# 1NC

### T-Nebel

#### Interpretation: workers are a generic bare plural. The aff may not defend that A just government should recognize an unconditional right to strike for a subset of workers.

Nebel 19 Jake Nebel [Jake Nebel is an assistant professor of philosophy at the University of Southern California and executive director of Victory Briefs.] , 8-12-2019, "Genericity on the Standardized Tests Resolution," Briefly, https://www.vbriefly.com/2019/08/12/genericity-on-the-standardized-tests-resolution/ SM

Both distinctions are important. Generic resolutions can’t be affirmed by specifying particular instances. But, since generics tolerate exceptions, plan-inclusive counterplans (PICs) do not negate generic resolutions. Bare plurals are typically used to express generic generalizations. But there are two important things to keep in mind. First, generic generalizations are also often expressed via other means (e.g., definite singulars, indefinite singulars, and bare singulars). Second, and more importantly for present purposes, bare plurals can also be used to express existential generalizations. For example, “Birds are singing outside my window” is true just in case there are some birds singing outside my window; it doesn’t require birds in general to be singing outside my window. So, what about “colleges and universities,” “standardized tests,” and “undergraduate admissions decisions”? Are they generic or existential bare plurals? On other topics I have taken great pains to point out that their bare plurals are generic—because, well, they are. On this topic, though, I think the answer is a bit more nuanced. Let’s see why. 1.1 “Colleges and Universities” “Colleges and universities” is a generic bare plural. I don’t think this claim should require any argument, when you think about it, but here are a few reasons. First, ask yourself, honestly, whether the following speech sounds good to you: “Eight colleges and universities—namely, those in the Ivy League—ought not consider standardized tests in undergraduate admissions decisions. Maybe other colleges and universities ought to consider them, but not the Ivies. Therefore, in the United States, colleges and universities ought not consider standardized tests in undergraduate admissions decisions.” That is obviously not a valid argument: the conclusion does not follow. Anyone who sincerely believes that it is valid argument is, to be charitable, deeply confused. But the inference above would be good if “colleges and universities” in the resolution were existential. By way of contrast: “Eight birds are singing outside my window. Maybe lots of birds aren’t singing outside my window, but eight birds are. Therefore, birds are singing outside my window.” Since the bare plural “birds” in the conclusion gets an existential reading, the conclusion follows from the premise that eight birds are singing outside my window: “eight” entails “some.” If the resolution were existential with respect to “colleges and universities,” then the Ivy League argument above would be a valid inference. Since it’s not a valid inference, “colleges and universities” must be a generic bare plural. Second, “colleges and universities” fails the upward-entailment test for existential uses of bare plurals. Consider the sentence, “Lima beans are on my plate.” This sentence expresses an existential statement that is true just in case there are some lima beans on my plate. One test of this is that it entails the more general sentence, “Beans are on my plate.” Now consider the sentence, “Colleges and universities ought not consider the SAT.” (To isolate “colleges and universities,” I’ve eliminated the other bare plurals in the resolution; it cannot plausibly be generic in the isolated case but existential in the resolution.) This sentence does not entail the more general statement that educational institutions ought not consider the SAT. This shows that “colleges and universities” is generic, because it fails the upward-entailment test for existential bare plurals. Third, “colleges and universities” fails the adverb of quantification test for existential bare plurals. Consider the sentence, “Dogs are barking outside my window.” This sentence expresses an existential statement that is true just in case there are some dogs barking outside my window. One test of this appeals to the drastic change of meaning caused by inserting any adverb of quantification (e.g., always, sometimes, generally, often, seldom, never, ever). You cannot add any such adverb into the sentence without drastically changing its meaning. To apply this test to the resolution, let’s again isolate the bare plural subject: “Colleges and universities ought not consider the SAT.” Adding generally (“Colleges and universities generally ought not consider the SAT”) or ever (“Colleges and universities ought not ever consider the SAT”) result in comparatively minor changes of meaning. (Note that this test doesn’t require there to be no change of meaning and doesn’t have to work for every adverb of quantification.) This strongly suggests what we already know: that “colleges and universities” is generic rather than existential in the resolution. Fourth, it is extremely unlikely that the topic committee would have written the resolution with the existential interpretation of “colleges and universities” in mind. If they intended the existential interpretation, they would have added explicit existential quantifiers like “some.” No such addition would be necessary or expected for the generic interpretation since generics lack explicit quantifiers by default. The topic committee’s likely intentions are not decisive, but they strongly suggest that the generic interpretation is correct, since it’s prima facie unlikely that a committee charged with writing a sentence to be debated would be so badly mistaken about what their sentence means (which they would be if they intended the existential interpretation). The committee, moreover, does not write resolutions for the 0.1 percent of debaters who debate on the national circuit; they write resolutions, at least in large part, to be debated by the vast majority of students on the vast majority of circuits, who would take the resolution to be (pretty obviously, I’d imagine) generic with respect to “colleges and universities,” given its face-value meaning and standard expectations about what LD resolutions tend to mean.

#### It applies to workers:

#### Upward entailment test – spec fails the upward entailment test because saying that governments ought to recognize a right for one type of workers does not entail that those governments ought to recognize the right for all workers

#### Adverb test – adding “usually” to the res doesn’t substantially change its meaning because a recognition is universal and permanent

#### Vote neg:

#### Semantics outweigh:

#### T is a constitutive rule of the activity and a basic aff burden – they agreed to debate the topic when they came here

#### Jurisdiction – you can’t vote aff if they haven’t affirmed the resolution

#### It’s the only stasis point we know before the round so it controls the internal link to engagement – there’s no way to use ground if debaters aren’t prepared to defend it

#### Limits – there are countless affs accounting for thousands of types of workers– unlimited topics incentivize obscure affs that negs won’t have prep on – limits are key to reciprocal prep burden – potential abuse doesn’t justify foregoing the topic and 1AR theory checks PICs

#### Ground – spec guts core generics like the cap K or the econ DA that rely on recognizing rights for all workers because individual jobs don’t affect the economy broadly – also means there is no universal DA to spec affs

#### TVA solves – read as an advantage to whole rez

#### Paradigm issues:

#### Drop the debater – their abusive advocacy skewed the debate from the start

#### Comes before 1AR theory – NC abuse is responsive to them not being topical

#### Competing interps – reasonability invites arbitrary judge intervention and a race to the bottom of questionable argumentation

#### No RVIs – fairness and education are a priori burdens – and encourages baiting – outweighs because if T is frivolous, they can beat it quickly

#### Fairness is a voter ­– necessary to determine the better debater

#### Education is a voter – why schools fund debate

# Vax Mandate DA

## 1NC-Shell

#### Mandates boost overall vaccination rates – skeptics eventually get vaxxed

**Jones 9/29** [(Ja'han Jones is The ReidOut Blog writer. He's a futurist and multimedia producer focused on culture and politics. His previous projects include "Black Hair Defined" and the "Black Obituary Project.") “Turns out, COVID vaccine mandates work. Good thing more are on the way.” MSNBC. September 29, 2021.] AW

As it turns out, many people who previously refused the Covid-19 vaccines are discovering that they will have to pay a great deal if they want to remain [unvaccinated](https://www.msnbc.com/rachel-maddow/watch/non-covid-patients-receiving-reduced-care-at-hospitals-overwhelmed-by-the-unvaccinated-121764421871).

I don’t hate to say, “I told you so,” so I’ll say it: [I told you so](https://www.msnbc.com/the-reidout/anti-vaxxers-will-have-pay-if-they-want-reject-public-n1279331).

The Food and Drug Administration’s approval of the Pfizer-BioNTech vaccine in August effectively paved the way for vaccination requirements across the U.S. Turns out those mandates boosted the overall vaccination rate among some groups of workers, including teachers and health care professionals.

The number of vaccination mandates is growing. Given the choice between joblessness and getting a potentially lifesaving vaccine shot, many people are choosing the latter — even if begrudgingly.

After a vaccination mandate went into effect for health care workers in New York on Monday, the state reported that 92 percent of all its hospital and nursing home employees have gotten at least one shot — that’s a roughly 10 percentage-point increase among both groups.

