

THE NEW NORMAL: WORK IN THE COVID-19 ERA

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Our Team

1 Unemployment

By: **Richmond Addae, Christopher Agbo, Edgar O'Connell & Hannah Young**

Introduction

With the first case appearing in December of 2019, China has since taken drastic measures in order to reduce the spread of COVID-19, fix the economy, and return to the traditional standard of living. As lockdowns commenced, not only were workers forced to stay home, but many businesses also lost profits and started shutting down. Political leaders worldwide - most notably China, The United States, and Italy- attempted to mitigate the negative effects of COVID-19 on their respective economies.

China

By February, according to the Ministry of Human Resources and Social Security, 5 million people lost their jobs and only 2.29 million received any kind of unemployment insurance.¹

Only a quarter of employed individuals were covered by unemployment insurance pre-COVID-19. This created a rise in the number of citizens applying for China's unemployment program. The system requires at least one year of being employed to be able to collect their monthly payments for up to two years.² Workers who did collect unemployment insurance would receive up to 1,815 yuan per month, which didn't even cover half the wage of an average worker.³

Although the system was effective, there were

a lot of groups that were unaccounted for.

Migrant workers would not receive unemployment compensation due to the average length of their jobs being ten months, which barely misses the one-year cutoff. In addition to this, neither workers with no contract nor the 8.7 million recent university graduates had access to this program.⁴ In order to combat this, in addition to the current unemployment system, the Chinese "government has given 67,000 jobless migrants a one-time payment with an additional 2.8 million more people receiving unemployment benefits (averaging \$571 per person)."⁵ The government also allowed for individuals who didn't fall into any category to apply for financial assistance, depending on their income.

The Chinese government implemented new policies and ideas in order to help their citizens while stimulating the economy and job creation. The government planned on creating 9 million jobs within a certain timeframe in order to mitigate the fact that 27 million workers lost their jobs.⁶ Local governments created infrastructure projects and issued special purpose bonds in order to create construction related jobs.

Another tactic used by the Chinese government involved providing assistance to small businesses and companies in order to keep

the economy afloat. Local Chinese governments allocated incentives and loans to businesses to provide their payroll companies with 1,000 renminbi for every graduate that they hired. China has also been supporting small businesses through many routes including tax breaks, an increased rate of lending, and providing subsidies. Similar to China, other monetarily sovereign countries like the United States, have put trillions of dollars into Covid-related stimulus packages.

Italy

By March of 2020, a new country emerged as a hotbed for COVID-19: Italy. In fact, in terms of both cases and deaths, Italy's experience with COVID-19 in March was the worst in the world aside from China.⁷ As the first country in Europe to enter lockdown for COVID-19,⁸ Italy faced some special challenges. In addition to being forced to respond to the pandemic before much of the rest of the world, Italy had to reckon with several conditions that made its economy especially vulnerable. For instance, Italy's economy largely depends on the importation of intermediate goods. When COVID-19 caused firms around the world to restrict their production, the disruption in supply chains prevented Italian firms from turning the imported intermediate goods into final products.⁹ Additionally, the fact that about one out of every three Italian workers are involved in manufacturing, a volatile industry, increased the risk the Italian economy was subject to. Coupled with the relatively small size of Italian firms, which makes the firms more susceptible to economic shocks, this makeup of Italian businesses made the Italian economy quite susceptible to COVID-19.¹⁰

This susceptibility translated into many workers

losing their jobs. Between February and June, Italy's employment fell by about 600,000 workers.¹¹ However, unemployment does not paint the full picture of the effects COVID-19 had on Italian engagement in the workforce. Despite Italian unemployment staying between seven and ten percent during the COVID-19 pandemic so far, unemployment numbers do not represent inactive workers or labor demand. During that same time span from February to June, 160,000 Italians stopped seeking jobs at all.¹²

Nevertheless, the actions of the Italian government prevented the harm COVID-19 did to Italian workers from exceeding the level that it did. This response largely took the form of fiscal stimulus. The government implemented three decrees, the "Heal Italy," "Liquidity," and "Relaunch" decrees, in March, April, and May respectively. In total, these stimuli accounted for 75.25 Billion Euros,¹³ or more than 89 Billion U.S. dollars. By reducing taxes, increasing government purchases, and enacting direct fiscal transfers, Italy eased the financial burden the pandemic had on both workers and companies. However, there were limits to how much the government could spend. Italy was in debt, and the more the government spent, the less confident bond investors would become.¹⁴

Of course, not every government action has to take the form of stimulus payments. One measure the Italian government took that did not directly increase the government's debt was prohibiting companies from laying off workers, originally until the middle of August.¹⁵ Eventually, the government extended this ban to run until December.¹⁶ While this course of action keeps unemployment from rising as much as it could in the short run, in the long run this measure does

nothing to ensure that firms do not lay off workers once the ban is lifted.

United States

The United States has had an underwhelming response to the COVID-19 pandemic. The response has been fractured and inadequate. This is due to the country's political structure and governance. As a federal system, issues concerning health and safety are usually left to the states and local governments. The American constitution gives states ample power to enforce efforts to curb diseases in times of crisis.¹⁷ This framework, when combined with the political polarization and systematic inequalities in the country, results in a mishandled pandemic response whose effects are concentrated in communities of color.

The pandemic's original epicenter was in New York City. Governor Cuomo immediately established rules and regulations that attempted to curb the spread of the virus. From social distancing to lockdowns to mask wearing. This swift and decisive course of action was consistent among states with democratic or anti-Trump administrations. These included New York, Washington, and Michigan.¹⁸ However, states such as Florida, Texas, and Georgia have kept in line with the federal government's lax response to the pandemic. This divided response combined with an already weakened and insufficient social safety net resulted in the unemployment crisis that ensued.

According to the Brookings Institution, the American government's attempts to soften the effects of the pandemic and the lockdown has been mild compared to its counterparts. While there have been financial assistance provided to workers and

businesses it has been meager compared to European and Asian counterparts.¹⁹ The insufficient response has led to an unemployment crisis. During the lockdown, unemployment skyrocketed to around 30 percent. In July, 16.9 million people were unemployed.²⁰ The lack of continual and sufficient aid meant that a substantial portion of the American population was left to fend for themselves. This combined with the political fighting that characterized the variety of responses to the pandemic contributed to the severity of the crisis.

