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As COVID-19 Rages, New Report Explores How to Better Protect Workers During Pandemics

Worker Health and Safety Experts Offer Key Recommendations to Federal and State Agencies

Even as COVID-19 continues to rage across the United States, governments and industries are "reopening" the American economy. As [a new report](#) from the Center for Progressive Reform shows, in the absence of sufficient safeguards, this puts workers and the general public at heightened risk of contracting the deadly virus.

[*Protecting Workers in a Pandemic: What the Federal Government Should Be Doing*](#) notes that in many essential industries, the coronavirus risk is particularly acute because of the nature of the work and of the workplaces in which it is conducted. The lack of enforceable, pandemic-specific protections for workers and the hodgepodge of industry responses heighten this danger to workers.

"States and many companies have shifted away from a precautionary COVID-19 model in a rush to return to 'business as usual,'" said Thomas McGarity, CPR Board Member and co-author of the report. "But workers in many industries are still in significant danger, and federal agencies under President Trump have failed to implement enforceable health standards to better protect workers from infection."

For a variety of reasons, coronavirus-related dangers fall disproportionately on Black, Latinx, and low-income workers – people whose economic circumstances and less reliable access to health care renders them all the more vulnerable.

"Black, brown, and low-income workers are being treated as expendable, forced by the threat of losing their jobs to accept risks no policymaker would accept for themselves or their families," said Sidney Shapiro, CPR Board Member and co-author of the report. "The Trump administration and the states need to act immediately to address this unacceptable injustice."

Whether federal and state governments ultimately heed the advice of public health experts to protect us all by better protecting worker health remains to be seen. Unfortunately, the Trump administration has largely failed to provide leadership and has instead used the pandemic as a rationale to roll back enforcement of existing workplace safety measures.

"Instead of seizing the opportunity to ensure that the nation's workers are not subjected to significant risks on the job, the Occupational Safety and Health Administration and other agencies have faded into the background," said Michael C. Duff, CPR Member Scholar and a report co-author. "At the same time, conservative U.S. senators and the White House are pushing

to insulate businesses from lawsuits and perhaps even workers' compensation claims filed by workers and customers who are harmed by companies' failure to protect them from infection."

While the federal government has shown little interest in protecting workers from the coronavirus, the report's authors note that such leadership is not beyond its reach. Throughout the report, McGarity, Duff, and Shapiro offer recommendations, some specific to preventing the spread of the virus, and some that apply the lessons of the pandemic to enduring workers' rights issues. These recommendations include:

- The Occupational Safety and Health Administration (OSHA) should drop its irresponsible opposition to developing an emergency temporary standard on pathogen protection for workplaces and proactively protect workers from COVID-19.
- OSHA should develop a permanent standard for pathogens like COVID-19 in workplaces where they pose a significant risk to workers.
- OSHA should aggressively enforce the general duty clause of the Occupational Safety and Health Act by issuing citations to any company that fails to comply with generally recognized pathogen protection practices.
- State legislatures and workers' compensation agencies should create a presumption that at a minimum, any "essential" worker who suffers from COVID-19 contracted the infection at the workplace and is therefore entitled to workers' compensation.
- Congress should enact legislation making paid sick leave a universal requirement for all employees, providing strong whistleblower protections for workers reporting dangerous conditions, and giving workers a private right of action in federal court to enforce OSHA standards.

The report is available at <https://bit.ly/protectworkerspandemicrpt>.

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