



A Union of Professionals

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May 19, 2020

The Honorable Larry Hogan  
100 State Circle  
Annapolis, Maryland 21401-1925

Dear Governor Hogan:

### **Prioritizing Our Public Employees in the next phase of the COVID-19 Response**

As Maryland's response to Covid-19 shifts from the containment phase towards slowly easing state restrictions, AFT-Maryland's members— public healthcare and education workers —must be given assurances that their health and well-being will be prioritized.

By established law, workplace safety is a mandatory subject of collective bargaining. The unions of the AFT-Maryland insist on being included in any conversation about benchmarks and provisions that must be in place before any publicly-run facility ease restrictions. Because our members will be doing the recovery work for many public entities in Maryland, our members must have a seat at the table when discussing lifting restrictions.

While we appreciate an actual written roadmap to recovery from the state, there are a number of elements missing from this plan which must be included if Maryland is to move forward in a way that demonstrates safety and care for the workers responsible for carrying out the plan.

#### **1. The state, counties, and local municipalities must incorporate an even more aggressive benchmark for testing and contact tracing.**

Because a significant portion of people who are infected with this virus are asymptomatic, the state must establish a rigorous plan to ramp up testing and contact tracing to get a clear picture of the extent Maryland has been impacted by COVID-19.

- One of the metrics used to gage the state's preparedness to ease restrictions must be a targeted number of tests administered per day. Studies show Maryland should have at least 8,000 new tests done per day, and data should be made available that tracks the **number of tests administered** per county and ZIP code in order to get an accurate picture of how bad the virus is hitting a region.<sup>1</sup> Until the recommended amount of testing is done, numbers currently

<sup>1</sup> This number comes from a Harvard University Study on <https://www.statnews.com/2020/04/27/coronavirus-many-states-short-of-testing-levels-needed-for-safe->

being used to measure the state's preparedness to ease restrictions, such as the number of positive cases, are not as meaningful as they should be.

- An appropriate number of tests must be reserved for essential public sector workers to be tested periodically. Because these employees come in daily contact with the general public, they are more at risk for not only contracting the virus, but becoming a vector for its spread. The state and its municipalities can mitigate this risk by periodically testing all public employees coming into regular contact with the public.
- At least 1,700 contact tracers must be hired and trained to identify potential outbreaks throughout the state. While the state has shared an initial plan to hire 1,000, studies show that in order for contact tracing to be effective, nearly double that amount must be deployed.<sup>2</sup>

The state, counties, and local municipalities must not furlough or lay off any public employee without first offering them a position as contact tracer. These contact tracers must be given the same right of due process and protection as all public employees, and should be covered by a collective bargaining agreement.

## **2. MOSH must establish an enforceable temporary emergency workplace infectious disease standard.**

A MOSH standard must include:

- A plan for determining which occupations and workplace activities are at the highest risk of exposure. This plan should also include provisions for training employees on the types of activities that are high-risk, as well as a way to report and keep track of exposure incidents.
- A standard for a deep cleaning and testing for air quality in any building before it is allowed to employ public workers and residents looking to utilize public services located at this facility. Facilities should be outfitted with indoor air ventilation and filtration systems with high-efficiency filters (MERV-13 or better), as well as portable high-efficiency particulate air filtration units.
- A provision for daily deep cleaning for infectious diseases in all state, county, and city facilities which will be open.

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reopening/. Additionally, research from groups like the Rockefeller Foundation call for tripling the amount of testing that is currently being done nationally. <https://www.rockefellerfoundation.org/national-covid-19-testing-action-plan/>

<sup>2</sup> Johns Hopkins has studied the appropriate number of contact tracing positions that are needed. [https://www.centerforhealthsecurity.org/our-work/pubs\\_archive/pubs-pdfs/2020/200410-national-plan-to-contact-tracing.pdf](https://www.centerforhealthsecurity.org/our-work/pubs_archive/pubs-pdfs/2020/200410-national-plan-to-contact-tracing.pdf)

- Mandatory social distancing protocols in all state, county, and city facilities open to the public. Markings can be made on the floor to guide and remind residents about these social distancing protocols. Signs reminding occupants of risk and safety measures should be made prominent throughout buildings.
- Mandatory wearing of masks. Employers must provide employees with proper PPE depending on the risk level and level of direct contact (physical proximity) with the public. At a minimum, employers must provide all workers with N-95 masks. For worksites that are in closer and regular contact with people who are infected with the virus, gowns, face shields, and other appropriate personal protective equipment must be provided. Any department, agency, or local jurisdiction that cannot provide these safety materials to its workers must not open.

Any resident not following the Governor's order to wear a mask in these public spaces will be denied admittance. Surgical masks will be made available at the entrance of these state, county, or city run facilities for residents who do not have their own.

- Continued telework for all who are able to do their duties from home.
- A standard protocol established in the instance that an employee who is working at one of these state, county, or city facilities tests positive for COVID-19. The standard should include tests for co-workers employed at the facility where the worker tests positive, and measures to ensure anyone forced to self-quarantine not lose pay, benefits, seniority, and other rights while they are recovering.

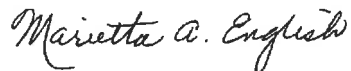
**3. The number of seats on the State COVID-19 Recovery Team must be expanded to include voices from the people who will be doing the state and local government's work during phase-in.**

While we applaud the placing of a number of leading health care and public health experts, we remain concerned that this recovery team does not balance business with worker interests. The recovery team currently includes no voice from a labor organization representing health care workers or state/county/municipal employees.

- Workers on the front lines should have a voice on Gov. Hogan's Recovery team and experts in workplace safety issues. The recovery team should have at least one seat speaking for:
  - public health workforce in the state,
  - county and municipal health workers,
  - teachers and PSRP staff in our public schools, and
  - non-healthcare related essential public employees.

We recognize and appreciate the seriousness state and local leaders have demonstrated in tackling this challenge. We offer this letter as a continued sign of our willingness to work as partners to ensure everyone in our state, including public employees, safely makes it through the COVID-19 pandemic. We firmly believe that we can keep Marylanders healthy, help our economy recover, and protect our public employees. We are eager and willing to work in solidarity to make all three a reality.

In Solidarity,



Marietta A. English  
President, AFT-Maryland

Cc: Speaker of the Maryland House of Delegates Adrienne Jones

Cc: Maryland Senate President Bill Ferguson

Cc: Mayor Bernard C. Young

Cc: County Executive John A. Olszewski, Jr.

Cc: Joint COVID-19 Response Legislative Work Group