And never fret, America’s private industry workers. If you clock in for a nongovernmental entity, it’s highly likely that your job imposes a vaccination mandate, as well. The mandates are taking hold beyond the world of health.

After United Airlines instituted a vaccination deadline of this Monday for its employees, CEO Scott Kirby said this week that 98.5 percent of its roughly 67,000 employees have been vaccinated.

Some states — including [Maine](https://www.maine.gov/covid19/vaccines/public-faq/health-care-worker-vaccination), [Rhode Island](https://www.providencejournal.com/story/news/courts/2021/09/28/judge-rejects-firefighters-unions-attempt-block-ri-vaccine-mandate/5899006001/)and [Washington](https://www.doh.wa.gov/Portals/1/Documents/1600/coronavirus/505-160-VaccinationRequirementFAQs.pdf) — will require vaccinations for health care workers beginning next month. Others — like [Oregon](https://www.oregon.gov/boli/workers/Pages/covid-vaccine.aspx#:~:text=On%20August%2010%2C%202021%2C%20Governor,also%20employed%20by%20the%20state.) and [Colorado](https://drive.google.com/file/d/1EXWVy-Zsn9YEm272lyLR-cBpb_NotNXi/view) — will implement mandates for health care professionals later next month.

On Monday, a federal judge ruled that the New York City school district — the country’s largest — [can require its employees to get vaccinated](https://www.nbcnews.com/news/education/new-york-city-vaccine-mandate-school-employees-can-be-imposed-n1280207).  On Wednesday, the San Diego Unified School District — California’s second-largest school district — [announced](https://www.nbcsandiego.com/news/local/san-diego-unified-school-district-vaccine-mandate/2729909/) a requirement that all eligible students and staff be vaccinated by December.

On Sept. 9, President Joe Biden [said](https://www.nbcnews.com/politics/white-house/biden-announce-additional-vaccine-mandates-he-unveils-new-covid-strategy-n1278735) the government will require that all federal employees and contractors be vaccinated and that all private employers with 100 or more employees must require either vaccinations or weekly testing.

#### Covid-19 mandates are legal and ethical – but current labor laws are the only barrier preventing widespread strikes

**Millhiser 7/30** [(Ian Millhiser is a senior correspondent at Vox, where he focuses on the Supreme Court, the Constitution, and the decline of liberal democracy in the United States. Before joining Vox, Ian was a columnist at ThinkProgress. Among other things, he clerked for Judge Eric L. Clay of the United States Court of Appeals for the Sixth Circuit and served as a Teach for America corps member in the Mississippi Delta. He received a B.A. in philosophy from Kenyon College and a J.D., magna cum laude, from Duke University, where he served as senior note editor on the Duke Law Journal and was elected to the Order of the Coif. He is the author of Injustices: The Supreme Court's History of Comforting the Comfortable and Afflicting the Afflicted.) “Yes, Covid-19 Mandates are Legal” Vox. July 30, 2021.] AW

In 1902, the city of Cambridge, Massachusetts, faced a smallpox outbreak. In response, the local health board ordered the city’s residents over the age of 21 to be vaccinated against this disease. Violators faced a $5 fine.

After a local pastor was fined for violating this vaccine mandate, he appealed his case all the way to the Supreme Court. The Court told him to pound sand in [Jacobson v. Massachusetts](https://www.law.cornell.edu/supremecourt/text/197/11) (1905).

“The liberty secured by the Constitution of the United States to every person within its jurisdiction does not import an absolute right in each person to be, at all times and in all circumstances, wholly freed from restraint,” Justice John Marshall Harlan wrote for the Court. He added that “there are manifold restraints to which every person is necessarily subject for the common good.”

Under Jacobson, state and local governments — though not necessarily the federal government — may mandate vaccines for nearly all of their residents.

That decision has obvious relevance today. We now have multiple vaccines against Covid-19 that are both safe and shockingly effective, and they are available for free for all Americans. Yet the pandemic continues to rage in the United States because a large minority of Americans have yet to get a shot. While some people may [face legitimate obstacles](https://www.vox.com/22587443/covid-19-vaccine-refusal-hesitancy-variant-delta-cases-rate), others are [just obstinate](https://www.vox.com/2021/7/28/22594637/vaccine-mandates-covid-19-masks-delta-variants). Policymakers and other leaders, in other words, may need to take a page from Cambridge’s early 20th-century health board.

Some already are. Many of the first mandates are from employers: The state of New York, for example, recently announced that all of its employees will have to either [get vaccinated or submit to weekly coronavirus testing](https://twitter.com/GormleyAlbany/status/1420414312997392386?s=20), and President Joe Biden plans to [impose similar requirements on federal employees](https://www.nytimes.com/2021/07/28/us/politics/biden-federal-workers-vaccination.html).

Many private employers also require vaccines — Google, for example, will [insist that its employees be vaccinated](https://www.nytimes.com/2021/07/28/business/google-return-to-office-masks.html) in order to enter the company’s offices. More than [600 colleges and universities](https://www.chronicle.com/blogs/live-coronavirus-updates/heres-a-list-of-colleges-that-will-require-students-to-be-vaccinated-against-covid-19) require at least some of their students, faculty, and staff to be vaccinated.

These sorts of mandates will undoubtedly trigger lawsuits from vaccine resisters. In some cases, individuals with religious objections to vaccines or people with disabilities that preclude them from being vaccinated will have strong legal claims — much like schoolchildren who [can already seek exemptions](https://www.ncsl.org/research/health/school-immunization-exemption-state-laws.aspx) from schools’ vaccination requirements if they have religious objections.

But, assuming that the courts follow existing law — and assuming that Republican state governments [do not enact new laws](https://www.govtech.com/health/florida-gov-desantis-signs-bill-banning-vaccine-passports) prohibiting employers from disciplining workers who refuse to be vaccinated — most challenges to employer-imposed vaccination requirements should fail.

Under Jacobson, moreover, states should be free to order everyone within their borders to be vaccinated against Covid-19, although it’s [far from clear whether the federal government could do the same](https://www.supremecourt.gov/opinions/11pdf/11-393c3a2.pdf).

Of course, there is no guarantee that the Roberts Court, which is [eager to impose limits on public health officials](https://www.vox.com/2021/7/27/22594374/courts-covid-delta-pandemic-supreme-court-brett-kavanaugh-public-health-destroy) and [not especially bothered about overruling precedents](https://www.vox.com/22575435/voting-rights-supreme-court-john-roberts-shelby-county-constitution-brnovich-elena-kagan), will follow Jacobson if a state does enact a vaccine mandate. But there is good reason to believe that it will. Even Justice Neil Gorsuch, one of the most conservative members of the current Court, recently [described Jacobson as a “modest” decision](https://scholar.google.com/scholar_case?case=14249141472030529264&hl=en&as_sdt=6&as_vis=1&oi=scholarr) that “didn’t seek to depart from normal legal rules during a pandemic.”

The bottom line, in other words, is that, under existing law, numerous institutions within the United States may require their employees — and, in some cases, their citizens — to be vaccinated against Covid-19.

Your boss probably can require you to get vaccinated

Employment relationships in the United States are typically “[at-will](https://worldpopulationreview.com/state-rankings/at-will-employment-states),” meaning that an employee can be fired at any time and for any reason, even if that reason is completely arbitrary. If you have an at-will relationship with your employer, your boss can fire you because they don’t like your haircut. Or because they don’t like what you had for breakfast last Tuesday.

Or, for that matter, because you refuse to get a Covid-19 vaccine.

The general rule, in other words, is that your employer can fire you for any reason unless some outside legal force — a federal or state law, or maybe an individual or collective bargaining contract between you and your employer — intervenes to give you additional job security. And there is no federal law prohibiting employers from requiring nearly all of their employees to get vaccinated.

