



NEW YORK STATE SENATOR

Michael Gianaris

Senate Deputy Leader Gianaris Announces NY HERO Act To Keep New Yorkers Safe From Covid-19 While On The Job

MICHAEL GIANARIS August 19, 2020

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NEW YORK – Senate Deputy Leader Michael Gianaris announced legislation to keep New York workers safe on the job during the covid-19 pandemic. The legislation, known as the NY HERO Act, requires businesses to have enforceable safety standards to prevent further spread of the coronavirus. Photos from today's press conference are available [here](#).

Senate Deputy Leader Micahel Gianaris said, “Too many workers have already sacrificed their health for our community’s benefit. The New York HERO Act will honor their efforts by giving workers the tools to protect themselves while on the job.”

The NY HERO Act, or the New York Health and Essential Rights Act, would mandate the Departments of Labor and Health to implement minimum standards for workplace safety, enforceable through significant fines. The regulations must include protocols on testing, PPE, social distancing, hand hygiene, disinfection, and engineering controls. Employers would be permitted to establish individual regulations for their businesses that exceed state requirements.

Workers would also be given a direct role in monitoring and reporting violations through workplace health and safety committees that would be empowered to raise complaints and report violations. The bill would protect employees from retaliation for utilizing their rights under the law.

The NY HERO Act is supported by more than 100 labor, community, and safety organizations.

Assembly Member Karines Reyes said, “Essential workers have dutifully gone to work day after day during the worst health crisis in a century. The NY HERO Act allows us to use this cataclysm as an opportunity to develop safety standards that will never put profits over lives.”

Stuart Appelbaum, President of the Retail, Wholesale and Department Store Union said, “Because of the federal government’s failure to ensure workplace safety, we are fighting to create enforceable standards – and not just guidelines – to keep all working New Yorkers safe. This

must be a priority for Albany because it is a priority for all working New Yorkers. I am proud to once again work with our allies Senator Gianaris and Assembly Member Reyes on this critical legislation.”

Louis Mark Carotenuto, President of UFCW 2013 said, “Essential Workers did not stay home - they braved the Pandemic and showed up; taking great risk to their own lives and the lives of their families. To require Enforceable Safety & Health Standards for these brave Essential Workers is simply a must.... there should be no struggle here on the part of Legislators to recognize that at a time when we needed Workers to step up - they did so.”

George Miranda, President of Teamsters Joint Council 16 said, “We only need to look around the country to see why New York must take bold steps to protect its workers from a second wave of COVID-19. While the Trump administration offers only voluntary guidance for companies, New York leaders must step in and hold employers legally accountable to provide PPE and sanitary facilities. This is about more than worker rights, it’s about public health.”

Sean T. Campbell, President of Teamsters Local 813 said, “Workers of color have borne the brunt of COVID-19 for America. Our communities have done the majority of essential jobs that allowed others to remain at home and we have died from the disease at far higher rates. While the federal government does nothing for these workers, one way New York can show that Black Lives Matter is by passing legislation to give workers every protection they need to stay safe from a second wave of COVID-19.”

Sandra M, Laundromat worker and member of the Laundry Worker Center said, "It is unfair that we have to work without protection. My employer does not provide us with the equipment that we need. I got sick with COVID, and I know I'm not the only one at my workplace. We need the NY Heroes Act now."

Charlene Obernauer, Executive Director of New York Committee for Occupational Safety and Health (NYCOSH) said, "Five months have passed since COVID-19 entered New York State and still workers don't have the basic protections that they need to do their jobs safely. Black and Latinx workers in particular are disproportionately more likely to be essential workers and therefore to lack these protections. New York State needs to act now to protect workers,"

Gloria Tenecela, member of the New York Nail Salon Workers Association, said "Even during a pandemic, salon owners are still not taking responsibility to provide us with more protection. A few weeks ago I was fired for demanding to be paid the minimum wage and overtime and to get proper PPE. It is not safe for use to raise our voices at work, but it is also not safe for us to go to work under these conditions. Nothing will change if we remain silent. We need laws that protect us at work and protect our right to speak out and demand the proper PPE so we can take care of our health."

Maritza Silva-Farrell, Executive Director of ALIGN NY said, "The COVID-19 crisis is shining a light on the unsafe and abusive conditions workers have had to endure simply to support themselves and their families. We cannot unnecessarily risk any more worker lives. In the interest of justice and protecting the public health, ALIGN and the NY Essential Workers Table call for the passage of NY HERO Act. That is how we will do right for the hard-working people in New York."

Christina, vineyard worker, Onondaga County said, "In April, my colleagues fell ill with COVID-19 and after this my colleagues and I quarantined. My boss never gave us any training at any time on how to take care of ourselves during the pandemic, or how to prevent COVID-19. He simply posted a sign on the bathroom explaining that if we were sick we should not come to work. What I want is for employers to establish social distancing in workplaces because our health is important. We also need the support of the assemblymen, senators, and the governor to pass legislation to protect all of us farm workers."

Senator Gianaris has worked on a wide array of relief efforts since the covid-19 pandemic began, including passing \$40 million in emergency relief, introducing legislation to cancel rent and provide mortgage relief, supplying PPE and food assistance to local organizations, and has worked with small businesses to get them back on their feet.