



AFL-CIO Sues OSHA To Compel Workplace Safety Plans In Light Of COVID-19

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Yesterday, the AFL-CIO filed an emergency petition in the U.S. Court of Appeals for the D.C. Circuit to compel the United States Department of Labor's Occupational Safety and Health Administration (OSHA) to issue an Emergency Temporary Standard for Infectious Diseases aimed at protecting the life and health of millions of workers throughout the United States in light of the COVID-19 pandemic. AFL-CIO purportedly is not asking the court to compel OSHA "to adopt a one-size-fits-all regulatory response" but rather is seeking a mandatory requirement for each employer to adopt a comprehensive infection control plan.

[According to Bloomberg Law](#), "Labor Secretary Eugene Scalia has defended OSHA's handling of the issue by saying the agency can bring enforcement actions under the Occupational Safety and Health Act's 'general duty' clause, which requires employers to maintain a hazard-free workplace."

The court ordered OSHA to reply to the AFL-CIO's motion by May 29, and gave the AFL-CIO until June 2 to file a response.

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