

Former OSHA Officials, Medical Professionals, and Public Health Experts Agree: OSHA Can and Must Protect Workers From COVID-19

OSHA's vaccine or test standard is an essential component of America's strategy to end the COVID-19 pandemic by requiring more than [84 million](#) private-sector workers to become fully vaccinated or submit to weekly testing. COVID-19 is the single greatest occupational health crisis for American workers since the creation of OSHA, claiming the lives of more than [820,000](#) Americans and continuing to infect more than [400,000](#) individuals each day. OSHA's vaccine or testing requirement will protect millions of workers and create safer communities by preventing the spread of COVID-19 on the job.

Leading health care groups including the American Medical Association, American Public Health Association, and National Medical Association, former OSHA officials, and academic experts including deans from Brown, Yale, and New York University Schools of Public Health, filed briefs in the Sixth Circuit demonstrating both the clear public health need for the OSHA rule and the flaws in the partisan legal case brought by the Republican Attorneys General.

What Republican and Democratic Former OSHA Administrators Are Saying

Signers are three former Assistant Secretaries of Labor for Occupational Safety and Health - two Democrats and a Republican. The individuals administered OSHA under Presidents George H.W. Bush, Bill Clinton, and Barack Obama.

- "...the stay reflects an incorrect, and untenable, view of OSHA's statutory authority to protect workers against workplace exposure to disease-causing agents." [\[11/30/21\]](#)
- "[The Fifth Circuit]'s decision to grant a stay of the standard rested in large part on its view that OSHA lacks authority under OSH Act to issue standards addressing health threats to workers from workplace transmission of viruses and other infectious agents. That view of OSHA's authority is groundless." [\[11/30/21\]](#)
- "These provisions unambiguously grant OSHA authority to protect workers from workplace exposure to a virus that causes severe and often fatal illness." [\[11/30/21\]](#)
- "The Fifth Circuit panel's supposition that a Congress that authorized regulation of toxic substances must not have intended also to reach harmful infectious agents—despite its use of language whose plain meaning covers them—is baseless." [\[11/30/21\]](#)

What the American Public Health Association, Deans of Leading Schools of Public Health, and Leading Public Health Experts Are Saying

- “The science and the public-health evidence is clear: The nature of both the virus and in-person work makes the workplace particularly at risk for COVID-19 transmission and infection.” [\[11/30/21\]](#)
- “The COVID-19 pandemic has also pulled back the curtain on the way that workplace conditions and risks can exacerbate the existing health disparities between white workers and workers of color. The early months of the pandemic sickened and killed people of color in the United States at higher rates than non-Hispanic white people. This is not only a result of underlying economic and health disparities but is also because people of color occupy a disproportionately high number of jobs that qualify as “essential work” or otherwise require them to work in person.” [\[11/30/21\]](#)
- “The science is also clear about the best way to combat COVID-19’s spread—vaccines. All the evidence shows that vaccination significantly reduces the likelihood that workers will transmit COVID-19 and infect other workers, especially when combined with regular testing and other mitigation measures. And vaccination drastically reduces the chance of hospitalization and death.” [\[11/30/21\]](#)
- “...OSHA’s vaccinate-or-test standard also reflects the most recent public-health evidence and research on the dangers that the virus poses to the workplace and the efficacy of vaccines against COVID-19’s spread.” [\[11/30/21\]](#)

What The American Medical Association Is Saying

- The Fifth Circuit did not address these public health issues in evaluating whether a stay of OSHA’s Emergency Temporary Standard was in the public interest. The AMA respectfully submits that maintaining that stay would severely and irreparably harm the public interest.” [\[11/23/21\]](#)
- “Workplace transmission has been a major factor in the spread of COVID-19. COVID-19 outbreaks have occurred among workers in numerous industries, including service and sales, education, hospitality, construction, domestic work, meat-processing, transportation, prison, and of course healthcare industries.” [\[11/23/21\]](#)
- “Widespread vaccination reduces the likelihood of infections among both vaccinated and unvaccinated people. “[S]tates with high vaccination rates (>70% of the population) are reporting lower numbers of vaccine breakthrough cases as well as hospitalizations and deaths. ... This is particularly important for people who cannot get vaccinated due to age or medical condition, as well as immunocompromised people, who remain particularly susceptible to infection even after vaccination. The Fifth Circuit’s suggestion that COVID-19 no longer poses a significant danger due to the nation’s overall vaccination rate does not address this issue.” [\[11/23/21\]](#)