#### Vaccine mandates guarantee strikes – that kills the work force

**Koenig 11/4** [(David Koenig of the Associated Press contributed to this report and is a contributor to K5 News) “Vaccine mandate rules affecting 84 million Americans finalized” K5 News. November 4, 2021] AW

WASHINGTON — Tens of millions of Americans who work at [companies with 100 or more employees](https://www.king5.com/article/news/health/coronavirus/vaccine/biden-employer-vaccine-testing-mandate-covid/507-27e042a1-53ef-4bb4-8e6c-35f9d3c0e302) will need to be vaccinated against COVID-19 by Jan. 4 or get tested for the virus weekly under [government rules that took effect Thursday](https://www.osha.gov/coronavirus/ets2).

The new requirements are the Biden administration’s boldest move yet to persuade reluctant Americans to finally get a vaccine that has been widely available for months -- or potentially face financial consequences. If successful, administration officials believe it will go a long way toward ending a pandemic that has killed more than 750,000 Americans.

First previewed by President Joe Biden in September, the requirements will apply to about 84 million workers at medium and large businesses, although it is not clear how many of those employees are unvaccinated.

The Occupational Safety and Health Administration regulations will force the companies to require that unvaccinated workers test negative for COVID-19 at least once a week and wear a mask while in the workplace.

OSHA left open the possibility of expanding the requirement to smaller businesses. It asked for public comment on whether employers with fewer than 100 employees could handle vaccination or testing programs.

Tougher rules will apply to another 17 million people who work in nursing homes, hospitals and other facilities that receive money from Medicare and Medicaid. Those workers will not have an option for testing — they will need to be vaccinated.

Workers will be able to ask for exemptions on medical or religious grounds.

The requirements will not apply to people who work at home or outdoors.

Biden framed the issue as a simple choice between getting more people vaccinated or prolonging the pandemic.

“While I would have much preferred that requirements not become necessary, too many people remain unvaccinated for us to get out of this pandemic for good,” he said Thursday in a statement.

Biden said his encouragement for businesses to impose mandates and his own previous requirements for the military and federal contractors have helped reduce the number of unvaccinated Americans over 12 from 100 million in late July to about 60 million now.

Those measures, he said, have not led to mass firings or worker shortages, adding that vaccines have been required before to fight other diseases.

OSHA said companies that fail to comply with the regulations could face penalties of nearly $14,000 per violation.

The agency will face enforcement challenges. Even counting help from states, OSHA has [only 1,850 inspectors](https://apnews.com/article/joe-biden-business-health-coronavirus-pandemic-henry-mcmaster-f33acd986ad5045e48088a832c6f9903) to oversee 130 million workers at 8 million workplaces. An administration official said the agency will respond to whistleblower complaints and make limited spot checks.

The release of the rules followed weeks of regulatory review and meetings with business groups, labor unions and others.

OSHA drafted the rules under emergency authority meant to protect workers from an imminent health hazard. The agency estimated that the vaccine mandate will save more than 6,500 worker lives and prevent more than 250,000 hospitalizations over the next six months.

The rules set up potential legal battles along partisan lines between states and the federal government. Several states and Republican governors threatened to sue, contending that the administration lacks the power to make such sweeping mandates under emergency authority.

OSHA's parent agency, the Labor Department, says it is on sound legal footing. The department's top legal official, Seema Nanda, said OSHA rules preempt conflicting state laws or orders, including those that bar employers from requiring vaccinations, testing or face masks.

Senate Republicans immediately launched a petition to force a vote to overturn the vaccine mandate, but with Democrats controlling the chamber, the effort is nearly certain to fail.

The [rules](https://public-inspection.federalregister.gov/2021-23643.pdf) will require workers to receive either two doses of the Pfizer or Moderna vaccines or one dose of the Johnson & Johnson vaccine by Jan. 4 or be tested weekly. Employees who test positive must be removed from the workplace.

Companies won't be required to provide or pay for tests for unvaccinated workers, but they must give paid time off for employees to get the shots and sick leave to recover from side effects that prevent them from working. The requirements for masks and paid time off for shots take effect Dec. 5.

Employers covered by the requirements must verify their workers’ vaccination status by checking documents such as CDC vaccination cards or records from doctors or pharmacies.

The Centers for Medicare & Medicaid Services issued a separate rule requiring vaccination for workers in 76,000 health facilities and home health care providers that get funding from the government health programs. A senior administration official said that several large private health care organizations imposed their own mandates and achieved high vaccination rates — 96% or higher — without widespread resignations.

A previously announced requirement for federal contractors to make sure workers are vaccinated was scheduled to take effect Dec. 8, but on Thursday the administration delayed that measure until Jan. 4 to match the requirements on other large employers and health care providers. Already more than a dozen states have sued to block the mandate on contractors.

For weeks, Biden has [encouraged businesses not to wait](https://apnews.com/article/coronavirus-pandemic-joe-biden-business-health-6e758dc5e24320677e48f58cbfca37bf)for OSHA to act. He has touted businesses that announced their own vaccine requirements and urged other companies to follow their lead.

Administration officials say those efforts are paying off, with about 70% of the nation's adults now fully vaccinated.

Walmart, the nation’s largest private employer, said in late July it was requiring all workers at its headquarters in Bentonville, Arkansas, and managers who travel within the United States to be vaccinated by Oct. 4. The retailer stopped short of requiring shots for frontline workers, however.

United Airlines required 67,000 U.S. employees to get vaccinated or face termination. Only a couple hundred refused to do so, although about 2,000 are seeking exemptions.

In August, Tyson Foods told its 120,000 U.S. workers that they must be vaccinated by Nov. 1. On Thursday, the company said more than 96% of its workforce was vaccinated, including 60,500 people who got their shots after the August announcement.

However, some companies have expressed fear that some vaccine-hesitant workers might quit, leaving their workforces even thinner in an already-tight labor market.

Several corporate groups, including the Business Roundtable, endorsed the mandate. However, retail groups worried the requirement could disrupt their operations during the critical Christmas shopping period. Retailers and others also said it could worsen supply chain disruptions.

The National Retail Federation suggested the new rules are not needed because the rolling average number of new daily cases in the U.S. has fallen by more than half since September.

“Nevertheless, the Biden administration has chosen to declare an ‘emergency’ and impose burdensome new requirements on retailers during the crucial holiday shopping season,” said David French, a senior vice president for the trade group.

The number of new infections in the U.S. is still falling from a summer surge caused by the highly contagious delta variant, but the rate of decline has slowed in recent weeks. The 7-day moving average is down 6% from two weeks ago, at more than 76,000 new cases and 1,200 deaths per day.

The earlier mandate on federal contractors led to demonstrations by opponents, including workers at a NASA rocket engine test site in Mississippi. Some said they are immune because they contracted COVID-19. Others said vaccines violated their religious beliefs and constitutional rights.

“No one should be forced to take a medical treatment just to keep their job,” said Nyla Trumbach, an engineer at the site. “There’s years and years of experience and skill out here, and I just want anyone who’s watching to see what we stand to lose here if these people don’t keep their jobs.”

#### Declining workforce decimates the economy

**Isidore 8/20** (Chris Isidore is a senior writer for CNN Business, where he covers the auto industry, airlines, labor and all other manner of breaking financial news. Over the last 30 years, he has covered most major US bankruptcies, including GM, Chrysler, Lehman Brothers, most US airlines and Sears, as well as the city of Detroit.) “Vaccine mandates at work meet their toughest opponent: America’s labor shortage” August 20, 2021.] AW

At Kevin Smith's home health care agency in Massachusetts, only 52% of his 400 staff members have been vaccinated. He'd like to order them all to get the shot, but he says he can't risk a mass exodus.

It's a legitimate fear. The labor market is very tight, with a [record number of job openings](http://www.cnn.com/2021/08/09/economy/record-job-openings-june/index.html) and not enough job candidates. And among unvaccinated workers asked what they would do if their employer instituted a mandate, 50% said they'd leave their job, according to a June survey by health policy think tank KFF.

"It puts you at risk of alienating the staff, if not losing them to a competitor," said Smith, who has run the family-owned Best of Care since 2013. "No one can afford to do that. That is why any employer in our industry is so reluctant to impose a mandate."

