

# **U.S. Sen. Baldwin: Senate and House Democrats demand answers from Secretary Scalia on labor department's involvement in weakening COVID-19 workplace safety guidance for nation's largest meatpacking plant**

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WASHINGTON, D.C. – In a [letter](#) to U.S. Department of Labor (DOL) Secretary Eugene Scalia, Senate and House Democrats requested information regarding his Department's involvement in the watering down of Centers for Disease Control recommendations to a South Dakota meatpacking plant that experienced a major COVID-19 outbreak.

The letter was sent by Senate Employment and Workforce Subcommittee Ranking Member Tammy Baldwin (D-WI), Senate Health, Education, Labor, and Pensions (HELP) Ranking Member Patty Murray (D-WA), House Education and Labor Committee Chairman Robert C. "Bobby" Scott (VA-03) and Workforce Protections Subcommittee Chair Alma Adams (NC-12).

The Members have expressed deep concern regarding the CDC's irregular process of responding to COVID-19 exposure at the Smithfield Foods Sioux Falls Pork Plant, one of the nation's largest meatpacking centers. Following the CDC's visit to the

plant in April, the agency issued an Epi Aid [report](#) containing recommendations outlining how the plant can reduce disease transmission among workers. However, that document was immediately withdrawn and then watered down in a [final version](#) that was posted on CDC's website. In the revised document, the CDC framed its science-based recommendations as purely optional by inserting phrases in directives such as "if feasible," "consider," and "if possible."

On September 23, CDC Director Robert Redfield testified before the Senate Committee on Health, Education, Labor, and Pensions (HELP). [Under questioning from Senator Baldwin, Dr. Redfield testified that he had no contact with the Department of Agriculture \(USDA\), the White House, or Smithfield about this matter](#), which contradicted his own CDC officials who have confirmed an April 22 phone call between the CDC Director and the USDA Secretary. Redfield also claimed the changes were made simply to clarify that the recommendations were advisory and not regulatory requirements, although previous CDC Epi Aids do not include similar weakening phrases.

After the hearing, the Members [sent a letter](#) to Trump administration officials at the Department of Health and Human Services (HHS), the Centers for Disease Control and Prevention (CDC), and the National Institute for Occupational Safety and Health (NIOSH), to better understand why the changes were made from Version 1 of the CDC recommendations to Version 2 and who influenced the process. In a [separate letter to USDA](#) Secretary Sonny Perdue, Members requested documents outlining any communication between USDA and CDC or Smithfield concerning the development of guidance for Smithfield.

Last week, Dr. Redfield informed Senator Baldwin that, contrary to his previous testimony, his office was in contact with both USDA and DOL about the Smithfield outbreak during the time that CDC was working on the safety recommendations.

Now the members are sending a letter to DOL Secretary Scalia to request information about his department's involvement with the CDC recommendations to the Smithfield plant in April 2020. [Read the letter here](#).

The Occupational Safety and Health Administration (OSHA) within DOL is the agency

charged with issuing enforceable workplace safety standards to protect U.S. workers, but has yet to issue an Emergency Temporary Standard (ETS) to keep workers safe and prevent the spread of the virus during the COVID-19 pandemic.

This spring, Senate and House Democrats introduced legislation to protect U.S. workers from COVID-19 in response to disturbing, widespread reports then of unsafe workplaces leading to preventable illnesses and deaths. [The COVID-19 Every Worker Protection Act](#) would require OSHA to issue an Emergency Temporary Standard (ETS) that establishes a legal obligation for all workplaces to implement comprehensive infectious disease exposure control plans to keep workers safe during the COVID-19 pandemic. During this pandemic, the Members have repeatedly called on the Trump administration to take action to protect workers, but Trump's OSHA has failed to act.

The legislation was included in the *HEROES Act* that passed the House in May, and was also included in COVID-19 response legislation that passed the House just last week.

An online version of this release is available [here](#).