Re: Garment/PPE Production and Covid-19 Related Worker Protections

April 2020

Dear [company name*],

We, the undersigned organizations dedicated to advancing civil and human rights, workers’ rights, and health, and safety, urge all companies involved in the manufacturing of apparel, textiles, and/or personal protective equipment (PPE) in the United States to implement essential worker health protection and workers’ rights measures during the Covid-19 crisis.

Companies operating sewing facilities or sourcing from factories in the United States should follow state-level guidelines applicable to manufacturing facilities during Covid-19. For example, in both California and New York, all garment/textile manufacturers are required to be closed, except for those producing PPE, whose operations are considered essential manufacturing during this time.¹ These same states, and others, require employers to implement an Illness and Injury Prevention Plan to identify and control hazards, such as Covid-19.

CDC Guidelines
Where there is no state-specific standard, manufacturers operating during the Covid-19 pandemic should abide by the CDC’s Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 in combination with reference to city-level and state-wide public health orders. According to the Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 (COVID-19), key measures that should be implemented in factories continuing to operate include:

- Actively encouraging sick employees to stay home
- Sending employees with acute respiratory illness symptoms home immediately
- Providing information and training to employees on:
  - Cough and sneeze etiquette
  - Hand hygiene
  - Avoiding close contact with sick persons
  - Avoiding touching eyes, nose, and mouth with unwashed hands
  - Avoiding sharing personal items with co-workers (i.e. dishes, cups, utensils, towels)
  - Providing tissues, no-touch disposal trash cans and hand sanitizer for use by employees
- Performing routine environmental cleaning of shared workplace equipment and furniture
- Advising employees to check CDC’s Traveler’s Health Notices prior to travel

Additional Worker Protections
The CDC guidelines also recommend using methods to minimize exposure between employees, and between employees and the public. Due to the severity of the outbreak, in sewing factories we recommend employers interpret this as requiring workers to maintain a six foot distance from each other to the extent possible by adjusting locations of workstations and decreasing density on the factory floor accordingly.

Implementation of the hand hygiene guidance should include mandatory hand-washing with soap and water for 20 seconds upon arrival at work, frequent paid breaks for hand-washing, and allowing workers to access restrooms and hand-washing stations at any time.

For manufacturing in Los Angeles, L.A. Protects instructs essential manufacturers to comply with “guidelines on social distancing and maintaining a sanitary workplace.” In addition to the


social distancing, disinfecting and sanitizing measures spelled out in these guidelines, **any shared workstations should be sanitized after each user.** A facility should also **appoint an employee to oversee the proper implementation of the Coronavirus response plan.**

Additionally, during this pandemic, we urge companies to provide paid sick leave for the duration of a worker's illness due to contagion levels of Covid-19 to ensure that sick employees working in essential manufacturing will stay home in accordance with the CDC guidance for home isolation.\(^5\) Going forward, employers should provide all employees with a minimum of 14 days of paid sick leave per year. **If an employee’s health insurance does not cover their Covid-19 test or treatment, the employer should cover this expense in full.**

**Employers should meet federal and state payroll tax obligations** as to social security, Medicare, and disability for all their workers. Employers must **maintain workers’ compensation insurance** according to state-level requirements and meet their obligations to **enroll all their employees under any federal and state coronavirus-related relief packages, where required.**

We call on employers to pay at minimum the **legally applicable minimum wage plus be responsive to their employees’ demands on essential worker pay and abide by any local jurisdictional requirement for such pay,** and provide itemized check stubs, documenting all hours worked, deductions, and rates of regular and hazard pay.

If governing jurisdictions enact a temporary exemption for homework, allow homework and flexible work hours, in response to workers’ requests, to increase physical distance between employees. In the case of homework, the employer should provide supplies for regular sanitation of equipment and workstation, and provide gloves and face masks for delivery employees.

Employers should provide **training during compensated time in employees’ primary languages on Covid-19 infection prevention methods** and materials such as posters in visible locations, factsheets, or videos should be provided in those languages.

**Reduced or Terminated Production**
Companies that are reducing orders from factories in the United States, or that have been required to close operations because of restrictions related to non-essential workers, should ensure that:

- Full payment is made to factories on orders for which material has been purchased or production has already begun
- Unemployment benefits reach all workers affected by job loss, and provide other forms of income replacement for those workers who are ineligible for government-funded

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unemployment due to immigration status, independent contractor status, or employer failure to register them as employees

- When factories reopen, first-hire priority is given to laid-off workers to their previous posts and deadlines for orders are reassessed to prevent workers from working mandatory overtime to make up for delays

Keeping the above guidance and recommendations in mind, we ask you to please publicize the following information:

1. If you are operating or sourcing from garment/textile/PPE factories in the U.S. during this pandemic, please provide:
   a. The names and addresses of each of the facilities
   b. Information on the precautionary measures and workers’ rights policies and practices you have put into place
   c. Information on the precautionary measures and workers’ rights policies and practices you still intend to put into place

2. If you have closed any sewing facilities or if your suppliers have closed during this pandemic, what steps are you taking to ensure that all affected workers receive severance and/or unemployment pay?

