

U.S. Sen. Baldwin: introduces legislation to protect frontline workers against COVID-19

Posted on Monday, Apr 6, 2020

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WASHINGTON, D.C. – U.S. Senator Tammy Baldwin, Ranking Member of the Senate Employment and Workplace Safety Subcommittee, introduced legislation to protect American workers on the frontlines of the coronavirus (COVID-19) pandemic.

Senator Baldwin's *COVID-19 Workers First Protection Act* (S.3584) directs the Department of Labor (DOL) to issue an emergency temporary standard (ETS) that requires certain employers to develop and implement a comprehensive infectious disease exposure control plan to protect health care workers and other employees at elevated risk from exposure to COVID-19, such as first responders, firefighters and emergency medical technicians.

“Wisconsin health care workers and first responders are on the frontlines of this pandemic and we need to protect them from exposure to coronavirus,” **said Senator Baldwin.** “While folks are working to support our communities during this public health emergency, we must do everything we can to protect these brave men and women while they’re doing their essential jobs. My legislation will direct the Secretary of Labor to take action and protect our workers now. We’re all in this together, so we need to protect one another as we work to get through this public health crisis and save lives.”

The Department of Labor, through the Occupational Safety and Health Administration (OSHA), has the statutory authority to issue an ETS to protect workers who are potentially exposed to dangerous hazards. This legislation would

direct the Secretary of Labor to take that action in protecting frontline workers from exposure to COVID-19.

The bill would require a comprehensive permanent infectious disease enforceable standard within 24 months. It would make the ETS stay in effect until that permanent standard is promulgated. The legislation would also provide OSHA with discretion not to issue citations to hospitals and other covered employers who fail to provide employees with necessary personal protective equipment, if they can show that they made a good faith effort to secure equipment, and that the employer is implementing alternative methods to protect its employees.

The ETS, as well as a permanent infectious disease enforceable standard, if in place before this pandemic could have helped prevent the shortage of personal protective equipment (PPE), and will help prevent shortages in the future. By creating an enforceable standard requiring the use of PPE, manufacturers will have a more predictable and certain market to sell this equipment in.

OSHA can begin standards-setting procedures on its own initiative, or in response to petitions from other parties. Under certain limited conditions, OSHA is authorized to set an ETS that takes effect immediately and is in effect until superseded by a permanent standard.

The full bill text is available [here](#).

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