

SAFETY FIRST: WORKING PEOPLE'S PLAN FOR REOPENING THE ECONOMY THE RIGHT WAY

Every day, health care workers, transit workers, meatpacking workers, first responders, grocery workers, utility workers, letter carriers, construction workers, doormen, retail workers, child protective service workers, factory workers, solid waste workers, corrections officers, janitors and other workers are being exposed to the coronavirus in U.S. workplaces. Hundreds of thousands of workers have been infected and thousands have died. The failure of federal and state governments to meet the following urgent needs before lifting or relaxing preventive measures that are currently reducing the number of cases and deaths due to COVID-19 will result in more working people falling sick and dying and more economic damage. Nothing would be worse for the economy than a premature reopening followed by an explosion of the disease and a second shutdown. Putting worker safety first is the first step in any viable plan to save lives, defeat the coronavirus and revive the economy, as the AFL-CIO has further laid out in [America's Five Economic Essentials](#).

- 1. Workers must have a say in these decisions at every level: workplace, industry, city, state and federal.** Working people are the ones whose lives and health are on the line, and workers and our unions must have a role in deciding whether it is safe to go to work.
- 2. Decisions must be based on worker safety and sound science.** The primary criterion for deciding whether it is safe for working people to return to work is worker safety, assessed on the basis of sound science rather than politics or profits. It is the job of occupational safety and health agencies to safeguard worker safety, and they must do their job. Current federal guidelines have not incorporated firmly established science on the coronavirus, such as the recognition of airborne transmission, or longstanding occupational health and safety practices, such as the hierarchy of controls. The hierarchy of controls is the system for eliminating or minimizing exposure using the most effective and feasible controls, including redesigning workplaces, increasing the availability of sanitary facilities, telecommuting and other forms of social distancing.
- 3. Strong, clear and enforceable workplace health and safety standards must be in place.** Under the law, employers are responsible for ensuring worker safety, and the Occupational Safety and Health Administration (OSHA) and the Mine Safety and Health Administration (MSHA) are responsible for setting and enforcing standards to hold many employers accountable. OSHA and MSHA must issue an emergency temporary standard for infectious diseases that requires all employers—including public employers in states without an approved OSHA state plan—that are currently open, or will reopen, to develop and implement an infection control plan, with requirements for hazard assessment, engineering controls, work practice and administrative controls, provision of personal protective equipment, training, medical surveillance, and medical removal protections. Federal and state safety agencies must conduct worksite inspections to enforce existing standards and the infectious disease standard, and issue clear enforcement directives to ensure that employers are protecting workers in every sector.

- 4. Workers must have stronger protections against retaliation.** Working people must have the right to refuse to work if they fear exposure to the virus because they have not been provided proper protections or training to do their job safely. There must be stronger protections for workers who speak up to their employer, public entities, social media or the press about unsafe working conditions; who bring a more protective level of equipment to work than their employer provides; or who test positive for the virus. Continuity of employment for more vulnerable workers with other health conditions, who might not be able to return to work during the pandemic, must be guaranteed. All these protections must be implemented by employers and enforced or supervised by federal and state governments. OSHA must expeditiously investigate every whistleblower complaint and issue directives outlining proactive enforcement of anti-retaliation protections.
- 5. There must be a massive increase in adequate levels and types of personal protective equipment for workers currently on the job—and then for those returning to the job.** A fresh and ample supply of necessary protective equipment, such as respirators and gloves, must be available for all at-risk workers. Reusable respirators that provide higher levels of respiratory protection than disposable N95 respirators must be available and prioritized for workers with the greatest exposures. The use of personal protective equipment must be accompanied by training; fit testing; safe don and doff process, including locations and procedures; disposal or sanitation protocols; and enforcement of OSHA's respiratory protection standard (1910.134). Before reopening, employers should use this time to transition and plan for using reusable respirators in addition to disposable respirators, including training, disinfecting protocols, fit testing and supply acquisition.
- 6. There must be a massive increase of rapid and reliable coronavirus testing.** Widespread coronavirus testing is indispensable in order to assess the threat to public health before safely and responsibly lifting preventive measures. Testing must be fast, free and everywhere. To achieve this goal, the federal government must devise and implement a strategic plan to ensure the production of a sufficient number of reliable testing kits, with priority testing for front-line workers, rather than abdicate its responsibility and leave states to fend for themselves. However, safeguards must be put in place before any use of antibody testing for purposes of public health benchmarks, and employers must not be allowed to use antibody testing to determine who can work.
- 7. The federal government must oversee a system of recording, reporting and tracking worker infections.** There must be a presumption that COVID-19 is a work-recordable illness for all workers. There must be real-time reporting of infections from the workplace to state and local health departments, coordinated with the federal government.
- 8. Employers, in coordination with local and state public health departments, must trace the contacts of infected workers and remove exposed workers from work with pay and without retaliation.** Those potentially exposed must be informed, appropriately removed from the workplace, and protected from the loss of income, benefits or employment. At the same time, there must be appropriate safeguards in place for the protection of worker data and privacy. As a matter of public health and worker safety, all workers—especially those on the front lines—must have a guarantee of 14 days of paid sick leave.