



April 28, 2021

To: President Biden, Secretary of Labor Marty Walsh, and Acting Director Shalanda Young

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

The Honorable Martin J. Walsh
Secretary
U.S. Department of Labor
200 Constitution Ave, N.W.
Washington, DC 20210

The Honorable Shalanda D. Young
Director (Acting)
Office of Management and Budget
1650 Pennsylvania Avenue, N.W.
Washington, DC 20210

Dear President Biden, Secretary Walsh, and Acting Director Young,

We are a group of workers, occupational safety and public health practitioners, former Department of Labor and OSHA officials, labor union and racial justice leaders, human and civil rights advocates, academics, faith leaders, and community activists and we call on the Biden Administration to immediately approve and implement the Emergency Temporary Standard issued by OSHA and lay out the steps workplaces must take to protect frontline workers from COVID-19.

On January 21, 2021, President Joe Biden issued an Executive Order on Protecting Worker Health and Safety, recognizing that frontline essential workers are in grave danger due to the enhanced workplace risks posed by the COVID-19 pandemic. The Executive Order directed OSHA to assess the need for and, if necessary, issue an Emergency Temporary Standard (ETS) by March 15, 2021. This deadline passed over seven weeks ago, and essential frontline workers continue to work in conditions that put them, as well as their families and communities, at grave risk of this dangerous disease.

The COVID-19 pandemic is not over. Since last month's deadline for the ETS determination, the national rates of new cases and hospitalizations are going up; all while recommended safety guidelines are being relaxed by Governors in multiple states.

Thousands of healthcare workers have died, and hundreds of thousands have been infected. The food processing and farming industries have seen outsized infection rates during this pandemic, and workers are still showing up at these dangerous workplaces without any guarantee of protection from exposure to the virus. In fact, infection rates in these industries continue to be a problem, with reports of repeat outbreaks as employees continue to work without proper distancing and with uneven access to information and protective equipment. Many other industries--including restaurants, construction, and manufacturing--continue to see outbreaks. Workers of color have been disproportionately impacted, suffering much higher rates of infection and death, driven by increased risk of exposure at work. The immediate workplace danger COVID-19 presents has far from disappeared. That is the present reality.

Although vaccination rates are increasing, many essential workers are not vaccinated, and we are not yet close to reaching herd immunity levels. The spread of new variants of COVID-19 will continue to put the lives of workers in danger. Experts emphasize that vaccination alone is not enough to secure worker and community safety. Immediate mandatory workplace controls remain a necessity if workers are to be properly protected, and they remain a critical element in the battle against COVID-19. With every passing day, workers' lives are lost, and their communities remain at risk.

In order to save workers' lives now, and prevent further community spread of COVID-19 and variants, we ask for immediate approval of the Emergency Temporary Standard that workers and their advocates have demanded, for far too long.

Signed,

Former US Department of Labor Officials

Robert Reich, professor at University of California at Berkeley
(served as Secretary of Labor, 1993-1997)

Dr. David Michaels, professor at Milken Institute of Public Health, George Washington University
(served as Assistant Secretary of Labor for OSHA, 2009-2017)

Charles Jeffress, retired
(served as Assistant Secretary of Labor for OSHA, 1997-2001)

Michael Silverstein, MD MPH
(served as Director of Policy, OSHA)

Michael Felsen, Esq., Access to Justice Fellow, Justice at Work*
(served as Solicitor, New England, US Department of Labor, 2010 - 2018)

Rosemary Sokas, MD, professor, Georgetown University*
(served as Director, Office of Occupational Medicine, OSHA)

Celeste Monforton, Public Health Lecturer, Texas State University
(served as Special Assistant/Senior Advisor to the Assistant Secretary of Labor, Mine Safety and Health Administration, 1996-2001; Legislative Affairs Specialist, OSHA, 1991-1995)

