTech Covid-19 Vaccine Frequently Asked Questions_FDA—last question on page 2 or link here:

<https://www.fda.gov/emergency-preparedness-and-response/mcm-legal-regulatory-and-policy-framework/pfizer-biontech-covid-19-vaccine-frequently-asked-questions>)

Also, the current vaccines might not be able to protect much against the new quickly spreading variants. An article in Reuters from March 3rd says, "Chris Murray, a University of Washington disease expert whose projections on Covid-19 infections and deaths are closely followed worldwide...had until recently been hopeful that the discovery of several effective vaccines could help countries achieve herd immunity, or nearly eliminate

transmission through a combination of inoculation and previous infection. But in the last month, data from a vaccine trial in South Africa showed not only that a rapidly-spreading coronavirus variant could dampen the effect of the vaccine, it could also evade natural immunity in people who had been previously infected.” (see included When Will It End PDF or article here: <https://www.reuters.com/article/us-health-coronavirus-variants-insight/when-will-it-end-how-a-changing-virus-is-reshaping-scientists-views-on-covid-19-idUSKBN2AV1T1>) In this article it says that the best way to stop the spread of Covid is the precautions we are already taking—masking, social distancing, increased hand washing and cleaning, and staying home if someone is the tiniest bit sick. Dr. Fauci has also said that these precautions will remain in place long after people receive the vaccine because it is the surest way to prevent community spread.

Absolutely we need to do all we can to help stop the pandemic, but when it comes to medical decisions, employees need the protection of this bill. They should not be coerced into getting a vaccine. This needs to be a personal decision and their rights as employees need to be protected. Employers need this bill too in order to prevent employees from filing a lawsuit in the event an employee has a vaccine injury. Please vote in favor of this bill. Thank you for your time.

Sincerely,

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