

THE COVID-19 MINE WORKER PROTECTION ACT

The COVID-19 Mine Worker Protection Act will require the U.S. Department of Labor (USDOL) to provide mineworkers with safeguards by working with operators and miners to establish a plan to tackle occupational coronavirus exposure and provide miners with the requisite personal protective equipment (PPE). In addition, frameworks for documenting, reporting, investigating, and analyzing COVID-19 data among miners would be developed.

BACKGROUND

While miners are continuing to work to supply our nation's energy needs, the Mine Safety & Health Administration (MSHA) has no enforceable standard to protect workers from COVID-19 and is refusing to take emergency action to make our mines safer. Their lungs are especially prone to the dangers of COVID-19, because they are likely to have been weakened by exposure to coal dust and silica.

Unlike other professions where social distancing recommendations are practicable, coal mining generally requires the continuous clustering of people working in close proximity of one another. This clustering occurs in the locker rooms, mantrips, mine cars, elevators, and extraction sites. Coal miners will breathe the same air, utilize the same tools, and instrumentalities to move the coal out of the mine and into the stream of commerce. Once the shifts conclude, the clustering will continue back in the locker rooms where the miners will utilize the same shower facilities and exchange orders with the next shift before returning home to their families in a process that will repeat itself numerous times, thus exponentially increasing the probability of exposure to COVID-19.

So far, the USDOL and MSHA have refused to issue an emergency standard. The United Mine Workers of America (UMWA) reports that individual operators and local unions have been left to mitigate the risks of the deadly coronavirus on their own, increasing risk of exposure and putting mine workers and their families at risk.

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The *COVID-19 Mine Worker Protection Act* would direct the Secretary of Labor to issue an emergency temporary standard that requires mine operators to:

- Develop and implement a comprehensive infectious disease exposure control plan to protect miners from COVID-19 exposure at the mines;
- Provide personal protective equipment to miners;
- Incorporate guidelines from the CDC, NIOSH, and relevant scientific research;
- In coordination with CDC and NIOSH, track, analyze, and investigate mine-related COVID-19 infections data in order make recommendations and guidance to protect miners from the virus.