



New York State Senate
Senator Michael Gianaris



New York State Assembly
Assembly Member Karines Reyes, R.N.

August 20, 2020

Hon. Kathleen C. Hochul
Lieutenant Governor of New York
New York State Capitol Building
Albany, New York 12224

Dear Lieutenant Governor Hochul,

As you prepare to assume the office of Governor of the State of New York, we write to bring a serious matter to your attention. The NY HERO Act, passed by the Legislature and signed by the outgoing Governor in May, would require workplaces to implement protocols to prevent further spread of Covid-19 but first requires the Department of Health to classify Covid-19 as “a highly contagious, communicable disease that presents a serious risk of harm to public health.” While I think we can all agree that the pandemic qualifies as such, to date the agency has not made the necessary certification. It is imperative to the health and safety of all New Yorkers that the Department of Health issues this determination as soon as possible, so the needed protections of the NY HERO Act can be fully enforced.

The NY HERO Act would require the Departments of Labor and Health to implement enforceable minimum standards for workplace safety. The regulations must include protocols on testing, PPE, social distancing, hand hygiene, disinfection, and engineering controls. Workers would also be given a direct role in monitoring and reporting violations through workplace health and safety committees and employees would be protected from retaliation for utilizing their rights under the law. The NY HERO Act is supported by more than 100 labor, community, and safety organizations, including the AFL-CIO, and was passed with dozens of co-sponsors in each house of the Legislature.

With surging variants continuing to wreak havoc, the NY HERO Act is more essential than ever. New York workers deserve a safe, healthy place to work and employers should know these rules are in place as soon as possible, so adequate planning can occur. Please offer an update to us and the people of New York about when your administration plans to take this critical action.

Sincerely,

Handwritten signature of Michael Gianaris in blue ink.

Senator Michael Gianaris
Deputy Majority Leader

Handwritten signature of Karines Reyes in blue ink.

Assembly Member Karines Reyes
Chair, Subcommittee on Workplace Safety

CC: Dr. Howard Zucker, Commissioner of Health
Roberta Reardon, Commissioner of Labor