

March 13, 2020

The Honorable Eugene Scalia
Secretary of Labor
U.S. Department of Labor
200 Constitution Avenue NW
Washington, DC 20210

RE: Support for AFL-CIO's Petition for an OSHA Emergency Temporary Standard for Infectious Disease to Address the Epidemic of Novel Coronavirus Disease

Dear Secretary Scalia:

The undersigned consumer advocacy, workers' rights advocacy, science, research, and public health organizations respectfully urge you to direct the Occupational Safety and Health Administration (OSHA) to immediately grant the American Federation of Labor and Congress of Industrial Organizations' (AFL-CIO's) March 6, 2020, petition for an OSHA emergency temporary standard (ETS) for infectious disease to address the rapidly expanding epidemic of the novel coronavirus disease, COVID-19.

The COVID-19 epidemic is poised to become a genuine national public health emergency. As detailed in the AFL-CIO's petition, the epidemic poses a significant and growing threat to the health and safety of workers at the forefront of exposure to the coronavirus, including health care workers, first responders, airline and other transportation workers, social service workers, and other public-facing workers.

An adequate and immediate mandatory federal standard for infectious disease is critical to preventing the rapid spread of the disease to health care workers and first responders in particular. If these workers contract COVID-19 or are subject to prolonged quarantine because of potential exposure, they will not be available to assist and treat other infected patients, which would impede severely the ability of our health care system to stem the COVID-19 epidemic, as well as handle the usual flow of patients with other acute and chronic diseases. In addition, infected health care workers and first responders who have no or minimal symptoms could transmit the infection to vulnerable patients at high risk of dying from COVID-19. These factors together would exacerbate this unfolding public health crisis.

We agree with the AFL-CIO that the existing, largely voluntary guidance to protect workers from COVID-19 is insufficient. OSHA therefore must move expeditiously to issue an ETS for infectious disease in response to the COVID-19 epidemic. The ETS, at a minimum, must include provisions addressing each of the following:

- A comprehensive scope of those workers who need to be protected
- Creation and implementation of an exposure control plan
- Methods of compliance that include the hierarchy of controls — including engineering controls, administrative controls, and personal protective equipment — and schedule for implementation

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- Medical surveillance, medical removal protection, and vaccinations
- Housekeeping measures to reduce exposure
- Communication of hazards and training for all workers with potential occupational exposure to the infection
- Recordkeeping

Thank you for your prompt attention to this urgent public health matter.

Sincerely,

American Federation of Teachers
American Medical Student Association
American Muslim Health Professionals
American Public Health Association
Annie Appleseed Project
Center for Progressive Reform
Center for Science in the Public Interest
Council of State and Territorial Epidemiologists
Economic Policy Institute
Food & Water Watch
Foundation for Vaccine Research
GO2 Foundation for Lung Cancer
Interfaith Workers Justice
National Action Network
National Council for Occupational Safety and Health
National Employment Law Project
National Health Care for the Homeless Council
National Immigration Law Center
National Women's Health Network
Oxfam America
PhilaPOSH
Public Citizen
Public Justice Center
SafeWork Washington
Shriver Center on Poverty Law
Union of Concerned Scientists
U.S. PIRG
Workplace Fairness
Worksafe

cc: Loren Sweatt, Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health