Although the entire country felt the effects of the pandemic and the recession, communities of color bore the brunt of it. Black Americans specifically had higher unemployment rates and were slower to regain jobs lost to the lockdown.²¹

Conclusion

Governments spanning the globe have struggled with striking a balance between keeping citizens safe while also keeping unemployment at bay during COVID-19. Other economic considerations must also be taken into account such as labor demand and inactive workers, since they are not represented in unemployment statistics. Since the beginning of the pandemic, scientists have agreed that the most helpful measures against the virus have been mask mandates and some form of a lockdown when cases are on the rise.²²

After analyzing the unemployment trends and COVID-19 responses in China, Italy, and the United States, it can ultimately be concluded that countries with a delayed pandemic response suffered higher unemployment compared to

countries who had a proactive response. Other policies proved to ameliorate some of the immediate effects of unemployment such as Italy's ban on firing workers and stimulus checks sent out in addition to unemployment insurance.

However, governments lacking a strong healthcare system and are not willing to take aggressive measures to combat the virus will unfortunately continue to see the long-term effects of COVID unemployment. Taiwan, which has a single-payer healthcare system, had an extremely quick response to the pandemic; at the end of December 2019, the Taiwanese government enacted enhanced border patrol and quarantine measures while also holding a conference to formulate prevention strategies.²³ As a result, Taiwan only suffered seven COVID deaths (as of November 2020) with a falling unemployment rate hovering around 3%.²⁴ Taiwan's aggressive and proactive response to COVID allowed the country to contain the virus quickly so the country did not have to endure a "second wave" and go into another series of economically devastating, but necessary, lockdowns like other countries around the world. Ultimately, the government's COVID response greatly benefitted Taiwanese workers by keeping them both safe and employed.

Looking towards the future, the U.S. must take serious measures to control the "second wave" of the virus. As infection rates continue to spike in nearly every state, a national mask mandate is long overdue, and school closings would also aid in slowing the spread. The next critical step in ending the pandemic is vaccine distribution, as Pfizer announced the success of its trials in November. A strong,

centralized disbursement by the federal government will be essential to recovery; it is especially important for higher risk citizens to have access to the vaccine in order to reenter the workforce and mitigate the financial toll of unemployment. Furthermore, an allocation of federal funds towards an infrastructure stimulus plan would play an instrumental role in long term economic recovery from unemployment caused by COVID. Offering unemployed workers the support they need would ultimately help the entire country head towards the path of recovery.

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2 In the Classrooms and the Workplace: The COVID-19 Pandemic's Impact on Student Workers

By: Camilla Bacolod, Chase Agheli, Jack Mallek & Valerie Kong

Introduction

Student workers face unfair treatment from employers due to both their status as part-time workers and their role in a university setting. Part-time workers are targets of employers' strategy to have externalized work as a way to cut wages, reduce benefits, and evade or escape legal responsibility.¹ This strategy of externalized work has disempowered student labor as they have limited options for employment, especially in a university setting. Although these part-time jobs are typically low-wage and do not offer benefits, this type of employment that usually consists of routine service jobs becomes favorable for students as they balance academic rigor, financing their education, and gaining work experience.

The notion of university employers providing a favor for students often creates an inequitable dynamic when addressing policy implications of student wages and conditions. This dynamic derives from part-time student employment's incorporation of academic learning and career development. One basis of this arrangement is the ethos that material well-being and comforts distract students from the pursuit of knowledge. Earnings gained from student labor often provide for essential needs and nothing more. The

American higher education system has a paternalistic outlook towards student employment that influences the rationale behind government regulations and institutional policy regarding the pay and treatment of student workers.²

Work-Study Programs and Low-Income Students

The dichotomy of learning and labor is even more prevalent amongst participants of the Federal Work-Study (FWS) program. The FWS program intends to promote college access and persistence for low-income students by providing approximately \$1 billion annually to cover the wages of student employees.³ The values of this program pertain to the paternalistic outlook of student employment since program funding is contingent upon evidence of its impact on student outcomes, especially its influence on post-college outcomes. The amount that an institution received in the past determines the allocation of funding from the FWS program, which researchers determined to disproportionately benefit established and expensive institutions.⁴ Students who benefit from this program are also limited to work-study jobs, as non-work-study jobs count against them when colleges are determining how much financial aid to give

them in the following year.⁵ Low-income students risk losing financial aid for their tuition if they seek employment outside of a university setting to fund their necessities. These students also compromise earning higher wages from off-campus employment since colleges' financial aid is contingent upon their source of employment.

The financial implications of work-study employment for low-income students develop an interdependent nature as universities benefit from federal funds to provide campus labor. Students dependent on the FWS program for employment are also affected by COVID-19 with universities' transition to remote learning. Students who lost their campus job due to the virtual learning transition have also lost their wages from FWS funds, leaving them unable to finance their essential needs through college.⁶ Student labor has become the essence of where employers dictate the capacity for improved benefits and treatment through the academic prioritization narrative that impedes policy implications for student wages and conditions. Academic prioritization undermines student workers' labor contribution to maintaining the inner workings of college campuses.

Changes in Student Work Locations and Conditions

On-campus job endangerment does not only affect work-study students. The ramifications of the labor-learning dichotomy are felt by all students with educational or financial resources contingent on occupational responsibilities. This creates a secondary dichotomy regarding whether to maintain student work throughout the dangers of the pandemic to preserve these resources, or to jeopardize students less tangibly by shutting down work altogether.

As universities stubbornly attempt to remain open and functional during the pandemic, student workers have been faced with an "unprecedented" level of risk.⁷ Students often perform some of the most important ground-floor responsibilities that keep the university running, and as schools are forced to go fully remote or otherwise implement new safety measures due to COVID-19, the question persists on how to properly deal with the large and invaluable student workforce.

Nursing students, for example, spend a significant part of their education doing actual clinical work in the health sector. While this is invaluable training for their future, and vital for the health of their patients, such tasks now make them one of the demographics most vulnerable to COVID-19. Forced to choose between their health and their education, these student workers have few protections keeping them safe, and many have already died due to the lethal risks of their "educational" labor.⁸ The answer to ensuring student workers' safety is not as clear-cut as such issues might make it seem, however. While many student workers, especially those in high-risk jobs, are in favor of protections, many other students see new restrictions and regulations on student work as another crisis in itself. Student workers often rely on their university-based jobs as a means to pay off their tuition and living expenses.⁹ As universities attempt to protect students from the virus, the solution is often to lay them off altogether,¹⁰ depriving them of financial stability.