The meeting of the labor market challenge and public health crisis puts employers in a tough spot: The worker shortage means employer mandates are not likely to be the answer to raising the nation's vaccination rate. But a higher inoculation rate is exactly what experts say we need to end the pandemic.

Difficulty finding workers

The Equal Employment Opportunity Commission has given guidance to employers that they have the right to impose a vaccine mandate as long as there are exceptions for employees with health conditions that pose a risk or legitimate religious objections.

Yet "employers in a labor shortage environment don't want to create any barrier for employment, let alone any cause for people to go elsewhere," said Julia Pollak, chief economist for job site Ziprecruiter.

It's not clear how many employers are taking that step. A June survey from the Society of Human Resource Management showed 29% of workers say their employers are requiring vaccines. A Gartner survey from the end of July found only 9% doing so.

Even among hospitals, most employers don't have vaccine mandates: The American Hospital Association said only 2,100 hospitals, about a third of the nation's total, require vaccines. And many are in places where state laws or executive orders mandate them.

Brian Kropp, chief of research at consulting firm Gartner's HR practice, says he believes that figure will remain a minority -— even as household-name companies have begun implementing [mandates](https://www.cnn.com/2021/07/28/business/companies-vaccine-mandate/index.html) in response to the Delta variant surge of Covid cases.

They're most common at major tech companies such as Google ([GOOG](https://money.cnn.com/quote/quote.html?symb=GOOG&source=story_quote_link)) and Facebook ([FB](https://money.cnn.com/quote/quote.html?symb=FB&source=story_quote_link)), or Wall Street banks such as Goldman Sachs ([GS](https://money.cnn.com/quote/quote.html?symb=GS&source=story_quote_link)) and Morgan Stanley ([MS](https://money.cnn.com/quote/quote.html?symb=MS&source=story_quote_link)). But there's a critical difference here: These employers offer high-paying jobs, benefits and other advantages that inspire workers to stick around.

For the many small businesses and other employers who depend on hourly workers to fill most positions, there's greater fear about losing vaccine-hesitant employees and not being able to find vaccinated workers to replace them.

"If you run a restaurant or a store and you have employees who are vaccine-hesitant, they are going to quit and go to the store or restaurant next door," said Kropp. "It's a whole lot easier for people to switch jobs, particularly in today's labor market."

Even some employers with stable workforces are reluctant to impose a vaccine mandate. While United Airlines ([UAL](https://money.cnn.com/quote/quote.html?symb=UAL&source=story_quote_link)) recent [ordered all US employees](http://www.cnn.com/2021/08/06/business/united-airlines-vaccine-mandate/index.html) to be vaccinated, rivals American ([AAL](https://money.cnn.com/quote/quote.html?symb=AAL&source=story_quote_link)), Delta ([DAL](https://money.cnn.com/quote/quote.html?symb=DAL&source=story_quote_link)) and Southwest ([LUV](https://money.cnn.com/quote/quote.html?symb=LUV&source=story_quote_link)) [have yet to do so](https://www.cnn.com/travel/article/three-us-airlines-no-vaccine-mandate-workers/index.html).

'Divisive' moral arguments and partial rules

Further complicating matters is opposition to mandates, even from employees who have gotten vaccinated themselves. The KFF survey in June found that even among those who are vaccinated, 42% said they don't want it mandated by their employer, while only 43% want a vaccine required.

"In general we find that vaccine mandates are very divisive," said Liz Hamel, vice president and director of public opinion and survey research at KFF. "There's a sense that getting a vaccine is personal choice."

Attitudes may be changing with the recent surge in cases, however: [Recent polls](http://www.cnn.com/2021/08/18/politics/workplace-vaccine-mandate-poll/index.html) conducted by Axios/Ipos and Gallup found a slight majority of Americans favoring employer vaccine mandates. That compares to KFF's June survey that found only 28% wanted an employer mandate and 61% opposed the idea.

Seven states — Arizona, Arkansas, Montana, New Hampshire, North Dakota and Tennessee — have passed laws banning vaccine mandates for at least some employers, according to the National Academy for State Health Policy. Similar legislation has been introduced in 39 other states, all but Maine, Massachusetts, Nevada and West Virginia.

Another complex issue is differing rules for white-collar vs. blue-collar employees. Major employers including Walmart ([WMT](https://money.cnn.com/quote/quote.html?symb=WMT&source=story_quote_link)) and UPS ([UPS](https://money.cnn.com/quote/quote.html?symb=UPS&source=story_quote_link)) are requiring vaccines for corporate office staff, but not for those on the front lines, working in stores or driving trucks.

Neither company would comment on whether the labor crunch for hourly workers is the driving force of the different rules.

"Those office environments are very different than our operating facilities, which have been safely staffed in-person since the beginning and throughout the pandemic," said a statement from UPS.

Some employers are following the lead of President Joe Biden's [order for federal workers](https://www.cnn.com/2021/07/29/politics/joe-biden-vaccination-requirement-announcement/index.html), giving them the choice of vaccination or the more stringent testing and masking, said Amber Clayton, director of SHRM's HR Knowledge Center.

"That's probably what we'll see more of than full vaccine mandates," she said.

A plea to government leaders

Smith, the CEO of the home health care agency in Massachusetts, wants more than just a model from the government: He would prefer a mandate at the state or federal level to require everyone in his industry to get vaccinated. It would level the playing field among all employers in the sector, he explained, and would help protect the health of his employees and clients.

"From a pure safety standpoint, it would make me feel better if it were required," he said. "And it would take the pressure off me."

Smith's wish is hardly unique, Kropp said.

Many other employers are worried unvaccinated workers could spread the virus even to inoculated coworkers and cause high absenteeism. And some workers, especially those with young children at home or other vulnerable family members, won't want to return to the office unless they know everyone else is vaccinated, he said.

"What almost every employer wants is either the governors or some other government body to say vaccines are required," Kropp said. "Then they get what they want, and they don't get any of the blame or frustration."

**Economic decline causes global nuclear war**

**Tønnesson 15** [(Stein, Research Professor, Peace Research Institute Oslo; Leader of East Asia Peace program, Uppsala University) “Deterrence, interdependence and Sino–US peace,” International Area Studies Review, Vol. 18, No. 3, p. 297-311, 2015] SJDI

Several **recent works** on China and Sino–US relations **have made** substantial **contributions to the current understanding of how and under what circumstances** a combination of **nuclear deterrence and economic interdependence may reduce the risk of war between major powers**. At least four conclusions can be drawn from the review above: first, those who say that **interdependence may both inhibit and drive conflict** are right. Interdependence raises the cost of conflict for all sides **but** **asymmetrical or unbalanced dependencies and** negative trade expectations may **generate tensions leading to trade wars among inter-dependent states that** in turn **increase the risk of military conflict** (Copeland, 2015: 1, 14, 437; Roach, 2014). The risk may increase if one of the interdependent countries is governed by an inward-looking socio-economic coalition (Solingen, 2015); second, the risk of war between China and the US should not just be analysed bilaterally but include their allies and partners. Third party countries could drag China or the US into confrontation; third, in this context it is of some comfort that the three main economic powers in Northeast Asia (China, Japan and South Korea) are all deeply integrated economically through production networks within a global system of trade and finance (Ravenhill, 2014; Yoshimatsu, 2014: 576); and fourth, **decisions for war** and peace **are taken by very few people, who act on the basis of their future expectations**. International relations theory must be supplemented by foreign policy analysis in order to assess the value attributed by national decision-makers to economic development and their assessments of risks and opportunities. **If leaders** on either side of the Atlantic **begin to seriously** fear or anticipate their own nation’sdecline then they **may blame** this on **external dependence, appeal to anti-foreign sentiments, contemplate the use of force to gain** respect or **credibility, adopt protectionist policies, and** ultimately refuse to be deterred by either nuclear arms **or prospects of socioeconomic calamities. Such a dangerous shift could happen** abruptly, i.e. under the instigation of actions by a third party – or against a third party.