Labor Unions

American Federation of Government Employees, AFL-CIO
Asian Pacific American Labor Alliance, AFL-CIO
Association of Flight Attendants-CWA; Sara Nelson, International President
International Brotherhood of Teamsters; Lamont Byrd, Director, Safety and Health
Retail, Wholesale and Department Store Union; Stuart Appelbaum, President
Service Employees International Union
United Food and Commercial Workers Intl. Union; Anthony M. Perrone, International President

AFGE Local 704; Nicole Cantello, President
Knoxville-Oak Ridge Area Central Labor Council; Deborah Black, Financial Secretary-Treasurer
Maine AFL-CIO; Cynthia Phinney, President
Nebraska State AFL-CIO; Susan Martin, President/Secretary Treasurer
UFCW Local 770; John Grant, President

Organizations

A Better Balance
Children of Smithfield
Demos
Economic Policy Institute
Farmworker Advocacy Network
Justice at Work (Pennsylvania)
Justice for Migrant Women
Maryland Public Health Association
National Council for Occupational Safety and Health
National Immigration Law Center
Nebraska Appleseed
New Mexico Center on Law and Poverty
Oxfam America
Polaris
Public Citizen
Public Justice
Public Justice Center
Southern Poverty Law Center Action Fund

Union of Concerned Scientists
Worker Justice Center of New York
Workers Defense Action Fund
Worksafe

Organizational Leaders

Alabama Coalition for Immigrant Justice, Natividad Gonzalez, Organizadora
Alianza Nacional de Campesinas, María De Luna, National Policy and Advocacy Coordinator
Allies of Knoxville's Immigrant Neighbors, Milo Stanojevich, Co-chair
Arts, Crafts & Theater Safety, Monona Rossol, President
AZCOSH, Peter Dooley, Industrial Hygienist
Black Alliance for Just Immigration (BAJI), Lovette Kargbo Thompson, Atlanta Lead Organizer
Border Workers United, Blanca Estela Delgado, Executive Director
Center for Progressive Reform, Minor Sinclair, Executive Director
Center for Science in the Public Interest, Peter Lurie, Executive Director and President
Center for Social Epidemiology, Marnie Dobson Zimmerman, Director, Healthy Work Campaign
Center for Social Epidemiology, Ellen Roskam, Senior Strategist for Research & Global Health
Centro de los Derechos del Migrante, Inc., Sulma Guzman, Policy Director & Legislative Counsel
Child Labor Coalition, Reid Maki, Coordinator
ConnectiCOSH, Michael Fitts, Executive Director
Courage California, Irene Kao, Executive Director
CREA, Ruth Rosenbaum, Executive Director
CRLA Foundation, Anne Katten, Work Health and Safety Specialist
Earth Action, Inc., Mary Gutierrez, Director
Episcopal Farmworker Ministry, Lariza Garzon, Executive Director
ETSU, Ken Silver, CIH, CSP, CHMM, CPH
Fair Farms, Shelby Kalm, Campaign Manager
Fair World Project, Anna Canning, Campaigns Manager
Farmworker Association of Florida, Jeannie Economos, Health and Safety Project Coordinator
Farmworker Justice, Iris Figueroa, Director of Economic and Environmental Justice
Friends of the Earth, Chloe Waterman, Program Manager
Food & Water Watch, Zach Corrigan, Senior Staff Attorney
Food Chain Workers Alliance, Christina Spach, Food Policy Campaigns Coordinator
Food Empowerment Project, Lauren Ornelas, Founder
GA Familias Unidas, Maria del Rosario Palacios, Founder
Garment Worker Center, Alex Sanchez, Field Organizer
Georgia Budget and Policy Institute, Taifa Butler, President & CEO
Georgia Equality, Jeff Graham, Executive Director
HEAL (Health, Environment, Agriculture, Labor) Food Alliance, Navina Khanna, Executive Director
Healthy Schools Network, Claire Barnett, Executive Director
Heartland Workers Center, Sergio Sosa, Executive Director
Human Rights Watch, Grace Meng, Associate US Director
Interfaith Worker Justice of East Tennessee, Jim Sessions