One institution, the Harvard Language Center, has succeeded in finding a potential solution for this dichotomy of issues. As is common for campus facilities, the graduate and undergraduate students employed at the Harvard Language Center performed the bulk of front-end duties like reception and help desk

administration: in essence, the exact roles that put them most at risk of COVID exposure due to their face-to-face nature.¹¹ However, rather than choose the lesser of the two previously discussed evils, the professional staff of the Language Center chose a third route: allowing students to transition to remote working.¹² The remote working program was also offered as an “opt-in” decision. If a student refused, they would be simply furloughed until in-person interaction could resume, rather than fired outright.¹³ This more progressive modality offered by the Center prevented workers at the Language Center from being faced with the same binary decision—to either be forced to continue working throughout a paradigm-shifting pandemic or indefinitely lose their source of income—that plagued many student workers elsewhere. While the transition was, of course, more difficult than keeping operations as they were or laying all the students off wholesale, it was also much safer, and less inhibitory to the continued performance of the institution overall. The Language Center admitted, however, that it is still “too early to tell if... this arrangement could be a workable long-term approach to remote student employment.”¹⁴ Moreover, remote student work is by no means ubiquitous; in many sectors where student employees are most prevalent, such as medical residencies, it is impossible to move work to a complete remote setting. Even in seemingly model examples like the Language Center, cracks are beginning to appear unreliable internet access,¹⁵ limits to the fluidity of remote communication,¹⁶ and overburdened employees¹⁷ are becoming major

obstacles for remote education and labor alike. It remains to be seen whether employers’ willingness and ability to cater to both the safety and secure working conditions of students can remain logistically or financially viable if the pandemic and its unique challenges persist for much longer.

Student Worker Unionization Amidst The Pandemic

Many students, like graduate students, are acting on their grievances through a union. In recent years, graduate students have become increasingly important to the functioning of the university, often functioning as a convenient source of cheap labor in contrast to more expensive tenure track faculty. Student employees have protested their low stipends, the increased time required to obtain a master’s degree, and the increased “corporatization” of university life.¹⁸

This has resulted in numerous attempts to unionize, which have been met with varying levels of success. These attempts have often been stymied by the National Labor Relations Board (NLRB) which has changed its position three times on whether graduate students are covered by the National Labor Relations Act (NLRA) in the past 20 years. In 2000, the NLRB declared that graduate students should be legally counted as employees. However, in the 2004 decision, the board reversed their previous opinion,¹⁹ which was then reversed later in 2016,²⁰ and has proposed a new rule in 2019 that would overrule the 2016 decision, although this has not yet been made official.²¹ A frequent argument by the NLRB is that permitting graduate student unionization would harm

teacher/student relations; however, numerous studies have found evidence to the contrary.²²

The COVID-19 pandemic has only added to student workers’ complaints against their university’s administration, especially with health-related concerns, and many have chosen to unionize. Oregon State University’s Coalition for Graduate Employees recently won a renewed 4-year collective bargaining agreement in June 2020.²³ University of Michigan’s Graduate Employees Organization (GEO) struck to win demands for better testing, contact tracing and defunding the campus police.²⁴

Even students that do not belong to a union are making gains during the pandemic. This summer, Resident Advisors at Cornell University went on strike for better protections and better compensation for the pandemic. Despite not belonging to a union, they were able to meet most of their demands.²⁵

Nursing Students and Occupational Hazards

Considering graduate student workers are not even employees with a right to unionize, student workers and especially medical student workers that fall into this category, are left in a vulnerable position. Nursing students are in a unique position since they lack employee rights but are exposed to increased risks as frontline workers. The nursing population is being stretched and is struggling to keep up with the COVID-19 public health emergency due to a large number of patients and as they struggle to maintain the same nursing capacity. The COVID-19 pandemic has drawn attention to the fact that nurses, including nursing students, have tragically lost their lives due to this pandemic.²⁶ To add to the fact that nurses are in a vulnerable

position working on the frontlines, in some regions, they are doing so while lacking essential supplies including adequate personal protective equipment. Not only are nursing students a part of this vulnerable population where the demand for nurses is unprecedentedly high, but they are also being asked to take on extended work in hospitals to meet the number of patients seeking care.²⁶

In the transition to virtual learning, some universities have opted for virtual clinical experiences and some have not. In light of the COVID-19 pandemic, some regulatory boards, including the California State Board of Nursing, have decreased the direct patient care clinical hour requirement and increased the accepted percent of clinical practice.²⁷ This offers some students the flexibility to modify their clinical experiences while being able to graduate as planned. Some clinical agencies have continued to support students in their agencies, while others have not. Students are being sent to perform clinical work that their nursing education requires in agencies that may not be able to provide them with adequate personal protective equipment. In some cases, faculty whose average age was 59, many of whom had underlying health issues, could be asked to supervise these students.²⁷

All aspects of nursing activity are affected by this pandemic, but nursing students are at a unique disadvantage in that while actual employees can unionize, nursing students currently lack that opportunity for work that their education program completion is contingent on. While universities and regulatory boards are working to adapt to COVID-19 changes while ensuring meaningful and relevant

clinical experiences, universities must recognize the unique disadvantage that students are in and not only adapt their policies to contain flexibility, but also to push clinical agencies to guarantee adequate personal protective equipment if they are to accept them.

Policy Recommendation

Student workers are facing issues during this crisis that are simply distinct realizations of the same overarching, fundamental problem: a lack of autonomy and self-determination for workers. The issue of changing institutional workplaces, in which the workers are either forced to stop working or forced to continue under dangerous circumstances, can be easily remedied by allowing workers to choose which option best suits them; a solution that has already shown significant evidence of success in the case of the Harvard Language Center.

Similarly, the plight of nursing students who are fundamentally unable to quit working in hazardous medical facilities without compromising their education could, at the least, mitigate their occupational risk by being able to deliberate with their supervisors about better regulations to protect their health and working rights. All of these suggestions, however, necessitate that workers have some power to make the administration invest in options that protect both their health and their livelihood, but this is difficult to accomplish without a student labor union.

This in turn calls for an obvious solution: giving student workers more access to collective bargaining through the legal strengthening of student worker unions. In addition to helping

students demand safer working conditions and more expansive testing, unions also benefit student-professor relationships and increase pay. Unfortunately, the status of student workers is currently nebulous under the National Labor Relations Act. While currently recognized as employees, the National Labor Relations Board has changed its mind so many times on this issue, even threatening to strip workers of their protections under the NLRA in 2019, that students may hesitate to even attempt to form a collective bargaining unit. Thus, to protect workers through the remainder of the pandemic, the incoming administration should unequivocally recognize the rights of student workers as employees under the NLRA.