Yet as long as there is both nuclear deterrence and interdependence, the tensions **in East Asia** are unlikely to escalate to war. As Chan (2013) says, all states in the region are aware that they cannot count on support from either China or the US if they make provocative moves. The greatest risk is not that a territorial dispute leads to war under present circumstances but that changes in the world economy alter those circumstances in ways that render inter-state peace more **precarious**. If China and the US fail to rebalance their financial and trading relations (Roach, 2014) then a trade war could result, interrupting transnational production networks, provoking social distress, and exacerbating nationalist emotions. **This could have unforeseen consequences in the field of security, with nuclear deterrence remaining the only factor to protect the world from Armageddon, and unreliably so**. **Deterrence could lose its credibility**: one of the two **great powers might gamble that the other yield in a cyber-war or conventional** limited **war**, or third party countries might engage in conflict with each other, with a view to obliging Washington or Beijing to intervene.

#### Nuclear war causes extinction – famine and climate change

Starr 15 [(Steven, Director of the University of Missouri’s Clinical Laboratory Science Program and a senior scientist at the Physicians for Social Responsibility) “Nuclear War, Nuclear Winter, and Human Extinction,” Federation of American Scientists, 10/14/2015] DD  
While it is impossible to precisely predict all the human impacts that would result from a nuclear winter, it is relatively simple to predict those which would be most profound. That is, a nuclear winter would cause most humans and large animals to die from nuclear famine in a mass extinction event similar to the one that wiped out the dinosaurs.

Following the detonation (in conflict) of US and/or Russian launch-ready strategic nuclear weapons, nuclear firestorms would burn simultaneously over a total land surface area of many thousands or tens of thousands of square miles. These mass fires, many of which would rage over large cities and industrial areas, would release many tens of millions of tons of black carbon soot and smoke (up to 180 million tons, according to peer-reviewed studies), which would rise rapidly above cloud level and into the stratosphere. [For an explanation of the calculation of smoke emissions, see Atmospheric effects & societal consequences of regional scale nuclear conflicts.]

The scientists who completed the most recent peer-reviewed studies on nuclear winter discovered that the sunlight would heat the smoke, producing a self-lofting effect that would not only aid the rise of the smoke into the stratosphere (above cloud level, where it could not be rained out), but act to keep the smoke in the stratosphere for 10 years or more. The longevity of the smoke layer would act to greatly increase the severity of its effects upon the biosphere.

Once in the stratosphere, the smoke (predicted to be produced by a range of strategic nuclear wars) would rapidly engulf the Earth and form a dense stratospheric smoke layer. The smoke from a war fought with strategic nuclear weapons would quickly prevent up to 70% of sunlight from reaching the surface of the Northern Hemisphere and 35% of sunlight from reaching the surface of the Southern Hemisphere. Such an enormous loss of warming sunlight would produce Ice Age weather conditions on Earth in a matter of weeks. For a period of 1-3 years following the war, temperatures would fall below freezing every day in the central agricultural zones of North America and Eurasia. [For an explanation of nuclear winter, see Nuclear winter revisited with a modern climate model and current nuclear arsenals: Still catastrophic consequences.]

Nuclear winter would cause average global surface temperatures to become colder than they were at the height of the last Ice Age. Such extreme cold would eliminate growing seasons for many years, probably for a decade or longer. Can you imagine a winter that lasts for ten years?

The results of such a scenario are obvious. Temperatures would be much too cold to grow food, and they would remain this way long enough to cause most humans and animals to starve to death.

Global nuclear famine would ensue in a setting in which the infrastructure of the combatant nations has been totally destroyed, resulting in massive amounts of chemical and radioactive toxins being released into the biosphere. We don’t need a sophisticated study to tell us that no food and Ice Age temperatures for a decade would kill most people and animals on the planet.  Would the few remaining survivors be able to survive in a radioactive, toxic environment?

## 1NC – Heg Impact

#### CP: A just government, except for the United States, should recognize the unconditional right for workers to strike except for industrial workers. (whole rez)

### 1NC

#### CP: The United States should recognize an unconditional right of workers to strike except for industrial workers. (us spec edition)

### 1NC

#### Mandates boost overall vaccination rates – skeptics eventually get vaxxed

**Jones 9/29** [(Ja'han Jones is The ReidOut Blog writer. He's a futurist and multimedia producer focused on culture and politics. His previous projects include "Black Hair Defined" and the "Black Obituary Project.") “Turns out, COVID vaccine mandates work. Good thing more are on the way.” MSNBC. September 29, 2021.] AW

As it turns out, many people who previously refused the Covid-19 vaccines are discovering that they will have to pay a great deal if they want to remain [unvaccinated](https://www.msnbc.com/rachel-maddow/watch/non-covid-patients-receiving-reduced-care-at-hospitals-overwhelmed-by-the-unvaccinated-121764421871).

I don’t hate to say, “I told you so,” so I’ll say it: [I told you so](https://www.msnbc.com/the-reidout/anti-vaxxers-will-have-pay-if-they-want-reject-public-n1279331).

The Food and Drug Administration’s approval of the Pfizer-BioNTech vaccine in August effectively paved the way for vaccination requirements across the U.S. Turns out those mandates boosted the overall vaccination rate among some groups of workers, including teachers and health care professionals.

The number of vaccination mandates is growing. Given the choice between joblessness and getting a potentially lifesaving vaccine shot, many people are choosing the latter — even if begrudgingly.

After a vaccination mandate went into effect for health care workers in New York on Monday, the state reported that 92 percent of all its hospital and nursing home employees have gotten at least one shot — that’s a roughly 10 percentage-point increase among both groups.

And never fret, America’s private industry workers. If you clock in for a nongovernmental entity, it’s highly likely that your job imposes a vaccination mandate, as well. The mandates are taking hold beyond the world of health.

After United Airlines instituted a vaccination deadline of this Monday for its employees, CEO Scott Kirby said this week that 98.5 percent of its roughly 67,000 employees have been vaccinated.

Some states — including [Maine](https://www.maine.gov/covid19/vaccines/public-faq/health-care-worker-vaccination), [Rhode Island](https://www.providencejournal.com/story/news/courts/2021/09/28/judge-rejects-firefighters-unions-attempt-block-ri-vaccine-mandate/5899006001/)and [Washington](https://www.doh.wa.gov/Portals/1/Documents/1600/coronavirus/505-160-VaccinationRequirementFAQs.pdf) — will require vaccinations for health care workers beginning next month. Others — like [Oregon](https://www.oregon.gov/boli/workers/Pages/covid-vaccine.aspx#:~:text=On%20August%2010%2C%202021%2C%20Governor,also%20employed%20by%20the%20state.) and [Colorado](https://drive.google.com/file/d/1EXWVy-Zsn9YEm272lyLR-cBpb_NotNXi/view) — will implement mandates for health care professionals later next month.

On Monday, a federal judge ruled that the New York City school district — the country’s largest — [can require its employees to get vaccinated](https://www.nbcnews.com/news/education/new-york-city-vaccine-mandate-school-employees-can-be-imposed-n1280207).  On Wednesday, the San Diego Unified School District — California’s second-largest school district — [announced](https://www.nbcsandiego.com/news/local/san-diego-unified-school-district-vaccine-mandate/2729909/) a requirement that all eligible students and staff be vaccinated by December.

On Sept. 9, President Joe Biden [said](https://www.nbcnews.com/politics/white-house/biden-announce-additional-vaccine-mandates-he-unveils-new-covid-strategy-n1278735) the government will require that all federal employees and contractors be vaccinated and that all private employers with 100 or more employees must require either vaccinations or weekly testing.

