



November 17, 2021

The Honorable Mitch McConnell & Senate Republicans
United States Senate
Washington, DC 20515

Dear Sen. McConnell and Senate Republicans,

On behalf of American employers, including the millions of small business owners we represent, thank you for challenging the Biden Administration's illegal employer vaccine mandate through the Congressional Review Act. Your united opposition to the mandate and willingness to fight to overturn it is recognized and appreciated by impacted American small businesses.

Job Creators Network and several of our small business members have filed a lawsuit against the Biden Administration to block this unconstitutional mandate that threatens America's small business community and the tens of millions of people they employ.

This vaccine mandate is illegal government overreach at its worst. Affected businesses, including small employers with 100 to 500 employees, will be on the hook to cover paid time off for workers to receive the vaccine or get tested weekly. Businesses that don't comply can be fined up to \$14,000 per violation and \$140,000 for repeated violations.

This mandate is not a small ask of America's employers. Businesses are just recovering from the pandemic. They are dealing with the highest inflation in over 30 years, and they are struggling to deal with a supply chain and labor shortage crisis. According to the latest JCN Foundation polling, 40 percent of small business owners, a plurality, cite inflation as their biggest concern. Now is the worst time to deputize them as the health police.

The mandate would exacerbate these shortages by requiring employers to terminate staff who wish not to get vaccinated or get weekly tests. Our polling reveals that 44 percent of small business owners believe some of their employees will quit as a result of the vaccine mandate. Associated staffing shortages would force businesses to reduce capacity and economic output, causing financial harm to businesses, employees, and the communities in which they are located.

OSHA does not have the authority to enact such a sweeping public health mandate. Even if it did, there's neither the grave nor immediate conditions required for such an emergency regulation. Covid cases are decreasing, new therapeutics have been developed, and the nation is approaching herd immunity.

Never before has the federal government mandated vaccines for so many Americans — let alone at the order of the President — without clear support from Congress. We believe the Biden mandate is massive government overreach and are asking the courts strike it down before it wreaks havoc on America's businesses and economy. Thank you for joining the fight to ensure this rule doesn't become reality.

Alfredo Ortiz

A handwritten signature in black ink that reads 'Alfredo Ortiz'.

President and CEO
Job Creators Network