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3 Workplace Safety

By: Eric Bohrer, Clare Della Valle & Lilly Thomalla

History of Advocating for Safe Working Conditions

Over the course of American history, there has been a tug-of-war between workers and their employers in terms of bargaining priorities. In the past, employers were given exorbitant credence in negotiations, often leading to the suppression of workers' rights in the workplace. Workers were forced to work in unacceptable conditions, risking their safety for meager pay. As the movement for worker advocacy progressed, workers adroitly began to utilize unionization as a vehicle to effectively bargain for the implementation of safety measures in the workplace. By bargaining collectively, unions are able to harness the united power of workers to force the hand of employers to value the safety of workers over the cost of implementation.

The Triangle Shirtwaist Factory fire was a proxy for this phenomenon. As consumerism proliferated in the early 1900s, employers were notorious for perpetuating sweatshop labor in the United States to maximize production. Sweatshop labor paid notoriously low wages while suppressing worker efforts to mitigate health and safety concerns in the industry. Max Blanck and Isaac Harris, the owners of the Triangle Shirtwaist Factory, were infamous for their anti-

worker attitudes, paying their employees starving wages and hiring intimidating individuals to stymie any attempt at a strike. Locked doors, cumbersome tables and machinery, and a singular fire escape on the top floor of the factory severely limited exit routes.¹ Despite numerous complaints from workers, Blanck and Harris were steadfast in their stance to continue committing workplace violations to maximize production and minimize worker flexibility. When a fire erupted in the factory in 1911, workers were unable to escape in part due to management's unwillingness to accommodate their employees with the appropriate safety measures.

In the aftermath of the fire, labor advocacy efforts proliferated. Activists spoke out in record numbers in the subsequent days, and pressured public officials to make changes to workplace safety measures. The Women's Trade Union League began picketing the day following the fire and 20,000 similarly situated sweatshop workers walked out on the job. Within 48 hours, a significant number of factories affected by the strike agreed to the workers' demand of increased safety measures in the workplace.² Largely due to pressure from unions, within months of the fire, New York created a group known as the Factory Investigating Commission, which investigated thousands of factories and was able to pass laws

regarding fire safety and other concerns about workplace conditions. The Triangle Shirtwaist atrocity and the following response serves to illustrate how unions are instrumental in securing imperative workplace safety measures for employees. Learning from history, we can reasonably conclude that given the cruciality of workplace safety during a deadly pandemic, unionization could serve as a viable vehicle to ensure the implementation of necessary safety measures.

Meat Packing and Processing Industry

The COVID-19 pandemic has exposed many of the unsafe and risky working conditions in the meat packing and processing industry. As companies all around the country were halting operations, meat processing plants remained open as the CDC deemed them an essential component of the Food and Agriculture sector.³ President Trump signed an executive order keeping plants open to avoid meat shortages.⁴ This is dangerous to workers, because the plants use assembly lines where workers are in close contact with one another, and physical distancing is not possible. In April 2020, over thirty plants across the country shut down due to COVID outbreaks.⁵

The unsafe and unsanitary working conditions in meat plants has been a topic for many years. After Upton Sinclair's *The Jungle* came out in 1906, exposing the practices in this industry, efforts to improve the factories through unionization began. In 1943, the United Packinghouse Workers of America labor union gained bargaining power through large membership and advocated for safer working conditions and standard wages in meatpacking plants in major cities. This movement gathered momentum and improved safety measures for workers. However, in the 1970s,

conditions in the workplace for meatpacking employees worsened as plants moved from major cities to smaller towns across the country.⁶ These large companies took advantage of being located in small towns where they were the only major job-providers, and often hired unauthorized workers or refugees who were unfamiliar with labor rights in the United States. The United Packinghouse Workers of America union dissolved and working conditions worsened once again.⁷ Several unions, such as the United Farm Workers Union and the United Food and Commercial Workers Union emerged.

Unions could play an essential role in preventing outbreaks and shutdowns by advocating for safer working conditions in meatpacking plants during COVID-19. Glass or plastic barriers between workers, providing masks and appropriate attire, disinfecting the machinery regularly, and frequent symptom checks and COVID tests could reduce workers' risk of contracting the virus. However, unions have barriers to entry. Dues to cover negotiating expenses and other costs are collected and many larger corporations use their resources to prevent unions from forming or joining a union or dividing their workforce, so employees don't unite amongst themselves. The process of creating a union is long and tedious and requires resources that individuals might not currently have access to. During the COVID-19 pandemic, there have been requests from workers to improve the conditions in plants to reduce the risk of getting the virus, but these requests have not been met. The United Farm Workers union asked for extended paid-leave absences due to sickness in hopes that people would not come to work if they felt sick and would not have to worry about financial insecurities. It is in the companies'

favor to adhere to these requests, as workers are not replaceable.

Teaching During the Pandemic

Prior to the pandemic, teachers had relatively safe working conditions. They, unlike many other unionized professions such as construction, mining, and meat processing, were safe from hazardous working conditions and had comparatively safe working environments. When schools closed in March, it became clear after only a few weeks that students would not be returning to in-person classes for the rest of the academic year. However, by June school boards and elected officials turned to the question of if and how schools would reopen in the fall. Many argued that it was paramount that students be brought back into the classroom by the fall for economic and education quality reasons. Others argued that no matter how safely schools reopened, simply bringing students back to school would be a risk for teachers. However, some schools have provided more comprehensive plans than others instituting strict social distancing guidelines, mask mandates, plexiglass guards, and reductions in the amount of students in the building at a time.

Since the start of the school year, some school districts, such as the Delaware Valley School District in Pennsylvania and the Anderson School District One in South Carolina, have been successful in reopening by keeping transmissions low and providing their faculty and staff with ample supplies of personal protective equipment (PPE).⁸ Unions are capable of advocating for these norms across the country. The American Federation of Teachers (AFT) outlined three conditions that schools must meet before reopening. The first is that there must be adequate testing and infection

rates must be low in the school's region.⁹ Keeping transmission rates low is essential to the success of reopening schools. Schools must also enforce public health safeguards, such as masks and social distancing, cleaning and ventilation, handwashing, and reasonable accommodations for those at risk.¹⁰ Finally, schools must also provide the resources to meet those safeguards as well as providing adequate assistance to teachers to meet their students academic and mental health needs.¹¹ These conditions must be met in order to protect the students, teachers, staff, and community as a whole. Unions will be best equipped to obtain and maintain these protections for teachers during the pandemic. While safety in the workplace was previously a non-issue for teachers' unions, it has now become an essential part of their function.

Policy Recommendations

Expanding unionization could be a crucial weapon for workers to secure safe working conditions. By mitigating the power disparity between employer and employee, unions are able to fiercely advocate for the protection of worker health and safety on the job in a way that individual employees do not have the capacity to do. During the COVID-19 pandemic, this becomes especially crucial when employers have begun to treat safety measures as negotiable.