Interfaith Workers Justice, Martha Ojeda, Senior National Organizer
Jobs with Justice of East Tennessee, Ventrice Hodge, Board member
Last Mile, Ananya Iyengar and Amanda Altman, Labor Organizer
Legal Aid at Work, Stacy Villalobos, Staff Attorney / Acting Director, Racial Economic Justice Program
Legal Aid Justice Center, Rachel McFarland, Staff Attorney
Maine Labor Group on Health, Lisa Miller, Chair of Board
Marked By COVID, Kristin Urquiza, Co-founder and Chief Activist
Massachusetts Coalition for Occupational Safety & Health (MassCOSH), Jodi Sugerman-Brozan,
Executive Director
MDC Consulting and Training, Mark Catlin, Industrial Hygienist
Mercy For Animals, Joe Huang-Racalfo, Sr. Federal Policy Adviser
Michigan Immigrant Rights Center, Diana Marin, Supervising Attorney
Migrant Clinicians Network, Amy Liebman, Director of Environmental and Occupational Health
NAACP Maryland State Conference, Staci Hartwell, Co-Chair, Environmental and Climate Justice
National Black Worker Center, Tanya Wallace Gobern, Executive Director
National Center for Farmworker Health, Bethany Boggess Alcauter, Director of National Agricultural
Worker Health Program
National Center for Law and Economic Justice, Leah Lotto, Senior Attorney
National Consumers League, Reid Maki, Director of Child Labor Advocacy
National Employment Law Project, Rebecca Dixon, Executive Director
National Jewish Health, Lisa Barker, Division of Environmental & Occupational Health Sciences
Nebraska Farmers Union, John Hansen, President
New Hampshire Coalition for Occupational Safety and Health, Brian Mitchell, Director
NJ Work Environment Council, Debra Coyle, Executive Director
North Carolina Justice Center, Clermont Ripley, Workers' Rights Project Co-Director
Northwest Workers' Justice Project, Corinna Spencer-Scheurich, Director
NYCOSH, Lara Maldjian, Associate Director
One Fair Wage, Yamila Ruiz, National Communications Director
Phelps Hospital Northwell Health, Mary Kovoor, Quality & Performance Improvement Coordinator
PhilaPOSH, Nicole Fuller, Director
Physicians for Social Responsibility Arizona, Eve Shapiro, MD
Rebirth Inc, Habacuc Petion, Executive Director
Restaurant Opportunities Center of The Bay, Maria Moreno, Lead Organizer
Rural Community Workers Alliance, Axel Fuentes, Executive Director
SafeWork Washington, Jay Herzmark, Director
South Florida Interfaith Worker Justice, Jeanette Smith, Executive Director
Statewide Organizing for Community eMpowerment (SOCM), Adam Hughes, East Tennessee Organizer
Student Action with Farmworkers, Victoria Nwankudu, Grassroots Organizer
Sur Legal Collaborative, Shelly Anand, Executive Director and Co-Founder
Temp Worker Justice, Dave DeSario, Director
The New England Consortium—UMass Lowell, Thomas Estabrook, Project Director
The International Center for Labor, Social and Spiritual Activism (ICLSSA), Ann Lister,
Co-Founder/President
Toxic Free North Carolina, Lior Vered, Policy Advocate

Trabajadores Unidos por la Justicia, Agustin López, Presidente
United Community Center of Westchester Inc., Jackeline Agudelo, Executive Director
United Steelworkers, Deborah Yakscoe, Union Safety Representative
Unity In Action, Olga Guevara, Executive Director
University of Colorado, Jose Luis Jimenez, Professor
Western NC Workers' Center, Hunter Ogletree, Co-Director
WNYCOSH, Brian Brown-Cashdollar, Interim Director
Worker's Initiative, Kamal Tewary, President
Workplace Fairness, Edgar Ndjatou, Executive Director
Workplace Justice Project at Loyola Law Clinic, Erika Zucker, Policy Advocate

