

Memorandum in Support

The New York Hero Act

(S1034/A2681)

El Centro Del Inmigrante, strongly supports the NY HERO Act (S1034/A2681), which would direct the New York Department of Labor to create enforceable workplace standards to protect workers and the public during the Covid-19 pandemic and future airborne infectious disease outbreaks. The bill would also allow workers in workplaces of 10 or more employees to create joint employer-employee health and safety committees to promote cooperation between workers and employers in maintaining safe workplaces.

Over 35,000 New Yorkers have already died from COVID-19, and hundreds more are dying everyday. Workers have mostly been left to face COVID-19 alone - without adequate protections from their employers or the federal Government. In New York, far too many workers have and continue to work without the necessary equipment and protocols to protect themselves. Many workers still do not have the masks, gloves, or access to sanitary facilities that are critical in preventing infection. Many workers are unable to socially distance from their co-workers or customers or work in crowded spaces without proper ventilation. Far too many workers are unable to speak up in the workplace about health and safety violations without fear of retaliation. This has led to workers facing the brunt of the deadly consequences of COVID-19. In order to slow the spread of Covid-19, and protect workers from future airborne infectious disease outbreaks, we must slow workplace spread by creating enforceable healthy and safety standards that ensure every workplace is safe. Every worker deserves to go to work without fearing that they may bring the virus home to their loved ones.

The NY HERO Act would protect workers, customers and communities by directing the New York State Department of Labor, in consultation with the Department of Health, to establish requirements for screening, face masks, PPE, social distancing, hand hygiene, disinfection, and engineering controls. Every private employer in the state would be required to follow these standards, which will be enforced by DOL through investigations, fines, and legal injunctions as well as through a private right of action. The NY HERO Act would also empower workers to protect their own safety, their workplaces, and customers through cooperation with employers. The bill would allow for workers to form health and safety committees with representatives of the employers to raise health and safety concerns and evaluate health and safety in the workplace. Workers who choose to form committees would be protected from retaliation.

The pandemic has laid bare the racial injustice that workers face in New York and across the country. Black and Latinx workers are more likely to work essential jobs, are more likely to lack adequate access to health care and are more likely to live with family members who are at risk of complications from the virus. As a result, Black and Latinx workers and their family members died from COVID-19 at higher rates than white workers.

New York's workers have rightly been called heroes throughout the pandemic, for caring for our sick, delivering critical supplies, and keeping our state moving through the emergency. It is a tragedy that so

many have died in this service and that so many continue to work without protections from COVID-19. Passing the NY Hero Act will go a long way towards addressing this tragedy while the pandemic rages on, and towards preventing future tragedy during the next pandemic.

El Centro Del Inmigrante, supports the New York Hero Act because we owe it to our worker heroes to listen to what they need and keep them safe on the job.

We urge you to support and cosponsor S1034/A2681, the New York Hero Act,

Sincerely,

Michelle Molina, Executive Director