To further reinforce workplace safety measures, there should also be an effort to expand the abilities of agencies like Occupational Safety and Health Administration (OSHA) to provide employees with the opportunity to avoid exposure to the virus. Currently, the Families First Coronavirus Response Act provides two weeks of paid

leave for employees in the instances that they are exposed to the coronavirus or perhaps have a child to care for at home while their school is closed for coronavirus-related reasons.¹² On top of the Families First Coronavirus Response Act, it would be beneficial to strengthen protections to employees even further by requiring the implementation of safety measures like plexiglass, distancing, limited capacity in the workplace, and the option to work or receive sufficient payment at home when community spread reaches a level that is intolerable for the employee. Once the virus is controlled and transmission is minimized in the community, the company should allow the employee to return to work with all of these safety precautions in place. To require these safety measures to be implemented would send a strong message to employers that worker safety is a nonnegotiable aspect of the bargaining process.

Regarding teacher's unions, the policies proposed by the American Federation of Teachers must be adhered to. Schools must have low community infection rates, public health safe-guards in schools, and the resources to support every student's academic, social, and emotional needs. Specifically, these recommendations mean providing personal protective equipment for both teachers and students, thorough sanitation, and proper social distancing. It is paramount that students return to classrooms. However, this can only happen when student and teacher well-being can be secured.

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4 Remote Work

By: Caroline Manning, Rose Dreizen, Andrew Lee & Lorena Flores

Introduction

COVID brought many new challenges to both employers and employees across the world as many companies transitioned their workers to remote work to help ensure the safety and wellbeing of their employees. Before COVID, many companies had already implemented or experimented with remote or virtual work options for their workers because it allowed employers to reduce their costs, especially real estate costs, and gave them the opportunity to tap into previously inaccessible labor segments. By examining organizations that had already implemented remote work before COVID, we can better understand what policies and procedures can be utilized to develop a successful work from home plan.

When companies transitioned to remote work, many found that their human resource policies and practices were inadequate for helping support and guide workers. Human resource departments have played a vital role in helping companies and employees smoothly transition to remote work by changing policies and practices to provide assistance and structure. Not only is it important for companies to utilize effective policies and procedures for remote workers but it also important to examine how remote work changes the interpersonal relationship between employees, companies, and labor unions.

Question 1: What is truly necessary to implement a remote work plan that can work and sustain an organization?

A. Pre-Covid Work Patterns

Telecommuting is a strategic tool that firms have implemented as a means to reduce costs, increase flexibility, and explore new labor pools. As such, many firms have implemented preliminary efforts in creating a transition where workers can perform their roles at home. The decision to move to remote working offers many benefits and drawbacks for both firms and workers. Therefore, to fully discover the role that remote work is expanding into, it is necessary to evaluate both sides of this strategic tool to determine how successful it will be in addressing the needs of a firm to maintain its workforce during the unprecedented Coronavirus. Additionally, taking steps to explore new tactics for implementing telecommuting is essential to evaluate whether it is capable of sustaining an organization.

Companies such as Yahoo and IBM have experimented with implementing policies for remote work. Yahoo originally adapted to this environment to expand on worker flexibility and to help workers achieve a better work-life balance. However, in 2012 when Marissa Mayer became the CEO she changed these policies. Mayer evaluated the speed and quality of the

worker's responsibilities and determined that they were not as strong when working from home. Thus, she suspended the work-from-home policy and faced criticism as it was seen as attacking women who had used this policy to balance children and their work.¹ A similar situation occurred at IBM as they implemented a ban on remote work. The company had initially expanded into telecommuting when they determined they could save \$100 million a year by removing offices across the country. Similar to Yahoo, after IBM saw that the workforce was not meeting their goals and they were becoming less efficient they instituted a ban. As a result, workers faced the decision to resign or come back to the physical offices.² Yahoo and IBM show that many companies recognize the benefits that come with telecommuting, but when faced with challenges afterward, companies prefer to eliminate the policy rather than develop a better procedure. Thus, remote work in theory and in practice introduces discrepancies that firms struggle to address.

A New Zealand article observed Yahoo's reversal of remote working and has entered into the debate on whether remote work is sustainable. New Zealand serves as an example where remote working has been supported by government and legislative efforts which have supported the transition to virtual work. Additionally, they cite the power of formulating a workplace culture and adequate policies that can prepare employees for the transition and support them in this new environment. With

these steps, they argue that formulating a plan to manage people from anywhere becomes more sustainable.³ Therefore, they emphasize that switching to remote work cannot be successful if it is implemented quickly without the proper foundations and management. Instead, remote work must be supplemented with technology, a culture that is supportive of virtual work, and proper workplace policies and procedures, while being matched with government and legislative efforts.⁴

Sebastian Boell expands upon the debate and discusses the benefits and drawbacks of remote work. Additionally, he evaluates the paradoxes of remote work that often cause companies to reverse their remote work practices. The benefits he reflects on include increased flexibility and autonomy for workers. This is good for workers as they can get higher job satisfaction. Additionally, it is good for firms as their image is expanded and they seem more in tune with the needs of their workforce.⁵ Furthermore, worker's contentment can even translate into greater productivity which is more efficient for firms.⁶ The nature of virtual work also opens up a firm's labor pool as they can be connected to workers who had previously been separated by geography or unable to work in an office because of a disability. As a result, the firm can access a larger talent pool and more individuals can receive increased opportunities.⁷ On the other hand, remote work limits collaboration, can hinder the exchange of information, limit social interactions, and have employees less identified with their

organization.⁸ Based on these conflicting benefits and drawbacks, Boell introduces the idea of remote work paradoxes. The first paradox evaluates the harmful and helpful balance that remote work presents. The second paradox reflects on the changes in types of disruption that occur based on setting, as there are disruptions in office as well as at home. The third paradox explores job satisfaction, as remote work is seen to have a positive effect on this factor, however at the same time the isolation of remote work may counteract this.⁹ These paradoxes emphasize how remote work has not been fully researched and how different implementations of remote work greatly impact its effectiveness. To further address these issues the article suggests: clearly defining telework and who fits under that umbrella, investigating technology appropriations, and determining which work activities may be better suited for remote work options.¹⁰

The coronavirus has resulted in the mass implementation of remote work options as firms seek to continue operations while maintaining the health of their workforce. As a result, this practice has been quickly implemented without fully developing policies and procedures first. Looking at a company's past experiences with implementing remote work policies at times with less uncertainty can provide essential insight on how to develop current operations to be efficient and sustainable. Weighing these benefits and drawbacks can evaluate which jobs can benefit the most from converting to online work and which are better suited for a more collaborative

space with more interactions. Additionally, looking at past challenges can make firms more prepared to address these issues if they are to arise today.

