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## HB 124

Occupational Safety & Health Standards to Protect Employees – Aerosol Transmissible Diseases and COVID 19  
Hearing before the House Economic Matters Committee  
January 28, 2021

### POSITION: SUPPORT

The Public Justice Center (PJC) is a not-for-profit civil rights and anti-poverty legal services organization which seeks to advance social justice, economic and racial equity, and fundamental human rights in Maryland. Our Workplace Justice Project works to expand and enforce the right of low-wage workers to receive an honest day's pay for an honest day's work through litigation and public policy. The PJC **SUPPORTS HB 124** and requests a **FAVORABLE** report.

#### **HB 124 Is a Timely Remedy for Ongoing Problems That Are Exacerbated Due to the COVID-19 Pandemic.**

Food and farmworkers are the backbone of our food system and the sustenance of Maryland. Despite their integral contributions, farmworkers and their families face entrenched poverty, an unjust immigration system, and dangerous working conditions. Farmworkers have been intentionally excluded from basic labor laws like the right to organize, minimum wage, and paid sick leave. The COVID-19 crisis is no exception to this, as workers who have worked in person throughout the pandemic continue to be an afterthought of policy-discussion and implementation. HB 124 will create permanent standard for workplace protections so workers who are most at risk to contract COVID-19 are immediately protected now and in any future pandemics.

**HB 124 Is Impactful Because Front-Facing and Public Employees, including Food, Farm, and Agricultural Workers are People of Color Who Are Disproportionately Affected by COVID-19.** Workplace spread is a significant source of COVID-19 cases.<sup>1</sup> Workplace spread is more likely to occur in occupations that cannot or do not complete their work remotely and therefore must be present in the workplace.<sup>2</sup> Black, Latino, and other people of color are overrepresented in front-facing or public occupations and as such have contracted COVID-19 at higher rates.<sup>3</sup> At the federal level, OSHA has largely abdicated its responsibility to protect workers, issuing only a handful of citations despite thousands of complaints over the course of the pandemic.

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<sup>1</sup> David Michaels and Gregory R. Wagner, The Century Foundation, *Halting Workplace COVID-19 Transmission: An Urgent Proposal to Protect American Workers* (Oct. 2020). Available at: <https://tcf.org/content/report/halting-workplace-covid-19-transmission-urgent-proposal-protect-american-workers/>.

<sup>2</sup> Id.

<sup>3</sup> Richard Oppel Jr. et al., *The Fullest Look Yet at the Racial Inequity of Coronavirus* (Jul. 5, 2020). Available at: <https://www.nytimes.com/interactive/2020/07/05/us/coronavirus-latinos-african-americans-cdc-data.html>  
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Unfortunately, MOSH, too, has largely abdicated its responsibility to protect workers when it comes to COVID-19. HB 124 will help ensure workers of color hit hardest by the pandemic are protected before the pandemic worsens.

**HB 124 Is a Result of Demonstrated Needs of Workers in Maryland.** The Public Justice Center has fielded a multitude of calls from workers who are not receiving any personal protective equipment (PPE), whose employers are threatening to fire them if they try to use sick days to quarantine, and who are generally fearful about what their options are, if any. As it stands today, there are still Maryland workers – including food and farmworkers – who are not provided adequate PPE, forced to stand shoulder to shoulder on poultry slaughter lines or lose their paychecks, who are being asked to come back to work when they are still sick, and who are too fearful to speak out for fear of retaliation from their employers. Without any enforceable and mandatory workplace safety standards in place for COVID-19, these employees have no recourse. And until our food and farmworkers are protected, our food supply chain remains at risk and community spread of this virus will continue. These experiences reinforce the necessity of this legislation, because one unprotected person is one too many in this crisis.

For the foregoing reasons, the PJC **SUPPORTS HB 124** and urges a **FAVORABLE** report. Should you have any questions, please call Tyra Robinson at 410-625-9409 ext. 223.