September 7, 2021

**FLOOR ALERT**

**OPPOSE**

COVID-19: employer vaccination and testing requirements: supplemental paid sick leave.

TO: Honorable Members, California State Assembly and California State Senate
FR: Brian K. Rice, President, California Professional Firefighters
RE: COVID-19: employer vaccination and testing requirements: supplemental paid sick leave. OPPOSE – as proposed to be amended

The California Professional Firefighters (CPF), state council of the International Association of Fire Fighters, representing over 30,000 career firefighting and emergency medical service personnel statewide, regretfully must strongly oppose the proposed sick leave extension which furthers a vaccinate or terminate policy in California and sets a dangerous precedent by withholding supplemental sick leave for workers who are unvaccinated.

While we appreciate the Legislature’s efforts to finding a path to provide additional COVID-19 supplemental sick leave to those dedicated workers who have, without fail, provided services to Californians throughout this pandemic at great risk to their own health and safety, the current proposal treats the workforce disparately and promotes extreme termination policies.

The policy of the state of California through this pandemic has been to protect Californians from the ravages of COVID-19 by making strong commitments to provide workplace protections, paid sick leave to encourage sick workers to stay home and slow the spread, eviction moratoriums, and extended unemployment insurance, to name a few.

Linking a much-needed extension of sick leave to provisions that clarify an employer’s right to terminate an employee is unnecessary and could, in some circumstances, expand an employer’s rights in this regard. Likewise, providing paid sick leave for workers who are vaccinated while withholding that sick leave from workers who are unvaccinated is a dangerous precedent.

Just this year, both houses of the Legislature approved the policy in SB 788 that seeks to clarify workers’ compensation law to ensure that race, religious creed, color, national origin,
gender, marital status, sex, sexual identity, or sexual orientation isn’t a factor when apportioning work compensation benefits. However the new sick leave proposal now suggests it’s acceptable to apply someone’s status as vaccinated or unvaccinated to eligibility for job protections.

While there are elements within this proposal that are well intended and merited to provide supplemental leave to workers impacted by COVID-19 with provisions consistent with SB 95 that CPF supported, the cost of strengthening an employer’s right to terminate employees and discriminating over who gets access to sick leave comes at too high of a cost. We urge the Legislature to consider extending COVID-19 supplemental sick leave to California’s essential workers, regardless of vaccination status, as contained in SB 95. Limiting supplemental sick leave for unvaccinated workers, as this measure proposed to do, means workers who are sick or potentially sick may have no other choice but to go to work and risk endangering their coworkers and those they come into contact with.

CPF believes that vaccines save lives and is the scientifically proven way to end the COVID-19 pandemic. Vaccination is how we ended polio and countless other deadly diseases that disabled their victims or ended lives prematurely, just like COVID-19 is doing to victims today. CPF has taken very seriously the job of educating our firefighter members throughout California about the efficacy of the vaccine and how getting a vaccine is the best and safest way to protect them and the Californians that they are sworn to protect.

We have joined the International Association of Fire Fighters (IAFF) in strongly encouraging all firefighters and emergency medical personnel to get vaccinated, but we do not support vaccine mandates that undercut local bargaining.

**We must oppose any measure that unnecessarily codifies employer termination authority and limits supplemental paid sick leave access and respectfully request a ‘NO’ vote.**