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# United States Senate

COMMITTEE ON HEALTH, EDUCATION,  
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

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June 29, 2020

The Honorable Eugene Scalia  
Secretary  
U.S. Department of Labor  
200 Constitution Ave, N.W.  
Washington, D.C. 20210

Dear Secretary Scalia:

I write to express my deep concern with your decision to instruct Department of Labor (DOL) political appointees and senior career executives to return to their offices and begin a “phased” return of DOL career employees across the country, without a clear and uniform plan or timeline to provide for your employees’ safety.<sup>1</sup>

Ensuring the health and safety of workers transitioning back to their workplaces is of the utmost importance. Given your unique duty within the Federal Government to ensure the health and safety of all workers, I am especially troubled by your decision to put at risk your own employees, the staff who make it possible to protect and enforce the rights of all other workers across the country. Many of the communities where DOL regional and district offices are located continue to see high rates of COVID-19 infection and hospitalization, making their return to their workplaces even more potentially dangerous. Yet, DOL has not created a clear and uniform plan for the safe return of employees to their workplaces, creating potential confusion and inadequate protection for DOL employees.<sup>2</sup>

Furthermore, this is a remarkable step given your refusal to issue enforceable workplace safety and health standards during this pandemic. As Secretary of Labor, you have the responsibility and the statutory authority to ensure the protection of our nation’s private sector and federal workers during the COVID-19 crisis. However, at your direction, the Occupational Safety and Health Administration (OSHA) has provided only guidance, and has not issued a single enforceable safety standard that employers are required to follow, allowing employers to neglect worker health and safety without fear of penalty.<sup>3</sup>

I urge you to immediately take action and issue a clear, uniform health and safety plan for the return of your employees before any additional employees are ordered back to work and to fulfill your responsibility to ensure worker safety by directing OSHA to issue an Emergency Temporary Standard for infectious disease.

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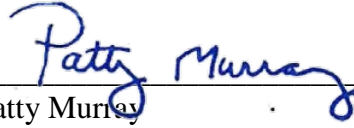
<sup>1</sup> DOL to Begin Reopening Offices, Sending Senior Staff Back, *Bloomberg Government*; <https://www.bgov.com/core/news/#!/articles/QC1G23T1UM11>.

<sup>2</sup> *Ibid.*

<sup>3</sup> OSHA Needs to Protect Workers From Getting Coronavirus On the Job, *The New York Times*; <https://www.nytimes.com/2020/06/21/opinion/coronavirus-osh-work-safety.html>.

Your employees and all workers across this country deserve to be protected before they are ordered back to work—and, given your role and authority, you have the unique ability to provide them with that protection. I urge you to reconsider your decision regarding the return of DOL employees and to take immediate, long-overdue action to protect all workers across the country.

Sincerely,

A handwritten signature in blue ink that reads "Patty Murray". The signature is written in a cursive style with a large initial "P".

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Patty Murray  
Ranking Member, Senate Committee on  
Health, Education, Labor & Pensions