We request your reply within the next 10 days and plan to update local enforcement agencies, interested reporters, and other relevant stakeholders with information from your responses.

Sincerely,

Marissa Nuncio, Director
Garment Worker Center

Judy Gearhart, Executive Director
International Labor Rights Forum

Dana Hadl, Directing Attorney, Employment Rights Project
Bet Tzedek

Michael Young, Legislative Advocate
California Labor Federation

Ineke Zeldenrust, International Coordinator
Clean Clothes Campaign International Secretariat

Michelle M. Seyler, Executive Director
Clergy and Laity United for Economic Justice (CLUE)

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6 This should be in alignment with the Transparency Pledge, http://transparencylegacy.org/
Angelica Salas, Director  
**Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA)**

Tessa Maffucci, Managing Director of Strategy  
**Custom Collaborative**

Nicholas Brown, Director of Policy  
**Fashion Revolution USA**

Jennifer (JJ) Rosenbaum, U.S. Director  
**Global Labor Justice**

Todd Larsen, Executive Co-Director for Consumer & Corporate Engagement  
**Green America**

Sarah Anderson, Director  
**Institute for Policy Studies, Global Economy Project**

Alexandra Suh, Executive Director  
**Korean Immigrant Workers Alliance (KIWA)**

Roxana Tynan, Executive Director  
**Los Angeles Alliance for a New Economy (LAANE)**

Ron Herrera, President  
**Los Angeles County Federation of Labor, AFL-CIO**

Los Angeles Worker Center Network

Carol Barton, Lead, Living Wage for All Campaign, United Methodist Women  
**Living Wage for All Campaign, United Methodist Women**

Lynda Yanz, Executive Director  
**Maquila Solidarity Network**

Marcy Goldstein-Gelb, Co-Executive Director  
Jessica E. Martinez, Co-Executive Director  
**National Council for Occupational Safety and Health**

Pablo Alvarado, Co-Executive Director  
Nadia Marin-Molina, Co-Executive Director  
**National Day Laborer Organizing Network**

**National Union of Healthcare Workers**
Emily Martin, Vice President for Education and Workplace Justice
National Women's Law Center

Warren Pepicelli, Manager
New England Joint Board UNITE HERE

Cathy Albisa, Executive Director
Partners for Dignity & Rights

Carolyn Gomez, Member
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Alice Berliner, Coordinator
Southern California Coalition for Occupational Safety & Health

Rabbi Rachel Kahn-Troster, Deputy Director
T'ruah: The Rabbinic Call for Human Rights

Kent Wong, Director
UCLA Labor Center

Ana Jimenez, International Campaigns Coordinator
United Students Against Sweatshops

Edgar Romney, Secretary-Treasurer
Workers United

Urgently Needed Worker Protections for Garment, Textile, and PPE Production During Covid-19

We, the undersigned organizations dedicated to advancing civil and human rights, workers’ rights, and health and safety, urge state and local government with manufacturing of apparel, textiles, and/or personal protective equipment (PPE) in their jurisdictions to issue and enforce essential worker health protection and workers’ rights measures during the Covid-19 crisis. While workers’ rights and health should always be a priority, there is an urgent need to ensure they are protected during this time because high demands on the goods they produce can lead to exploitation and even working when sick. We encourage that requirements be based on the following recommendations.

Companies operating sewing facilities or sourcing from factories in the United States should follow state-level guidelines applicable to manufacturing facilities during Covid-19. For example, in both California and New York, all garment/textile manufacturers are required to be closed, except for those producing PPE, whose operations are considered essential manufacturing during this time.¹ These same states, and others, require employers to implement an Illness and Injury Prevention Plan to identify and control hazards, such as Covid-19.

CDC Guidelines
Where there is no state-specific standard, manufacturers operating during the Covid-19 pandemic should abide by the CDC’s Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019\(^2\) in combination with reference to city-level and state-wide public health orders. According to the Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 (COVID-19),\(^3\) key measures that should be implemented in factories continuing to operate include:

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\(^1\) [https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf](https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf)
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