

# COVID-19 MINE WORKER PROTECTION ACT

The *COVID-19 Mine Worker Protection Act* would require the Mine Safety & Health Administration (MSHA) to issue an Emergency Temporary Standard (ETS) within seven days to protect our miners from exposure to the coronavirus that causes COVID-19, followed by the issuance of a final rule.

Additionally, the bill would forbid mine operators from retaliating against miners for reporting infection control problems to their employer or any public authority.

## **BACKGROUND**

While miners are continuing to work to supply our nation's energy needs, MSHA has no enforceable standard to protect workers from COVID-19 and is refusing to take emergency action to make our mines safer.

Coal miners are especially prone to the dangers of COVID-19 due to the nature of the work. 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.

Individual mine operators and local unions have implemented their own measures in an attempt to mitigate the risk of exposure to the disease. However, a uniform implementation of practices detailed in an ETS would ensure that the highest level of precautionary measures were in place at every mine.

## **THE COVID-19 MINE WORKER PROTECTION ACT**

The *COVID-19 Mine Worker Protection Act* would require MSHA to issue an Emergency Temporary Standard, based on CDC, NIOSH, and OSHA guidance, within seven days of enactment to protect our miners from COVID-19 exposure at the mines. It would also:

- Require mine operators to provide personal protective equipment to miners;
- Require MSHA to issue a permanent comprehensive infectious disease standard within two years;
- Require MSHA to forbid employers from retaliating against miners for reporting infection control problems to their employer, or to local, State, or Federal government agencies; and
- Require MSHA, in coordination with CDC and NIOSH, to track, analyze, and investigate mine-related COVID-19 infections data in order make recommendations and guidance to protect miners from the virus.

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Senator Manchin's staff will return  
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