

Opposing Government Mandated COVID-19 Vaccination

Referred to: Public Health and Social Services Committee (Chairman Lopez and Legislators Bruno, Criswell, Petit, and Uchitelle)

Legislators Mary Wawro and Laura Petit, and Legislators Bruno and Fabiano offer the following:

WHEREAS, on September 9, 2021, the federal government announced plans to direct the U.S. Department of Labor's Occupational Safety and Health Administration ("OSHA") to develop an emergency temporary standard ("ETS") directed at private-sector businesses with one hundred (100) or more employees to require their employees to either be vaccinated against the COVID-19 virus or require any workers who remain unvaccinated to produce a negative test result on at least a weekly basis before coming to work; and

WHEREAS, it is anticipated that the OSHA ETS will impact over 80 million workers in private-sector businesses with one hundred (100) or more employees; and

WHEREAS, in light of the stay recently issued by the 5th Circuit Court of Appeals finding that legal challenges to the ETS are "likely to succeed on the merits", OSHA has suspended its activities related to the implementation and enforcement of the ETS pending the outcome of the constitutional challenges; and

WHEREAS, private-sector employers have been overwhelmed by the contingencies, restrictions, and requirements placed upon them due to COVID-19, especially over the last two years; and

WHEREAS, the Ulster County Legislature believes that medical treatment and preventative measures are an individual choice and that the government has no role to play in mandating COVID-19 vaccinations; and

WHEREAS, the County of Ulster has led a successful campaign to make sure that residents of the County who want to be vaccinated against the COVID-19 virus have that option and have vaccine available to them; and

WHEREAS, every citizen who wants a COVID-19 vaccine possesses the right to obtain one, but no COVID-19 vaccine should be mandated by law; and

WHEREAS, people have the right to refuse COVID-19 vaccination based on religious or medical reasons, and every medical intervention requires informed consent and the right of refusal, including the COVID-19 vaccine; now, therefore be it

Resolution No. 648 December 21, 2021

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RESOLVED, that the Ulster County Legislature expresses its opposition to COVID-19 vaccine mandates by any local, state or federal government that affects citizens' rights to make their own health care choices; and, be it further

RESOLVED, that the Ulster County Legislature continues to encourage all citizens who make the individual choice to get vaccinated against the COVID-19 virus to do so and to avail themselves of the many opportunities to receive the vaccine; and, be it further

RESOLVED, that the Ulster County Legislature continues to encourage all citizens who make the individual choice NOT to get vaccinated against the COVID-19 virus to wear protective masks and follow guidelines as outlined in most recently updated Center for Disease Control and Prevention (CDC); and, be it further

RESOLVED, that the Clerk of the Ulster County Legislature shall send certified copies of this Resolution to the President of the United States of America, Joseph R. Biden, New York State Governor Kathy Hochul, and to each New York State Senator and Assemblyperson who represents the County of Ulster;

and moves its adoption.

DEFEATED BY THE FOLLOWING VOTE:

AYES: 6 NOES: 16
(AYES: Legislators Corcoran, Litts, Lopez, Petit,
Roberts, and Wawro)
(Absent: Legislator Bruno)

Passed Committee: Public Health and Social Services on November 29, 2021

FINANCIAL IMPACT:
NONE

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution defeated by the Ulster County Legislature on the 21st Day of December in the year Two Thousand Twenty-One, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 23rd Day of December in the year Two Thousand Twenty-One.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature