



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 2; Martín Rosas, President  
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  
New Orleans Workers' Center for Racial Justice  
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 Rosskam, 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  
Memphis Labor Council, Sweetrica Giaimo-Baker, Secretary  
Mercy For Animals, Joe Huang-Racalto, Sr. Federal Policy Adviser  
Metropolitan Nashville Education Association, Amanda Kail, President  
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  
Nashville Central Labor Council, Sam Malick Petschulat, Campaign and Community Coordinator  
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-Gaupp, DVM  
Edwin Argueta, Board Chair, La Comunidad Inc.\*  
Anne Barnett  
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  
David Dark, Educator  
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\*

Jason Freeman, Political Director, SEIU Local 205\*  
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  
Kathleen Grant, Omaha Together One Community (OTOC)  
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  
Honey Hereth, Para Educator, SEIU Local 205 and CLC Nashville  
Alfredo Hernandez, Journeyman Plumber  
Germania Hernandez, Organizadora  
Salvador Hernandez, Mental Health Therapist  
Mary Jo Johnson  
Bonita Kallinikos  
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\*  
Scott Martindale, Maintenance Worker, United Campus Workers-CWA 3865  
Gillian Mason  
Kermit Moore, retired  
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  
Freda Player, School Board Member  
Richard Rabin, Trainer and Technical Consultant, Massachusetts Coalition for Occupational Safety and Health\*  
Consuelo Ramirez, Trabajadoras del Hogar sin Fronteras\*  
Misty Roberston, Electronic Technician, Communication Workers of America  
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  
Laura Schlesinger, Teacher  
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  
Nick Wertsch, Staff Attorney, Workers Defense Project\*  
Martha Whitesides  
Jose Zuniga, Telephone Repairman, CWA 3808

**\*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.