#### Covid-19 mandates are legal and ethical – but current labor laws are the only barrier preventing widespread strikes

**Millhiser 7/30** [(Ian Millhiser is a senior correspondent at Vox, where he focuses on the Supreme Court, the Constitution, and the decline of liberal democracy in the United States. Before joining Vox, Ian was a columnist at ThinkProgress. Among other things, he clerked for Judge Eric L. Clay of the United States Court of Appeals for the Sixth Circuit and served as a Teach for America corps member in the Mississippi Delta. He received a B.A. in philosophy from Kenyon College and a J.D., magna cum laude, from Duke University, where he served as senior note editor on the Duke Law Journal and was elected to the Order of the Coif. He is the author of Injustices: The Supreme Court's History of Comforting the Comfortable and Afflicting the Afflicted.) “Yes, Covid-19 Mandates are Legal” Vox. July 30, 2021.] AW

In 1902, the city of Cambridge, Massachusetts, faced a smallpox outbreak. In response, the local health board ordered the city’s residents over the age of 21 to be vaccinated against this disease. Violators faced a $5 fine.

After a local pastor was fined for violating this vaccine mandate, he appealed his case all the way to the Supreme Court. The Court told him to pound sand in [Jacobson v. Massachusetts](https://www.law.cornell.edu/supremecourt/text/197/11) (1905).

“The liberty secured by the Constitution of the United States to every person within its jurisdiction does not import an absolute right in each person to be, at all times and in all circumstances, wholly freed from restraint,” Justice John Marshall Harlan wrote for the Court. He added that “there are manifold restraints to which every person is necessarily subject for the common good.”

Under Jacobson, state and local governments — though not necessarily the federal government — may mandate vaccines for nearly all of their residents.

That decision has obvious relevance today. We now have multiple vaccines against Covid-19 that are both safe and shockingly effective, and they are available for free for all Americans. Yet the pandemic continues to rage in the United States because a large minority of Americans have yet to get a shot. While some people may [face legitimate obstacles](https://www.vox.com/22587443/covid-19-vaccine-refusal-hesitancy-variant-delta-cases-rate), others are [just obstinate](https://www.vox.com/2021/7/28/22594637/vaccine-mandates-covid-19-masks-delta-variants). Policymakers and other leaders, in other words, may need to take a page from Cambridge’s early 20th-century health board.

Some already are. Many of the first mandates are from employers: The state of New York, for example, recently announced that all of its employees will have to either [get vaccinated or submit to weekly coronavirus testing](https://twitter.com/GormleyAlbany/status/1420414312997392386?s=20), and President Joe Biden plans to [impose similar requirements on federal employees](https://www.nytimes.com/2021/07/28/us/politics/biden-federal-workers-vaccination.html).

Many private employers also require vaccines — Google, for example, will [insist that its employees be vaccinated](https://www.nytimes.com/2021/07/28/business/google-return-to-office-masks.html) in order to enter the company’s offices. More than [600 colleges and universities](https://www.chronicle.com/blogs/live-coronavirus-updates/heres-a-list-of-colleges-that-will-require-students-to-be-vaccinated-against-covid-19) require at least some of their students, faculty, and staff to be vaccinated.

These sorts of mandates will undoubtedly trigger lawsuits from vaccine resisters. In some cases, individuals with religious objections to vaccines or people with disabilities that preclude them from being vaccinated will have strong legal claims — much like schoolchildren who [can already seek exemptions](https://www.ncsl.org/research/health/school-immunization-exemption-state-laws.aspx) from schools’ vaccination requirements if they have religious objections.

But, assuming that the courts follow existing law — and assuming that Republican state governments [do not enact new laws](https://www.govtech.com/health/florida-gov-desantis-signs-bill-banning-vaccine-passports) prohibiting employers from disciplining workers who refuse to be vaccinated — most challenges to employer-imposed vaccination requirements should fail.

Under Jacobson, moreover, states should be free to order everyone within their borders to be vaccinated against Covid-19, although it’s [far from clear whether the federal government could do the same](https://www.supremecourt.gov/opinions/11pdf/11-393c3a2.pdf).

Of course, there is no guarantee that the Roberts Court, which is [eager to impose limits on public health officials](https://www.vox.com/2021/7/27/22594374/courts-covid-delta-pandemic-supreme-court-brett-kavanaugh-public-health-destroy) and [not especially bothered about overruling precedents](https://www.vox.com/22575435/voting-rights-supreme-court-john-roberts-shelby-county-constitution-brnovich-elena-kagan), will follow Jacobson if a state does enact a vaccine mandate. But there is good reason to believe that it will. Even Justice Neil Gorsuch, one of the most conservative members of the current Court, recently [described Jacobson as a “modest” decision](https://scholar.google.com/scholar_case?case=14249141472030529264&hl=en&as_sdt=6&as_vis=1&oi=scholarr) that “didn’t seek to depart from normal legal rules during a pandemic.”

The bottom line, in other words, is that, under existing law, numerous institutions within the United States may require their employees — and, in some cases, their citizens — to be vaccinated against Covid-19.

Your boss probably can require you to get vaccinated

Employment relationships in the United States are typically “[at-will](https://worldpopulationreview.com/state-rankings/at-will-employment-states),” meaning that an employee can be fired at any time and for any reason, even if that reason is completely arbitrary. If you have an at-will relationship with your employer, your boss can fire you because they don’t like your haircut. Or because they don’t like what you had for breakfast last Tuesday.

Or, for that matter, because you refuse to get a Covid-19 vaccine.

The general rule, in other words, is that your employer can fire you for any reason unless some outside legal force — a federal or state law, or maybe an individual or collective bargaining contract between you and your employer — intervenes to give you additional job security. And there is no federal law prohibiting employers from requiring nearly all of their employees to get vaccinated.

#### Vaccine mandates guarantee strikes – that kills the work force

**Koenig 11/4** [(David Koenig of the Associated Press contributed to this report and is a contributor to K5 News) “Vaccine mandate rules affecting 84 million Americans finalized” K5 News. November 4, 2021] AW

WASHINGTON — Tens of millions of Americans who work at [companies with 100 or more employees](https://www.king5.com/article/news/health/coronavirus/vaccine/biden-employer-vaccine-testing-mandate-covid/507-27e042a1-53ef-4bb4-8e6c-35f9d3c0e302) will need to be vaccinated against COVID-19 by Jan. 4 or get tested for the virus weekly under [government rules that took effect Thursday](https://www.osha.gov/coronavirus/ets2).

The new requirements are the Biden administration’s boldest move yet to persuade reluctant Americans to finally get a vaccine that has been widely available for months -- or potentially face financial consequences. If successful, administration officials believe it will go a long way toward ending a pandemic that has killed more than 750,000 Americans.

First previewed by President Joe Biden in September, the requirements will apply to about 84 million workers at medium and large businesses, although it is not clear how many of those employees are unvaccinated.

The Occupational Safety and Health Administration regulations will force the companies to require that unvaccinated workers test negative for COVID-19 at least once a week and wear a mask while in the workplace.

OSHA left open the possibility of expanding the requirement to smaller businesses. It asked for public comment on whether employers with fewer than 100 employees could handle vaccination or testing programs.

Tougher rules will apply to another 17 million people who work in nursing homes, hospitals and other facilities that receive money from Medicare and Medicaid. Those workers will not have an option for testing — they will need to be vaccinated.

Workers will be able to ask for exemptions on medical or religious grounds.

The requirements will not apply to people who work at home or outdoors.

Biden framed the issue as a simple choice between getting more people vaccinated or prolonging the pandemic.

“While I would have much preferred that requirements not become necessary, too many people remain unvaccinated for us to get out of this pandemic for good,” he said Thursday in a statement.

Biden said his encouragement for businesses to impose mandates and his own previous requirements for the military and federal contractors have helped reduce the number of unvaccinated Americans over 12 from 100 million in late July to about 60 million now.

Those measures, he said, have not led to mass firings or worker shortages, adding that vaccines have been required before to fight other diseases.

OSHA said companies that fail to comply with the regulations could face penalties of nearly $14,000 per violation.

The agency will face enforcement challenges. Even counting help from states, OSHA has [only 1,850 inspectors](https://apnews.com/article/joe-biden-business-health-coronavirus-pandemic-henry-mcmaster-f33acd986ad5045e48088a832c6f9903) to oversee 130 million workers at 8 million workplaces. An administration official said the agency will respond to whistleblower complaints and make limited spot checks.