B. Work From Home Challenges

COVID forced many companies and workers to start working remotely before solid plans, guidelines, and/or human resource policies could be implemented. Not only were workers under immense stress from the fear of the pandemic, but the transition to remote work also forced workers to adapt to a new environment where their work and private life became inseparable. Once workers transitioned to remote work, it became clear that companies needed to tackle a number of different problems. These problems included employee focus as many workers had to supervise children doing remote learning, and burnout as workers struggled to balance their private and work lives. Employers also needed to meet the challenge of keeping employees engaged and connected and increasing trust and communication between leadership and employees.

Workers have traditionally worked in locations separate from their homes which allows them to be more focused and engaged in what they are doing. However, the fusion of work and private life has put additional pressure and stress on workers as they deal with challenges at work and at home. Working remotely has introduced new complications for workers because parents often need to care for infants and children, pets can be loud, internet connections may be unstable, and loud

neighborhoods can be distracting background noise. Finding a balance between work life and private life can be hard but there are actions workers can take to help separate the two.

Until recently, workers were able to separate their work and private lives by commuting to work, and when that commute disappears it can be easy to blur the lines between work and recreation.¹¹ Workers can grow accustomed to immediately working the second they wake up and starting their day by checking emails. This can quickly lead to burnout and workers can avoid this by creating a morning routine and replacing their usual commute with a walk, working out, or cooking breakfast. While not all workers may be able to do this, workers who have sufficient room should also create a designated workspace, so it is easier for people to disengage from work. This could mean setting up a desk area or it could mean designating a certain spot on a table or couch as your workspace. Creating a workspace helps create boundaries and “makes it feel like you’re going somewhere” even if it is within one’s home.¹²

As workers have struggled with the transition to remote work, keeping employees connected and engaged has been a top concern for companies. A study by McKinsey found that employee engagement, well-being, and effectiveness are driven by a set of employee experience factors which include a secure work experience, trusting relationships, social cohesion, and individual purpose.¹³ To address the needs of workers, organizations should focus on safety and security, relationships, culture, and purpose in order to keep workers engaged. Organizations can demonstrate to employees that they care about their safety and

security by having compassionate leaders who are understanding of the challenges workers are facing, keep the lines of communication open, provide opportunities for employees to “get together” and encourage feedback from employees. Organizations that invest in “building social capital during earlier phases of the crisis will be in better positions than others as the workforce transitions to the return phase.”¹⁴ Because workers are no longer in the same physical location, they can no longer engage in informal conversations and interaction, which is why it is important for organizations to ensure continued relationship building. It is also important that organizations cultivate a culture that is inclusive and creates a network of teams, so employees feel supported. Lastly, providing clear goals can help employees navigate high levels of uncertainty and keep them connected to the organization.

COVID brought about the abrupt transition to remote work and many leaders were unprepared to make this transition and forced to do so without any training. Prior to the pandemic, researchers found that managers who could not “see” their direct reports sometimes struggled to trust workers and that they were completing their work efficiently.¹⁵ Once doubt creeps into a manager's mind, it can oftentimes lead to managers having unreasonable expectations of employees which adds unnecessary burdens onto employees. Sharon Parker, Caroline Knight and Anita Keller investigated how “COVID is impacting both managers and employees work, well-being, and productivity.”¹⁶ They found that many managers were struggling with their roles and 40% of the 215 supervisors and managers in the study

expressed low confidence in their ability to manage workers remotely. The study also found that 41% agreed with the statement, “I am skeptical as to whether remote workers can stay motivated” and 38% “agreed that remote workers usually perform worse than in the office.”¹⁷ These negative attitudes have spilled over into how managers treat employees and a large number of employees surveyed felt like they had to be constantly available which promotes an “always on” culture for workers at home and creates conflicts with other obligations that workers are facing when home with family members.¹⁸ Moving forward, managers need to provide practical and moral support for remote workers and need to be provided training on best practices which includes training managers on how to check-in rather than check up on, and focusing more on outputs than inputs.¹⁹

Question 2: How might these relationships be affected by remote work? What can we do to accommodate this shift?

A. How does HR connect employees with the company over an online domain?

Working remotely, while it keeps employees safe from the risk of contracting the virus, can lead to certain complications from being away from the in-person workplace, such as experiencing loneliness. Loneliness places among the top struggles for those in remote work.²⁰ and can lead to decreased productivity within employees. In response to this problem, HRM has looked to messaging and videoconferencing tools in an attempt to recreate a social workplace, albeit a virtual one. For example, sending pictures of each other’s at home desk setup through Slack or arranging weekly video lunches could help remind employees that while they are

working individually, the team is still there.²¹

Being on top of recurring and consistent check-ins with the team is another component of HRM’s role during the transition to remote work. Acknowledging and reassuring employees that they are a part of the team is essential in building a people-first workplace culture that motivates employees to continue giving their best. On the same note, ensuring that everyone in the team is involved with and knowing new strategic initiatives is crucial in avoiding frustrations.²² Communicating, and, in some cases, over-communicating can be a good way to alleviate worries of being left in the dark about possible shifts occurring during this unusual time. Letting employees know that they are valued, and their work is being seen ensures people stay engaged even via an online domain.

Nonetheless, safety concerns arise with relying solely on an online platform, that of which include being exposed to unsecured systems, creating unneeded distress within employees. Thus, facilitating safe usage of remote work infrastructure is a critical component to keeping communication open and efficient. Such steps include providing upgraded hardware and fast internet connectivity²³ to ensure employees have the tools needed to safely navigate remote work. Alongside alleviating technological issues, ensuring that employees have adequate physical space at home. As it was brought up by Corey Williams, vice president of marketing for cybersecurity firm Idaptive, funding for furniture such as chairs and separate keyboards should be considered if employees are expected to resume tasks as normal.²⁴ Accommodations such as these will prove to be key in successfully navigating business

during pandemic times as well as in the post-pandemic workplace.

