

HEALTH PROFESSIONALS FOR WORKER COVID PROTECTIONS

We, the undersigned occupational safety and health professionals in Maryland, write today to urge your support for HB 124, [Occupational Safety and Health Standards to Protect Employees- Aerosol Transmissible Diseases and COVID-19] . In this devastating COVID pandemic, Maryland essential workers , risk exposure every day to the deadly SARS-CO-V-2 virus at work. Yet they have little or no guarantee of protection from work-related exposure.

As of January 21, 2021, Over 334,500 Marylanders have come down with COVID-19 and 6,560 have died of the disease. Close to half of those deaths have been among Hispanic and African-American residents – who are over-represented in the ranks of essential workers. Many of these residents have been put at risk because they are required to go to work in unsafe workplaces.

Maryland essential workers are at risk specifically because they can't stay home or work remotely. Every day, health care workers, delivery workers, grocery workers, child care workers, postal workers, farm workers, food production workers (e.g. poultry workers) and other essential workers are on the job every day placing themselves at risk of infection. Their risk would be substantially lower if their employers put in place robust mitigation strategies and enforced good public health practices such as enhanced ventilation, mask wearing, social distancing, hand hygiene etc. Yet there are no requirements for employers to do so.

Not only are these workers at risk of infection, but if they get sick the system for providing essential services will fail, creating havoc.

The Governor has failed to protect these workers. His executive orders are intended to be enforced by local health departments which are understaffed and without the enforcement powers needed to force companies to utilize safe practices. Maryland has an agency specifically tasked with ensuring and enforcing worker safety. It is the Maryland Occupational Safety and Health Agency (MOSH). But MOSH has been sidelined. Very few inspections have been done related to COVID and most COVID-related complaints have been met with a shrug, a letter to the employer nudging them to do the right thing.

MOSH by law has the power to issue “emergency temporary standards”(ETS) to deal with just the type of situation we now find ourselves in. An ETS to protect Maryland workers on the job would spell out requirements for safe working conditions and protect workers from retaliation for raising a complaint. It would be enforced by MOSH which can issue fines for willful, serious, repeat and other than serious violations. Within 6 months it would be replaced by a final permanent standard, based on public input. The agency has failed to exercise its regulatory authority and must be compelled to do so.

Many states, such as Virginia and California, have already issued an ETS for COVID-exposed workers or issued enforceable executive orders to ensure workplace safety. Maryland must

follow suit. In the past on other issues, like lead exposure in construction or for tree care workers, Maryland has been on the forefront protecting workers from these hazards even before Federal OSHA has acted. There is no reason for Maryland workers or MOSH to wait for Federal action. Workers deserve these protections now. They should have had them 9 months ago when the Governor was first petitioned by the State AFL-CIO and many other groups. We can't delay any longer. Please pass this bill and give Maryland workers the protection they deserve from this deadly virus.

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