The release of the rules followed weeks of regulatory review and meetings with business groups, labor unions and others.

OSHA drafted the rules under emergency authority meant to protect workers from an imminent health hazard. The agency estimated that the vaccine mandate will save more than 6,500 worker lives and prevent more than 250,000 hospitalizations over the next six months.

The rules set up potential legal battles along partisan lines between states and the federal government. Several states and Republican governors threatened to sue, contending that the administration lacks the power to make such sweeping mandates under emergency authority.

OSHA's parent agency, the Labor Department, says it is on sound legal footing. The department's top legal official, Seema Nanda, said OSHA rules preempt conflicting state laws or orders, including those that bar employers from requiring vaccinations, testing or face masks.

Senate Republicans immediately launched a petition to force a vote to overturn the vaccine mandate, but with Democrats controlling the chamber, the effort is nearly certain to fail.

The [rules](https://public-inspection.federalregister.gov/2021-23643.pdf) will require workers to receive either two doses of the Pfizer or Moderna vaccines or one dose of the Johnson & Johnson vaccine by Jan. 4 or be tested weekly. Employees who test positive must be removed from the workplace.

Companies won't be required to provide or pay for tests for unvaccinated workers, but they must give paid time off for employees to get the shots and sick leave to recover from side effects that prevent them from working. The requirements for masks and paid time off for shots take effect Dec. 5.

Employers covered by the requirements must verify their workers’ vaccination status by checking documents such as CDC vaccination cards or records from doctors or pharmacies.

The Centers for Medicare & Medicaid Services issued a separate rule requiring vaccination for workers in 76,000 health facilities and home health care providers that get funding from the government health programs. A senior administration official said that several large private health care organizations imposed their own mandates and achieved high vaccination rates — 96% or higher — without widespread resignations.

A previously announced requirement for federal contractors to make sure workers are vaccinated was scheduled to take effect Dec. 8, but on Thursday the administration delayed that measure until Jan. 4 to match the requirements on other large employers and health care providers. Already more than a dozen states have sued to block the mandate on contractors.

For weeks, Biden has [encouraged businesses not to wait](https://apnews.com/article/coronavirus-pandemic-joe-biden-business-health-6e758dc5e24320677e48f58cbfca37bf)for OSHA to act. He has touted businesses that announced their own vaccine requirements and urged other companies to follow their lead.

Administration officials say those efforts are paying off, with about 70% of the nation's adults now fully vaccinated.

Walmart, the nation’s largest private employer, said in late July it was requiring all workers at its headquarters in Bentonville, Arkansas, and managers who travel within the United States to be vaccinated by Oct. 4. The retailer stopped short of requiring shots for frontline workers, however.

United Airlines required 67,000 U.S. employees to get vaccinated or face termination. Only a couple hundred refused to do so, although about 2,000 are seeking exemptions.

In August, Tyson Foods told its 120,000 U.S. workers that they must be vaccinated by Nov. 1. On Thursday, the company said more than 96% of its workforce was vaccinated, including 60,500 people who got their shots after the August announcement.

However, some companies have expressed fear that some vaccine-hesitant workers might quit, leaving their workforces even thinner in an already-tight labor market.

Several corporate groups, including the Business Roundtable, endorsed the mandate. However, retail groups worried the requirement could disrupt their operations during the critical Christmas shopping period. Retailers and others also said it could worsen supply chain disruptions.

The National Retail Federation suggested the new rules are not needed because the rolling average number of new daily cases in the U.S. has fallen by more than half since September.

“Nevertheless, the Biden administration has chosen to declare an ‘emergency’ and impose burdensome new requirements on retailers during the crucial holiday shopping season,” said David French, a senior vice president for the trade group.

The number of new infections in the U.S. is still falling from a summer surge caused by the highly contagious delta variant, but the rate of decline has slowed in recent weeks. The 7-day moving average is down 6% from two weeks ago, at more than 76,000 new cases and 1,200 deaths per day.

The earlier mandate on federal contractors led to demonstrations by opponents, including workers at a NASA rocket engine test site in Mississippi. Some said they are immune because they contracted COVID-19. Others said vaccines violated their religious beliefs and constitutional rights.

“No one should be forced to take a medical treatment just to keep their job,” said Nyla Trumbach, an engineer at the site. “There’s years and years of experience and skill out here, and I just want anyone who’s watching to see what we stand to lose here if these people don’t keep their jobs.”

#### Industrial workforce shortages are happening now— Covid and inability to compete.

Scull and Stone 8/28 [(John, an associate in the Philadelphia, Pennsylvania, office of Jackson Lewis P.C. His practice focuses on representing employers in workplace law matters, including preventive advice and counseling.) (James, a principal of the Cleveland, Ohio, office of Jackson Lewis P.C. From the opening of the office in 2006 until early 2020, Jim served as office managing principal in Cleveland. At that time, he stepped down to focus on his busy practice and increased task force activities within practice groups and serving as co-leader of the firm’s Manufacturing industry group.) “Manufacturing Labor Shortage: Cultivating Skilled Labor By Engaging Local Communities,” JDSupra, 8/28/21. <https://www.jdsupra.com/legalnews/manufacturing-labor-shortage-1463687/>] RR

The worker shortage in manufacturing has been exacerbated by the 2020 COVID-19 pandemic, which erased over a decade of job gains in the manufacturing sector, eliminating more than 1.4 million positions, according to a report by Deloitte and the Manufacturing Institute (MI). To counter the trend, manufacturers should consider working with local schools and youth programs to develop a sustainable pipeline of talent.

While approximately 820,000 of the jobs lost in the COVID-19 pandemic have since been backfilled, nearly 500,000 positions remain open and manufacturing employers have had difficulty filling these roles. According to the MI report, manufacturing employers say it is currently 36 percent harder to find talent than it was in 2018, even though the unemployment rate today is much higher. This manufacturing employment shortage is likely to intensify as the number of unfilled manufacturing positions in the United States is expected to grow to approximately 2.1 million by 2030 — damaging the U.S. economy by up to $1 trillion.

While the pandemic certainly played a large role in damaging the U.S. manufacturing sector’s employment numbers, the worker shortage is nothing new. There are approximately five million fewer Americans employed in the manufacturing sector today than 20 years ago. Employers hope to reverse this trend and are under pressure to do so quickly as the median age of an American working in manufacturing is 44 years old, and older workers are retiring faster than they are being replaced.

#### A strong industrial workforce is key to US military primacy

Bloomberg Editorial Board 4/7 [(Members of the editorial board will write and edit in other capacities within Bloomberg Opinion. Because our columnists have always spoken for themselves, they will continue as before — though columnists will still refrain from endorsing candidates, a policy we have had in place since we started in 2011.) “America’s Depleted Industrial Base Is a National Security Crisis,” Bloomberg, 4/7/21. <https://www.bloomberg.com/opinion/articles/2021-04-07/america-s-depleted-industrial-base-is-a-national-security-crisis>] RR

President Dwight D. Eisenhower’s farewell address is most famous for its warning against the “unwarranted influence” of the military-industrial complex. But Eisenhower also stressed the defense industry’s importance to the country’s security: After all, it helped the U.S. maintain superiority over its rivals, forestall great-power conflict and win the Cold War.

Six decades on, America’s military remains the most advanced in the world — but the industrial base supporting it has deteriorated. Industry consolidation, domestic manufacturing decline and dysfunctional federal budgeting have combined to reduce competition throughout the defense supply chain, eroding military readiness and potentially jeopardizing national security.

As Congress considers the Defense Department’s next budget, investing in a more nimble, innovative and resilient defense-industrial base should be among its highest priorities.

Some parts of the defense industry, to be sure, continue to flourish. The U.S. spends more on its military than the next 10 countries combined, with the Pentagon’s budget consuming more than half of all federal discretionary spending. Revenue for defense contractors has increased by 83% since 2011, with annual spending per company doubling in the past five years alone.