B. Changing HR Practices. Role of HR in making this shift

Human Resource Management in the aftermath of COVID has faced a significant shift in focus; being required to reorganize many policies surrounding leave and remote work. Leave policies, for example, are being evaluated to fit the needs of their employees and address the new reality of remote work. Legislation borne out of the governmental response to the pandemic, such as the Families First Coronavirus Act (FFRCA) requires that employers provide paid sick leave of up to 2 weeks (80 hours) for those directly affected by COVID-19. For those unable to work due to COVID, sick leave is paid at their regular rate of pay; while for those who are unable to work due to caretaking responsibilities of someone afflicted with the virus, sick leave is paid at two-thirds of their regular rate of pay.²⁵

HRM is also being called upon to facilitate transparency of company leadership in the effort to improve communication within all levels of the organization. Honest and open communication builds credibility throughout the organization and is essential to developing a calm environment amid a pandemic. In doing so, HRM ensures that employees can perform at their best. Compassionate leadership also comprises of HRM providing strategies on how to stay physiologically resilient is necessary to provide room to adjust to a modified workplace.²⁶

Furthermore, deliberate steps towards assuaging concerns of possible discrimination and bias within a remote environment are crucial in

upholding an environment where all employees feel comfortable and safe to work. HRM initiatives that produce spaces where employees can talk about this and support a work environment free from microaggressions.²⁷ Measures that promote respectful and fruitful discussions on diversity alongside clear anti-discrimination policies will aid in creating a comfortable workplace for all employees.

C. Labor Organizing Challenges

Labor organizing has faced numerous challenges in wake of the COVID-19 pandemic. With many laborers working from their own homes than at a conventional office space, unionization is not that simple. Writer J.C. Pan highlights some of these issues that accompany remote work. With no collective space to dispute issues for workers, some employers have now put in place longer work hours, increasing work-related pressures.²⁸ The line between one's personal life and work life is blurred. Furthermore, in-person, close-knit conversations with peers have been replaced by Slack and email.²⁹ This alternate form of communication makes it difficult to form intimate and trustworthy relationships due to the lack of face-to-face contact. As a result, laborers who possess weak social ties with each other and do not share a physical workspace face difficulties in effectively organizing.

Employers throughout this pandemic actively discourage labor unions in other ways as well. One avenue is through fully distributed companies, which allow all of their employees to work remotely. It was found that employees who are a part of fully distributed companies may be pushed into accepting lower overall wages through changing contracts.³⁰ The reason laborers may face lower

wages is to compensate for potential benefits of virtual work such as a rise in disposable income and flexible work arrangements.³¹ Therefore, employers who recognize these positives for remote workers may feel the need to weigh out some shortcomings for employees, prioritizing the economic status of the companies over the livelihoods of the workers.

Even before the coronavirus outbreak, virtual work has gone hand-in-hand with labor union challenges. One legal case delves specifically into the hardships a union organization had to face during the 1990s.³² The case centered around a company named Technology Service Solutions (TSS). Employees known as customer service representatives (CSRs) in this company worked remotely. They communicated through "portable terminals" within their regional offices.³³ These CSRs began to unionize after one CSR received a wage cut. It was further discovered that the national board of TSS worked to take advantage of the shortcomings of this virtual union in comparison to a physical one. For example, the board denied the right for this union to lessen the strict attendance requirement for the union to operate.³⁴ The reason for this attendance requirement was that the board knew it was quite difficult for workers from different regions of the U.S. to collectively band together. Worker distribution was unevenly spread in a changing, virtual workforce at the time.³⁵ From then on, multiple complaints by the union were ignored.

D. Accommodating Labor Organizing Challenges

Based on the challenges that labor unions face when in this shift towards remote work, it is clear that many firms and companies do not intend to alleviate these issues and worse them in some cases.

We see from the TSS situation that even before the pandemic, a virtual workspace was seen as an opportunity for firms to actively break down unions. If this is the case, what can labor movements do in response to these challenges?

While J.C. Pan pointed out a few hardships that employees now faced during the pandemic, Pan also cited several, creative ways to circumvent these hardships. For instance, Vaness Bain, an Instacart user, organized several Instacart contractors under a newly established grassroots advocacy network. This network began through Facebook and attracted more members as grocery store shoppers caught wind of this network online. Remote work is also accessible. With no need to commute to another area for work, employees can access a call with ease.³⁶ This in turn allows a larger array of people to be a part of a labor movement from wherever they are in the United States.

Zuckerman et al. lists more advantages for labor unions with this shift towards remote work. One way is through utilizing new technology that encourages labor organizing. One app that does just this is LegalZoom. LegalZoom provides legal services that range from giving out "interactive legal documents" to helping consumers with "wills, trusts...disability claims, etc."³⁷ These services are helpful in assisting labor unions, as they now have easy access to information that they would need to effectively organize. With the speed of communication over the internet as well, looming issues and practices could be discussed almost instantly among laborers.³⁸ With these "playing cards" that labor unions now possess, virtual work may actually facilitate effective organization in contrast with the issues unions could face.

Policy Recommendation

Employees in the United States are currently living through an unprecedented time, in which COVID-19 has significantly shifted labor away from the conventional method of working in person and towards a remote and virtual form instead. Our analysis of pre-COVID work patterns, work from home challenges, changing HR practices, and labor organizing challenges have all led to the conclusion that remote work enlists a new host of challenges that employees face.

In light of these challenges, we have several policy recommendations. One is for companies to be scrutinized for their past involvements with implementing remote work, so that they may be held to a higher standard. Another is for employees to unionize through advancing technology, such as through apps like LegalZoom. A final policy recommendation is to establish a training program for employers/managers to accommodate a virtual workspace. This training would involve separating personal life from work life for employees, bolstering confidence in managing workers remotely, and keeping employees engaged and active.

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5

The Show Must Go On: COVID-19 and the Entertainment Industry

By: Heman Asibuo, Liam Farrell, Jayla Frith & Ethan Lodge

There's no question that the ongoing COVID-19 pandemic has affected billions of workers around the world, including those in countless different industries. One sector hit particularly hard by the pandemic is the entertainment industry. Entertainment companies thrive on customer engagement — whether that means seeing a movie, going to a concert, or braving rollercoasters at a theme park, much of the entertainment world is centered on human interaction. This is particularly dangerous amidst a pandemic where guidance suggests that activities like these are likely to endanger the health and safety of the public. Consequently, the entertainment industry is in a particularly tough spot, as firms are left trying to support their employees even though the demand for their offerings is more limited than ever. One organization that has become synonymous with the entertainment industry is The Walt Disney Company. Disney's response to the pandemic can be used as a case study to analyze how labor relations in the entertainment industry has been affected by COVID-19. One can look at Disney's theme parks, broadcast networks, film and television productions, and direct-to-consumer offerings to develop policy applications to aid entertainment workers and predict how the sector may evolve.