Individual Signers

Michael Abrams, Health Researcher, Public Citizen
Darryl Alexander, Retired Health and Safety Director, AFT*
Theo Allen
Fran Ansley, Distinguished Professor of Law Emerita, University of Tennessee College of Law*
Aida Aponte-Gaup, DVM
Edwin Argueta, Board Chair, La Comunidad Inc.*
Deborah Black, Financial Secretary Treasurer, Knoxville-Oak Ridge Area Central Labor Council
Benjamin Bonnema
Catherine Bowman, Assistant Professor of Sociology, Austin College*
Denise Bowyer, Mothers and Others, Justice and Mercy for Immigrants*
Katie Bricio, Attorney, The Bricio Law Firm, PLLC
Carol Brooke
Michael Carome, Director, Health Research Group, Public Citizen
Liz Chacko, Deputy Director, Justice at Work (Pennsylvania)
George Curtin, retired, AFL-CIO
Leah Dail, Assistant Youth Missioner, Episcopal Diocese of North Carolina
Letitia Davis, Occupational Epidemiologist
Helen de Haven, Attorney
James Deshotels
Ronald Dobbin, Occupational Hygienist
Angela Duke, MD/MPH, FACOG- Obstetrician/Gynecologist
Judi Egbert, retired
Jasmin Espinosa, Field Director, GA Familias Unidas
Laura Fochtmann, Distinguished Service Professor, Renaissance School of Medicine,
Stony Brook University*
Alice Freund, Environmental Scientist / Teacher
Michael Friedman, Assistant Professor, CUNY*
Alexandre Galimberti, union member, UniteHERE! New England Joint Board*
Dona Gartrell, St Paul's Episcopal Church (Cary, North Carolina)
Luzdary Giraldo, Especialista en la Salud y Seguridad Ocupacional
The Reverend Jody Greenwood, Episcopal Priest

David Harrington, 40 Years of Health and Safety Work
Margaret Haughey, Volunteer, Episcopal Farmworker Ministry
Richard Henighan, Nurse Practitioner
Ellen Herbst, Psychiatrist
Alfredo Hernandez, Journeyman Plumber
Germania Hernandez, Organizadora
Salvador Hernandez, Mental Health Therapist
Mary Jo Johnson
Rich Kells
Bill Kojola, Industrial Hygienist, Retired
Randall Krocka, Administrator, Sheet Metal Occupational Health Institute Trust Inc.*
Paul Landsbergis, Associate Professor, SUNY-Downstate School of Public Health*
Mahatma Largaespada, Program Supervisor
Nancy Lessin, Advisor, National COSH*
Gillian Mason
Stephen Mooser, Workplace Health and Safety Educator
Maria Moreno Proveiro, Worker
Jose Oliva, Campaigns Director, HEAL Food Alliance (Health, Environment, Agriculture, Labor)
Marilyn Park, Union retiree
Richard Rabin, Trainer and Technical Consultant, Massachusetts Coalition for Occupational Safety and Health*
Consuelo Ramirez, Trabajadoras del Hogar sin Fronteras*
Steven Rodgers, SPEAK: Students, Parents and Teachers Across Knox County*
June Rostan
Rachel Rubin, Senior Medical Officer & Co-Lead, Cook County Department of Public Health*
Catherine Ryan, Grocery store worker
Scott Schneider, Retired
Peg Seminario
Mazie Smith, Board Member, Episcopal Farmworkers Ministry of NC
Rosemary Sokas, Professor, Georgetown University*
Susan Stepp
Angela Stuesse, Assistant Professor, and Author, *Scratching Out a Living*; University of NC, Chapel Hill*
Rev. Dr. Helen Svoboda-Barber
Noelle Tankard, Covid Straight Talk, Researcher
Christopher Titus, Restaurant Worker
Loretta Torrago
Lisette Torres-Gerald, Science for the People*
John Triplett, Retired City Letter Carrier
David Wegman, Professor Emeritus
Martha Whitesides

