

US safety agency undermines federal oversight of COVID-19 workplace spread

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The US Occupational Safety and Health Administration (OSHA) has rewritten its workplace safety guidelines regarding reporting of COVID-19 infections to give employers a blank check to allow the spread of coronavirus throughout their workforces.

While the deadly virus has ripped through food processing plants, Amazon facilities, auto factories and nursing homes, OSHA has done little or nothing. Since the start of the pandemic the federal agency responsible for workplace safety has only issued citations to 30 employers even though it has received 9,000 complaints and 1,200 referrals from other agencies relating to the handling of COVID-19. OSHA's highest proposed fine to date is just \$40,482.

According to a report in the *Atlanta Journal-Constitution*, OSHA recently withdrew its first coronavirus citation after issuing a new legal interpretation. The withdrawn citation concerned Winder Health Care, a nursing home outside Athens, Georgia.

The citation of Winder came after OSHA found that the nursing facility failed to report within 24 hours that six employees had been hospitalized with COVID-19. Instead, the nursing home reportedly waited more than two weeks. Initially, the fine proposed by OSHA was a token \$6,506 for an "other-than-serious" violation. That was later reduced to just \$3,904.

In revoking the fine against Winder, OSHA posted revised wording on its website stating that employers must only report a hospitalization if it occurs within 24-hours of a worker being exposed to the virus on the job. Since the incubation period of the virus after initial exposure is days, if not weeks, this will virtually never happen. The change, in effect, abolishes any requirement that companies notify OSHA of employee COVID-related hospitalizations.

Colin Smith, a clinical assistant professor at Georgia State University's School of Public Health, told the *Journal-Constitution*, "The burden of proof has been set so high, that this appears to be another pro-business endeavor to excuse non-reporting."

Further, the governor of Georgia signed legislation earlier this year shielding businesses and health care providers from liability lawsuits as long as they follow basic health protocols.

As of Sept. 4, OSHA had conducted just 199 inspections in response to complaints and closed more than 8,000 cases without taking any action.

Meatpackers face particularly dire conditions. At least 41,000 workers at 49 plants have tested positive for COVID and at least 193 have died. However as of early September OSHA had issued just 2 COVID-related citations.

Food processor Smithfield Foods was slapped with one of OSHA's token fines, a \$13,494 penalty for "failing to provide a safe environment." At least 1,294 Smithfield employees have been infected and four have died.

This is in fact the biggest fine that OSHA can levy for a single "serious" violation, even if it involves the death of a worker. This amount is so insignificant that for most big businesses it can be easily absorbed as a minor overhead cost.

OSHA has not set any guidelines for workplace safety in relation to COVID. It has merely called on employers to follow guidelines set by the US Centers for Disease Control and Prevention, which themselves are the product of political interference by the Trump administration. It has made clear however, that these are only recommendations, and not enforceable rules.

The news site FairWarning reported on a case where workers at Pennsylvania meat processor Maid-Rite

filed a lawsuit against OSHA over its refusal to respond to their complaints. Workers said management offered incentives for workers to come in sick and refused to report when someone tested positive. They also alleged that there were not enough masks and that they were forced to work “shoulder to shoulder.” Half the workers said they had contracted COVID-19.

OSHA brushed aside the workers’ concerns, essentially declaring that since no one had yet died, the situation did not merit serious attention.

Commenting on OSHA’s indifference to COVID-19 safety, a Fiat Chrysler worker in Detroit told the *World Socialist Web Site*: “This is a blatant attempt to say ‘we don’t care about your safety.’ The government and the corporations are making it clear that their priority is getting labor out of us, not providing safe conditions. They want to keep us from knowing what we need to know to protect ourselves. It worries me that there could be countless outbreaks and workers will not know unless we inform each other.

“Inside my factory, 8 out of 10 times we learn about infections on Facebook groups used by plant workers. The UAW (United Auto Workers) is saying nothing and doing nothing about the fact that we don’t have testing. The factories are a breeding ground for the virus.

“We’ve set up a rank-and-file safety committee because we have to take our rights and safety into our own hands. Workers have to insure and enforce our own safety. But OSHA and other institutions are stripping away our rights and making the factories more like concentration camps.

“If a worker gets sick and dies, they say, ‘Oh well, there are 10 other people to take their spot.’ Allowing the employers not to report cases is criminal.

“Trump’s saying anyone can get over Covid. But not everybody has a private helicopter to take them to the hospital, a private suite and doctors giving them the best medical treatment available.”

In another blatant attack on workers health and safety, a Wisconsin judge blocked the release of state health department data reporting the location of COVID-19 outbreaks and the companies involved, depriving workers of vital information needed to protect themselves.

The judge’s Oct. 1 ruling came in response to a lawsuit filed by the business lobbying group Wisconsin

Manufacturers & Commerce (WMC), which sought to block the release of data on the health department website. The WMC claimed that release of the data would amount to “blacklisting” of businesses.

American workplaces are being turned into COVID-19 free-fire zones, where workers are being left to fend for themselves against a virus that is spreading unchecked as the government and big business abandon any attempt at containment. Workers are learning the bitter truth that as far as corporations are concerned their lives are expendable, valued even less by employers than their machinery.

This takes place in the context of rising COVID-19 infections around the US and internationally. Schools and universities are resuming in-person instruction and even limited safety restraints on businesses are being lifted in open defiance of the recommendations of health experts. Both Democrats and Republicans are enforcing this return-to-work policy, which will result in the preventable deaths of tens of thousands. However, the death toll is deemed necessary by Wall Street, which demands workers return to the factories to crank out profits.

The way forward is a united struggle of teachers, autoworkers, meatpacking workers and all sections of the working class against the homicidal back-to-work campaign. The Socialist Equality Party is helping workers build a network of rank-and-file safety committees at schools, auto plants and other industries to lead these struggles, in opposition to the conspiracy of management, the government and their lackeys in the trade unions. For help building a committee at your own workplace, contact us today for more information.



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