



**HB 124**  
**Occupational Safety and Health Standards to Protect Employees - Aerosol Transmissible  
Diseases and COVID-19**  
**Hearing of the House Economic Matters Committee**  
**January 28, 2021**

**SUPPORT**

The COVID-19 global pandemic has exacerbated dire and abusive working conditions for workers in Maryland, including the thousands of migrant workers on temporary work visas working at the frontlines. With little to no enforceable workplace protections at the state or federal level, many migrant workers have already fallen ill with COVID-19 in the months since the pandemic began. Many, if not all, of these workers, face threats of retaliation if they dare to speak out about unsafe working conditions. On account of this, and in the interest of public health and justice, **Centro de los Derechos del Migrante, Inc. (CDM or Center for Migrants' Rights)** unequivocally **SUPPORTS HB 124**, a law that would require Maryland Occupational Safety and Health (MOSH), in consultation with Maryland Department of Health, to issue an urgently needed Emergency Temporary Standard specific to COVID-19.

CDM, founded fifteen years ago, is a not-for-profit, transnational organization, driven by its mission to improve the conditions of low-wage workers in the United States, including those on temporary work visas. With offices in Baltimore, Mexico City, and Juxtahuaca, Oaxaca, CDM supports migrant workers throughout their labor migration journey—from the moment they are recruited in their home communities, to their workplace in the U.S., and upon their return home.

In Maryland, migrant workers perform essential jobs in industries such as agriculture, meatpacking, poultry, seafood processing, education, hospitality, and technology and are incredibly vulnerable to COVID-19 infection. Each year, Maryland communities are strengthened by tens of thousands of migrant workers in temporary work visas tied to a single employer, ranging from H-2A and H-2B to J-1 and TN visas.<sup>1</sup> Many of these workers, particularly those in agriculture, seafood and poultry processing, work shoulder-to-shoulder in crowded, poorly ventilated conditions, and are not provided personal protective equipment to prevent the spread of COVID-19. Many also depend on their employer for housing and transportation, traveling to and from work in crowded vans.

Throughout the pandemic, CDM has maintained a strong line of communication with the migrant worker women working in Maryland's crabpicking industry. Several of these workers shared with our team that their employers did not provide them with masks or gloves. Last summer, CDM was contacted by several crab processing workers in Cambridge and Hooper's Island, when over 50 of

---

<sup>1</sup> Department of Homeland Security, Non-Immigrant Admissions Supplementary Tables, 2018.

their coworkers contracted COVID-19.<sup>2</sup> Workers reported living in close quarters with coworkers who had tested positive, and they shared that employees who did not show symptoms were encouraged to return to work. Many of the workers we spoke with were terrified of being outed as whistleblowers, because this could jeopardize their chances of being hired again for the next season.

The wellbeing and health of workers cannot be left to the goodwill of employers—we must have an enforceable standard to hold employers accountable to workers and their safety. **HB 124** would require MOSH to emit an enforceable standard that requires employers to uphold safety standards; prohibits mandating infected workers to return to work unless it is safe to do so; and provides additional protections from retaliation for whistleblowers. CDM requests a **FAVORABLE report on HB 124**. If you have any questions, please contact Sulma Guzmán, Policy Director & Legislative Counsel, at 1-855-234-9699 or [sulma@cdmigrante.org](mailto:sulma@cdmigrante.org).

---

<sup>2</sup> Barker, Jeff. “Report Says Pandemic Exposed Conditions and Risk for Migrant Crab Pickers on the Eastern Shore.” *Baltimoresun.com*, Baltimore Sun, 25 Sept. 2020.