

United States Senate

WASHINGTON, DC 20510

March 10, 2020

The Honorable Eugene Scalia
Secretary of Labor
U.S. Department of Labor
200 Constitution Ave, NW
Washington, DC 20210

Dear Secretary Scalia:

We write to request additional information on the Department of Labor's (DOL) role in the federal government's response to the 2019 Novel Coronavirus (COVID-19). The seeming absence or exclusion of DOL from any aspect of the Administration's efforts to address this crisis is alarming. As workers across the country in all sectors of the economy face potential impacts of the disease, it is critically important the federal government is taking appropriate steps to address their needs in its response. We call on you – as the lead federal government official responsible for the protection and advocacy of workers – to ensure response efforts incorporate both the immediate and long-term needs of workers.

The Centers for Disease Control and Prevention (CDC) has offered some recommendations to employers on how to advise workers on preventive measures and appropriate actions if they begin to feel sick.¹ CDC recommends employers plan for how to respond, incorporating such factors as the severity of the disease, the number of vulnerable workers employed by the organization, and the number of workers who may be impacted by other factors related to the response (such as school closures or lack of child care). DOL's Occupational Safety and Health Administration (OSHA) website also contains recommendations for workers, particularly those in industries who might be at higher risk of infection – such as health care, laboratory, or airline workers.²

But the reality is that many workers continue to face significant challenges in how to respond to this infectious disease as COVID-19 reaches communities across the country. Health care workers on the frontlines of the response are raising concerns about the lack of adequate training in how to handle potentially infected patients and the need for adequate personal protective equipment, including masks and face shields.³ They are also flagging the potential for provider shortages in a system that is already stretched thin. Workers across the transportation industry – including those responsible for cleaning buses and airplanes transporting potentially infected passengers – are worried about contracting and inadvertently spreading the disease.⁴ Too many workers are facing difficult choices of what to do if they get sick, when working from home is not an option for their job and missing work entirely means losing a paycheck.⁵

¹ https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fspecific-groups%2Fguidance-business-response.html

² <https://www.osha.gov/SLTC/covid-19/>

³ <https://www.nytimes.com/2020/03/05/us/coronavirus-nurses.html>https://www.washingtonpost.com/health/health-care-workers-worry-about-coronavirus-protection/2020/03/05/be04d5a8-5e33-11ea-9055-5fa12981bbbf_story.html

⁴ <https://www.usatoday.com/story/news/nation/2020/03/05/coronavirus-nurses-airport-employees-cant-work-home-worry-spread/4946660002/>

⁵ <https://www.nytimes.com/2020/03/01/upshot/coronavirus-sick-days-service-workers.html>

There does not seem to be any consideration at the highest levels of the Administration's COVID-19 response for the day-to-day realities of many workers on the frontlines and beyond. The President's Coronavirus Task Force, which has expanded to include officials across the federal government, does not seem to include any officials from your Department. It is incumbent upon you to ensure federal response efforts prioritize the needs of workers across the country.

We are concerned by the Administration's response to the needs of workers in the current public health crisis and request answers to the following questions no later than March 24, 2020:


1. Have you or any of the heads of the agencies within your Department been invited to join the President's Task Force?
 - a. Has Vice President Pence or any other leader of the COVID-19 response asked you, any of the heads of the agencies within your Department, or any member of your staff to participate in Task Force meetings or events?
 - b. Have you requested to be a member of the Task Force or to be invited to Task Force meetings or events?

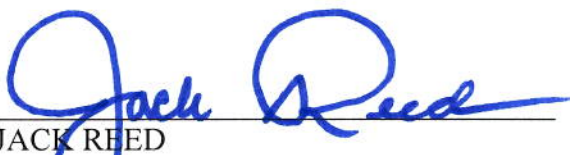
2. Have you or any of the heads of the agencies within your Department voiced the needs of workers in the federal government's COVID-19 response?
 - a. Has Vice President Pence or any other leader of the COVID-19 response asked for your input in incorporating the needs of workers into the response?
 - b. Have you contacted Vice President Pence or any other leader of the COVID-19 response to suggest specific steps the Administration should take to address the needs of workers in the response?

3. Have you communicated with Members of Congress or congressional staff about the needs of workers as part of the COVID-19 response?
 - a. Senate Democrats have participated in several briefings from Administration officials, and to date, you have not participated. Have you not been invited or have you declined to participate?

We also look forward to reading your response to the letter sent by Senator Murray and several members of the Health, Education, Labor, and Pensions Committee on March 2, 2020, regarding how the Department is preparing for the potential spread of the outbreak and working with other federal agencies and key stakeholders. Thank you for your consideration of these issues and your timely response.

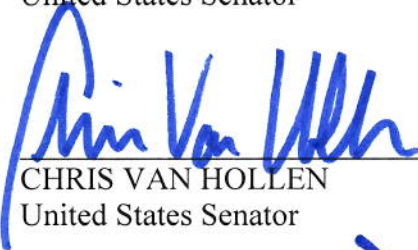
Sincerely,

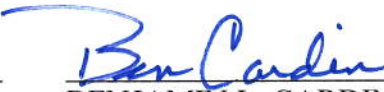

PATTY MURRAY
Ranking Member, Senate Committee on
Health, Education, Labor & Pensions


JACK REED
United States Senator


SHELDON WHITEHOUSE
United States Senator


RICHARD BLUMENTHAL
United States Senator

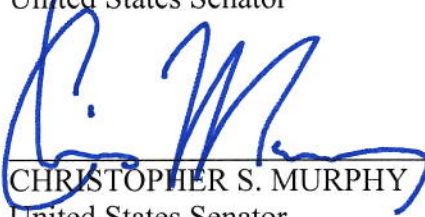

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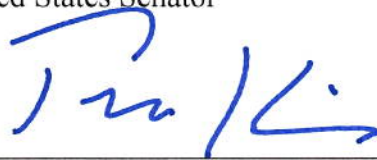

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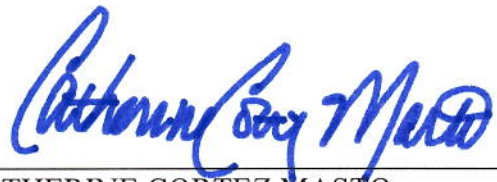

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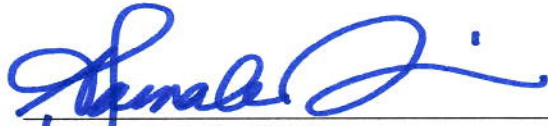
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United States Senator



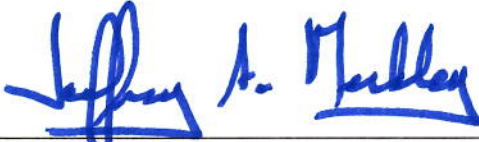
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JEFFREY A. MERKLEY
United States Senator



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