***Organization listed for affiliation purposes only.**

Para: El Presidente Biden, el Secretario de Trabajo Marty Walsh, y Directora en funciones para la Oficina de Administración y Presupuesto Shalanda Young

Estimado Presidente Biden, Secretario Walsh, y Directora en funciones Young:

Somos un grupo de trabajadorxs, profesionales de la seguridad ocupacional y la salud pública, ex funcionarixs del Departamento de Trabajo y OSHA, líderes sindicales y de justicia racial, defensores de los derechos humanos y civiles, académicos, líderes religiosos y activistas comunitarios, y pedimos a la Administración de Biden aprobar e implementar de inmediato la Norma Provisional de Emergencia preparada por OSHA y establecer los pasos que deben tomar los lugares de trabajo para proteger a los trabajadorxs de primera línea del COVID-19.

El 21 de enero de 2021, el Presidente Joe Biden emitió una Orden Ejecutiva sobre la Protección de la salud y la seguridad de lxs trabajadorxs, reconociendo que lxs trabajadorxs esenciales y de la salud están poniendo sus vidas en grave peligro al enfrentar los riesgos aumentados que representa la pandemia de COVID-19 a lxs trabajadorxs. La Orden Ejecutiva encargó a OSHA con evaluar la necesidad de, y si fuera necesario, emitir una Norma provisional de emergencia (ETS, siglas en inglés) para el 15 de marzo de 2021. Este plazo se venció hace más de seis semanas, y lxs trabajadorxs esenciales de primera línea siguen laborando bajo condiciones que lxs ponen a ellxs, así como a sus familias y comunidades, en grave riesgo de esta peligrosa enfermedad.

La pandemia de COVID-19 no ha terminado. Desde el plazo del mes pasado para la determinación de la ETS, las tasas nacionales de casos y hospitalizaciones nuevas siguen subiendo - al mismo tiempo que gobernadorxs en varios estados suavizan las pautas de seguridad recomendadas. Miles de trabajadorxs de salud han muerto y cientos de miles han sido infectadxs. Las industrias de agricultura y procesamiento de alimentos han visto unas tasas de infección excesivas durante esta pandemia, y lxs trabajadorxs siguen asistiendo a estos lugares de trabajo peligrosos sin ninguna garantía de protecciones contra exposición al virus. De hecho, las tasas de infección en estas industrias siguen siendo un problema - existen informes de brotes repetidos mientras que lxs empleadxs siguen trabajando sin distanciamiento apropiado y con un acceso desigual a la información y al equipo de protección. Muchas otras industrias, entre ellas restaurantes, construcción y fabricación, siguen registrando brotes. Lxs trabajadorxs de color han sido desproporcionadamente afectadxs y sufren de tasas de infección y muerte mucho más altas, impulsadas por el riesgo aumentado de la exposición en el trabajo. El peligro laboral inmediato que el COVID-19 presenta está muy lejos de desaparecer. Esa es la realidad actual.

Aunque las tasas de vacunación están aumentando, muchxs trabajadorxs esenciales no están vacunadxs, y aún no estamos cerca de alcanzar la inmunidad colectiva. La propagación de nuevas variantes del coronavirus seguirá poniendo en peligro la vida de lxs trabajadorxs. Lxs expertxs resaltan que las vacunas en sí no son suficientes para garantizar la seguridad de lxs trabajadorxs y la comunidad. Para proteger a lxs trabajadorxs adecuadamente, siguen siendo necesarios los controles inmediatos y obligatorios en el lugar de trabajo, y estos controles son un elemento fundamental en la batalla contra el COVID-19. Con cada día que pasa, se pierden vidas de trabajadorxs, y sus comunidades siguen en riesgo.

Para salvar la vida de lxs trabajadorxs ahora y evitar una mayor propagación comunitaria de COVID-19 y variantes, solicitamos la aprobación inmediata del Estándar Temporal de Emergencia que lxs trabajadorxs y sus defensorxs han exigido durante demasiado tiempo.