That money, however, is flowing to a reduced cast of contractors. An analysis by Bloomberg Government found that the number of Pentagon “prime vendors” — those that receive contracts directly from the government — has dropped by 36% in the last decade. An even smaller handful has reaped the most gains. According to the Government Accountability Office, nearly half of the 183 major contracts awarded by the Pentagon in 2018 went to just five contractors and their subsidiaries.

Such concentration imposes costs on both the military and the public. The first is financial. More than two-thirds of major Defense Department contracts are awarded without a competitive bidding process, according to the GAO; most of the rest receive bids from two or fewer companies. Fewer bidders means pricier contracts: Between 2008 and 2018, the average acquisition cost of a U.S. weapons program, in constant dollars, increased by 12.5%.

A lack of suppliers also undermines America’s ability to respond to crises. The Pentagon has identified a “staggering” number of cases where it relies on a single vendor for critical components. It’s down to a lone domestic source of both ammonium perchlorate, a key ingredient for warship propulsion systems, and chaff, a material that fighter jets release to evade enemy radar systems. A sole manufacturer provides all of the Army’s gun and howitzer barrels and mortar tubes. Meanwhile, offshoring has made the supply chain more vulnerable to trade disruptions, cyberattacks and sabotage.

This attenuation of the U.S.’s military supply chain poses a growing national security risk — and it demands a bold response.

President Joe Biden’s $2.25 trillion infrastructure plan includes $180 billion in investments to strengthen U.S. supply chains. The administration should use the Defense Production Act and other authorities to boost support for smaller domestic suppliers of critical goods and services. The Pentagon should also streamline its cumbersome contracting and acquisition process, which discourages innovation and crowds out nontraditional vendors. Initiatives like the Trusted Capital program, which connects investors with companies developing new military technologies, should be expanded. Finally, the Federal Trade Commission and the Justice Department should increase scrutiny of defense-industry mergers and acquisitions to limit excessive consolidation.

A well-functioning supply chain depends on a diverse array of private-sector companies. The viability of those companies, in turn, depends on a sufficient supply of skilled labor. Upgrading the skills of both service members and the civilian workforce that supports the military is critical. The Pentagon should expand digital training for current employees and offer promotions and higher pay to civilian staff with advanced technical skills. Congress should boost funding for the department’s Skills Imperative initiative, which brings together schools and employers to address defense-industry workforce needs. It should also encourage apprenticeship programs in key sectors, such as shipbuilding, that lack qualified workers.

As Eisenhower recognized, America’s influence abroad depends on its strength at home. Revitalizing the defense-industrial base is essential not only for national security, but also for the preservation of peace around the world.

#### US primacy prevents great-power conflict — multipolar revisionism fragments the global order and causes nuclear war

Brands & Edel, 19 — Hal Brands; PhD, Henry A. Kissinger Distinguished Professor of Global Affairs at the Johns Hopkins School of Advanced International Studies. Charles Edel; PhD, Senior Fellow and Visiting Scholar at the United States Studies Centre at the University of Sydney. (“The Lessons of Tragedy: Statecraft and World Order;” Ch. 6: Darkening Horizon; Published by Yale University Press; //GrRv)  
Each of these geopolitical challenges is different, and each reflects the distinctive interests, ambitions, and history of the country undertaking it. Yet there is growing cooperation between the countries that are challenging the regional pillars of the U.S.-led order. Russia and China have collaborated on issues such as energy, sales and development of military technology, opposition to additional U.S. military deployments on the Korean peninsula, and naval exercises from the South China Sea to the Baltic. In Syria, Iran provided the shock troops that helped keep Russia’s ally, Bashar al-Assad, in power, as Moscow provided the air power and the diplomatic cover. “Our cooperation can isolate America,” supreme leader Ali Khamenei told Putin in 2017. More broadly, what links these challenges together is their opposition to the constellation of power, norms, and relationships that the U.S.-led order entails, and in their propensity to use violence, coercion, and intimidation as means of making that opposition effective. Taken collectively, these challenges constitute a geopolitical sea change from the post-Cold War era.

The revival of great-power competition entails higher international tensions than the world has known for decades, and the revival of arms races, security dilemmas, and other artifacts of a more dangerous past. It entails sharper conflicts over the international rules of the road on issues ranging from freedom of navigation to the illegitimacy of altering borders by force, and intensifying competitions over states that reside at the intersection of rival powers’ areas of interest. It requires confronting the prospect that rival powers could overturn the favorable regional balances that have underpinned the U.S.-led order for decades, and that they might construct rival spheres of influence from which America and the liberal ideas it has long promoted would be excluded. Finally, it necessitates recognizing that great-power rivalry could lead to great-power war, a prospect that seemed to have followed the Soviet empire onto the ash heap of history.

Both Beijing and Moscow are, after all, optimizing their forces and exercising aggressively in preparation for potential conflicts with the United States and its allies; Russian doctrine explicitly emphasizes the limited use of nuclear weapons to achieve escalation dominance in a war with Washington. In Syria, U.S. and Russian forces even came into deadly contact in early 2018. American airpower decimated a contingent of government-sponsored Russian mercenaries that was attacking a base at which U.S. troops were present, an incident demonstrating the increasing boldness of Russian operations and the corresponding potential for escalation. The world has not yet returned to the epic clashes for global dominance that characterized the twentieth century, but it has returned to the historical norm of great-power struggle, with all the associated dangers.

Those dangers may be even greater than most observers appreciate, because if today’s great-power competitions are still most intense at the regional level, who is to say where these competitions will end? By all appearances, Russia does not simply want to be a “regional power” (as Obama cuttingly described it) that dominates South Ossetia and Crimea.37 It aspires to the deep European and extra-regional impact that previous incarnations of the Russian state enjoyed. Why else would Putin boast about how far his troops can drive into Eastern Europe? Why else would Moscow be deploying military power into the Middle East? Why else would it be continuing to cultivate intelligence and military relationships in regions as remote as Latin America?

Likewise, China is today focused primarily on securing its own geopolitical neighborhood, but its ambitions for tomorrow are clearly much bolder. Beijing probably does not envision itself fully overthrowing the international order, simply because it has profited far too much from the U.S.-anchored global economy. Yet China has nonetheless positioned itself for a global challenge to U.S. influence. Chinese military forces are deploying ever farther from China’s immediate periphery; Beijing has projected power into the Arctic and established bases and logistical points in the Indian Ocean and Horn of Africa. Popular Chinese movies depict Beijing replacing Washington as the dominant actor in sub-Saharan Africa—a fictional representation of a real-life effort long under way. The Belt and Road Initiative bespeaks an aspiration to link China to countries throughout Central Asia, the Middle East, and Europe; BRI, AIIB, and RCEP look like the beginning of an alternative institutional architecture to rival Washington’s. In 2017, Xi Jinping told the Nineteenth National Congress of the Chinese Communist Party that Beijing could now “take center stage in the world” and act as an alternative to U.S. leadership.38

These ambitions may or may not be realistic. But they demonstrate just how significantly the world’s leading authoritarian powers desire to shift the global environment over time. The revisionism we are seeing today may therefore be only the beginning. As China’s power continues to grow, or if it is successful in dominating the Western Pacific, it will surely move on to grander endeavors. If Russia reconsolidates control over the former Soviet space, it may seek to bring parts of the former Warsaw Pact to heel. Historically, this has been a recurring pattern of great-power behavior—interests expand with power, the appetite grows with the eating, risk-taking increases as early gambles are seen to pay off.39 This pattern is precisely why the revival of great-power competition is so concerning—because geopolitical revisionism by unsatisfied major powers has so often presaged intensifying international conflict, confrontation, and even war. The great-power behavior occurring today represents the warning light flashing on the dashboard. It tells us there may be still-greater traumas to come.

The threats today are compelling and urgent, and there may someday come a time when the balance of power has shifted so markedly that the postwar international system cannot be sustained. Yet that moment of failure has not yet arrived, and so the goal of U.S. strategy should be not to hasten it by giving up prematurely, but to push it off as far into the future as possible. Rather than simply acquiescing in the decline of a world it spent generations building, America should aggressively bolster its defenses, with an eye to preserving and perhaps even selectively advancing its remarkable achievements.