



HB1084 - COVID-19 Response Act of 2022
House Health and Government Operations Committee
March 14, 2022

Position: Favorable

Dear Chair Pendergrass and Members of the Committee,

Marylanders for Food and Farm Worker Protection is a broad, diverse coalition which uses advocacy, grassroots organizing, and public education to win basic health and safety rights and protections for the poultry workers, crab pickers, and field workers rendered vulnerable by our industrialized food system.

Our testimony will focus on the Maryland Public Health Modernization Workgroup and the need the state has for this assessment of current public health infrastructure and making recommendations for establishing a modern and effective public health system that can **monitor, prevent, control, and mitigate the spread of infectious disease.**

Over the COVID-19 pandemic, nationwide it became clear that some workplaces and populations were more or less at risk of infection. The poultry industry is one of the most dangerous industries for workers in the country. According to the most recent data released by the Bureau of Labor Statistics, the poultry industry has a self-reported rate of serious illnesses and injuries to workers that involve lost time or restricted duty that is almost triple the average rate for all private industry.¹

In Maryland's eastern shore, for example, over [2 million chickens had to be destroyed](#) due to pandemic-related worker illness outages, and the pattern here mirrored the impact of COVID-19 on meat processing workers nationwide. From reporting at the Baltimore Sun during that time, "The spread of the virus through Delmarva is part of a larger crisis afflicting meat and poultry plants nationwide. So many workers have become sick or are quarantining at home that elsewhere, plants have slowed production or shut down temporarily, straining the food supply

¹ Survey of Occupational Injuries and Illnesses Data, U.S. Bureau of Labor Statistics (2020, <https://www.bls.gov/iif/soii-data.htm> (last visited Feb. 28, 2022)).

chain and raising fears of shortages. Millions of pigs and chickens have had to be destroyed for lack of enough workers to process them.”²

Marylanders for Food & Farm Worker Protection member organizations working directly with these vulnerable food and farm worker populations continue to report that workers are pressured to work when sick and/or are threatened with job loss if they call out sick.

In our conversations with the state, workers, and others it became clear that the state was unable to track cases in different workplaces. The contact tracing categories were wildly inappropriate - workers in meat processing plants were categorized in “commercial construction and manufacturing” and farmworkers as “other non-public facing.” This undermines the ability of the state to mount a public health response tailored to specific needs of our communities. We know that workplace exposure is a driver of infection, and outbreak and data reporting is key to mitigate spread of COVID-19 or other infectious diseases.

There is a solution to this problem that we can replicate from other states. Maryland should collect infectious disease data using standardized NAICS and SOC codes to categorize industry and occupation, which should be reported in the aggregate. This data can be collected easily by recording “narrative” answers to questions of workers, which computers can now classify into standardized codes. Collecting industry and occupation data would allow us to characterize risk across different groups and target interventions.

Industry and occupational data assists the public health community to identify work-related outbreaks and better evaluate the risks among various groups of workers. Outside of COVID-19, using standardized data codes allows data to be compared across industries and states for future public health concerns. In fact, experts with the US. Centers for Disease Control and Prevention have noted that “collecting information about the jobs of all workers with COVID-19 would help the public health community identify work-related outbreaks and evaluate risks among various groups of workers. We could then better refine guidance for specific occupational groups.”³

Frontline workers are members of our communities and have sustained the state even before the pandemic. The pandemic has further revealed the great vulnerabilities faced by many frontline workers -- often workers of color in low-wage industries. Current data collection obfuscates infections in the meatpacking industry, which nationally was a COVID-19 hotspot.

² Marbella, Jean. “Salisbury made a national list of coronavirus hot spots. How many cases came from its poultry plant? Maryland won’t say.” Baltimore Sun. 2020, May 15.
<https://www.baltimoresun.com/coronavirus/bs-md-coronavirus-salisbury-poultry-plant-20200515-74xpctrxxzbexaaq ueiskclzwa-story.html>

³ U.S. CDC. *Collecting Occupation and Industry Data in Public Health Surveillance Systems for COVID-19*. Sara Luckhaupt, MD; Sherry Burrer, DVM; Marie de Perio, MD; and Marie Haring Sweeney, PhD; for the CDC COVID-19 Response Worker Safety and Health Team Occupational Epidemiology Branch. June 11, 2020. Available at: <https://blogs.cdc.gov/niosh-science-blog/2020/06/11/covid-surveillance/>. Last accessed: Nov 22, 2021.

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The workgroup can look to other states that are already collecting this information, using standardized NAICS and SOC codes. In Virginia, [case reporting includes occupation and industry](#) questions for COVID-19 reporting. Washington State and Colorado are both using occupation and industry information to target interventions within different contexts.

The workgroup should also establish the procedures to allow workers to test at home and have a mechanism to protect workers who test positive to stay home without putting their jobs in jeopardy.

We do not know when we will be faced again with an infectious outbreak and we need to learn from COVID-19 and institutionalize improvements now while the experience is fresh. The Maryland Public Health Modernization Workgroup is critical for creating these recommendations and preparing us for the future.

However, we are concerned that the state has not convened this workgroup as required by the COVID-19 Response Act of 2021. The workgroup should have experts the National Council for Occupational Safety and Health, Georgetown University's Kalmanovitz Initiative for Labor and the Working Poor, the United Food and Commercial Workers, the Council of State Territorial Epidemiologists, and organizations who directly work with and on the behalf of migrant workers in Maryland. The meetings should be announced, be open to the public, and accept public comment.

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On behalf of Marylanders for Food and Farm Worker Protection Coalition (MFFWP), currently comprised of 15 organizations who came together in April 2020 to collaborate on our shared mission to require mandatory COVID-19 protections for the “essential workers” who feed us but have been denied these and other basic worker protections. Member organizations include Maryland Clean Water Action, CATA – The Farmworkers Support Committee, Center for Progressive Reform, Centro de los Derechos del Migrante, Chesapeake Physicians for Social Responsibility, Children's Environmental Health Network, Fair Farms, Farmworker Justice, Food & Water Watch, Friends of the Earth, Maryland Campaign for Environmental Human Rights, Maryland Pesticide Education Network, Migrant Clinicians Network, National Employment Law Project, Public Justice Center, Sunrise Baltimore / Sunrise Maryland and consultants in labor, law, and public health.