



## Memorandum

**TO:** RULES & OPEN GOVERNMENT  
COMMITTEE

**FROM:** Councilmember Raul Perez

**SUBJECT:** COVID TESTING

**DATE:** February 10, 2022

Approved by:

Date: 02/10/2022

### RECOMMENDATION

Transition from our city's vaccine and booster mandate policy to a mandatory testing policy; requiring all city employees to be tested regularly while exempting those who have provided or will be providing certification of vaccination status including booster shots.

### BACKGROUND

I believe the City should continue to encourage those able to receive the COVID-19 vaccination and boosters as it is our society's strongest form of defense against a pandemic that has claimed over 900,000 lives in the United States.

With the city's encouragement for our workforce and residents to get vaccinated and boosted, our community is proud to boast having one of the highest vaccination rates in the country. However, we have come to realize that even vaccinated and boosted individuals are susceptible to contracting and spreading COVID-19, and we have all come to also rely on polymerase chain reaction (PCR) and rapid antigen testing in our daily lives. Our current city policy that mandates employees be fully vaccinated has allowed an exemption for qualified medical and religious reasons on the condition that regular testing be conducted. Employees who have been exempted are required to submit negative COVID tests twice a week. To date, nearly 300 employees have qualified under that exemption and have been testing regularly and working safely serving our community.

Recently, the Council established an additional Booster Mandate. In consultation with the Office of Employee Relations, my office has confirmed that employees are continually applying for exemption requests prior to the new booster requirement deadline. As the effective date for the booster requirement arrives tomorrow, February 11, several city employees have reached out to my office with concerns regarding their requests for the exemptions, claiming their requests are being denied without explanation, with statements lacking detail such as:

*“We have reviewed your request for a religious exemption from complying with the COVID-19 booster requirement which was received on February 4, 2022, and your request is denied.”*

It was also brought to my attention that many employees received similar denials, without explanation, when they applied for the initial vaccine exemption and in the final days before the deadline nearly everyone who had previously been denied was approved. This unnecessarily caused uncertainty and anxiety from a fear of potential job loss or discipline. In consultation with some of the city’s bargaining units, I understand that once again these recent denials have caused a rapid decline of workforce morale and heightened anxiety. Additionally, it has been brought to my attention that some employees have already resigned over their frustrations related to this most recent exemption process and others are contemplating early separation to preempt potential involuntary termination. It is clear our current policy and execution of a mandatory vaccination with qualified exemptions for testing is creating uncertainty for a number of our city employees.

With over 95% of our city workforce already vaccinated, we need to be realistic about achieving higher rates and we are likely to see trends throughout our community such as declining numbers of people opting for continual booster shots. Shifting from our current vaccination/booster mandate to a testing mandate is an effective and logical transition. Even our own policy for attendance at large indoor events allows entry with proof of a negative test and no justification for being unvaccinated is required. The new federal mandates<sup>1</sup> have made testing easily accessible and mostly free of charge or fully reimbursable through medical coverage. Therefore, ongoing testing combined with numerous preventative measures<sup>2</sup> such as masking and sanitation protocols, can be just as effective in reducing COVID-19 transmission in and amongst our city employees and our community with whom they interact.

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<sup>1</sup> <https://www.covidtests.gov/>

<sup>2</sup> <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/index.html>

In wanting to continue our encouragement for vaccinations, I suggest we maintain our outreach and education and create an exemption process from testing for employees who remain up to date with their COVID-19 vaccine and boosters. These employees can provide proof of their vaccination status in the same manner we conduct today, which would be sufficient in exempting them from the mandatory testing.

I am proud of how our city and our workforce have responded to this pandemic, as we have all been forced to improvise and iterate in real time. As one of the most thinly staffed large cities in the country, we need to explore every option available to keep our community safe while also keeping core services running, especially among our first responders. By shifting to a testing requirement, we as a city can continue to lead in supporting our workforce and keeping our community functioning as safe as possible.