Disney has two theme park locations in the United States: the Walt Disney World Resort in Florida and the Disneyland Resort in California. Though the state of California has not yet allowed Disney to open their theme parks in Anaheim, Florida took a different stance. Walt Disney World was permitted to open their gates in July, even though there were upwards of 15,000 cases of the virus being reported across the state.¹ This decision has put significant strain on theme park workers, who are now tasked with wearing mandatory face coverings, directing guests to sit farther apart on attractions, and disinfecting ride vehicles and lap bars.² The company furloughed 43,000 unionized employees in April in response to the pandemic, recalling approximately 20,000 of them for the resort's reopening in July.³ Ride operator Diego Henry "said he felt 'confident' about his safety given Disney's protocols" despite his pre-existing conditions that leave him at risk of severe illness from COVID-19. The truth is, workers like Henry didn't really have a choice upon being recalled; employment opportunities amidst the pandemic are scarce, forcing them to brave the theme parks crowds and rising numbers of infection.

However, Disney has proven that their employment practices are not pandemic-proof.

In September, the company announced that the theme parks division would have to “eliminate 28,000 jobs in the United States” as a cost-saving measure.⁴ Union leaders who work with Disney have called the layoffs “devastating,” and said that “we’re at the point where people are having a hard time figuring out where they will get their next meal.”⁵ The crisis has caused union officials to scramble as they try to assist their constituents. Unite Here Local 737, a union servicing 18,000 Disney food service workers and hotel housekeepers, have organized a weekly food bank that has served up to 800 families.⁶ These economic struggles continue to surface, even as Disney has achieved relative success within their parks’ operations. Eric Clinton, president of Unite Here Local 362, reported that virus cases amongst his constituents were low, and none appeared to have been from work-related exposure; many other union leaders echoed this sentiment.⁷ Disney’s approach to the pandemic has appeased unions and employees thus far, but unfortunately the situation is far from over. The company’s approach to keeping their guests and employees safe seems to be a solid framework for other theme parks to adopt, though many do not have the immense resources and networks that Disney does. Nonetheless, Disney’s relative success has shown that theme park companies can adapt to the current circumstances while working closely with labor leaders — though it may cost them considerable human and financial capital.

Since there has been a decline in Disney’s programming networks such as FX, National

Geographic, ESPN, Disney Channel, and Freeform due to cable cord-cutting creating a decrease in subscribers and ratings, their new business strategy consists of reorganizing the company to increase their digital streaming presence. Disney’s digital-streaming business includes Disney+, Hulu, and ESPN+, and the new alignment of the company pushes to the center of the company. As a result of the pandemic, Disney Media Networks saw fiscal success.

Success from the fiscal standpoint can be seen in Disney’s network division which includes ESPN, which saw an overall 48 percent increase and had an operating profit of about \$3.2 billion.⁸ Although the company was successful overall, ESPN, eighty percent owned by Walt Disney Co. since 1996, reduced its workforce by approximately 10 percent by gradually letting employees go through layoffs or remote work. Another challenge the company faced was the loss in ad revenue from delayed or cancelled sporting events. In a memo sent out to staffers, Jimmy Pitaro, ESPN President, stated that ESPN planned to eliminate about five hundred jobs by laying off three hundred employees on top of closing two hundred open positions. In the memo, Pitaro suggested that the layoffs would not be limited to low-level employees and made note that the company would be losing some high-profile and long-term employees.⁹ While job cuts will be made throughout the company, it is important to acknowledge how many of the employees laid off will be from within the broadcast production.¹⁰

Others that will be affected by the reorganization of ESPN’s company include those who also produce games for ESPN, the players, and other on-camera talent. These job cuts were a part of the reorganization plan to make way for the digital streaming boom.

The long-term decline of pay television has put pressure on ESPN to make employee cuts throughout the recent years. In 2015, around 300 employees were laid off and in 2017 there were two rounds of layoffs that consisted of around 250 employees. To acknowledge again that these layoffs included high-profile on-air and other long-term employees. The decline in the number of households paying for television concurrent with the pandemic has pushed ESPN to reorganize their company, as time suggests digital and streaming services is how consumers will use their entertainment and media resources in the future.

When transitioning to online-broadcasting platforms, ESPN company was able to cut costs. Savings made from the remote production for the network are seen as ESPN paid less for production costs as most of their games were produced from their network headquarters, meaning that the company will not have to pay for travel and employee costs. ESPN increased Disney’s profitability as the network received more affiliate revenue that consisted of fees paid by cable and satellite companies and they also did not have to pay as many funds for sports-rights fees. As of June 27, ESPN+ tripled their number of paid subscribers from the previous year with a total of 8.5 million.¹¹ Disney’s streaming services brought much-needed advertising revenue in its media networks division and this alone proved to be the company’s greatest asset during the pandemic as the direct-to-

consumer business continues to grow at startling rates.¹² Using Disney’s Networks as an example, it becomes clear that the future of entertainment and media consists of streaming services and direct-to-consumer programming highlighting the ways of the approaches that entertainment and media network companies in regard to their business consumption. This brings up many questions on the impact that this type of consumerism will have on the labor market. How many more employees will be laid off? The show must go on, so the question is who will be getting left behind.

Questions surrounding how production of our treasured TV shows and film would resume flooded the minds of cinephiles everywhere amidst the pandemic. The unsafety of COVID-19 and its complexities affected film production as it did any industry that was significantly dependent on in-person interaction. This led to a delay in the release of highly anticipated films such as *Black Widow*, *West Side Story*, and *Kingsman*. Moving around release dates is just as detrimental if not more so to the companies releasing these movies, mostly because release dates are set sometimes years ahead to prevent conflicts with other competitors. Despite the challenges surrounding resuming production while preventing the spread of the extremely contagious virus, Walt Disney Pictures came out on the other side. After months of collaboration with the Alliance of Motion Picture and Television Producers (AMPTP), Disney as well as other established production corporations were able to establish safe return to work regulations and adjustments for their workforce. These adjustments consisted of quarantine pay, a zone system, COVID-19 safety monitoring and lastly mandatory and frequent testing. Consequently, these adjustments

required a reduction in crew size.

The Zone system consisted of “laying barriers within which those on set can flow based on proximity to cast, level of testing, PPE and the extent to which physical distancing can be observed in the performance of the work” according to the rules set by AMPTP.¹³ Cast members are tested a minimum of three times a week, making them the most frequently tested members on set. This is due to the fact that they cannot distance themselves. Cast members and workers they come into close contact with are labeled Zone A, and the Zones for employees increase in alphabetical order with regards for proximity to the set. The further the zone is from the set, the less frequently testing is required. Employees are all entitled to nearly two weeks of paid sick leave, which eases the threat of uncertainty for lower level employees. These efforts, of course, may be modified with changes in rapidly-increasing cases. Rather than rendering thousands jobless, multimillion dollar companies such as Disney could adapt a shift based work system in order for crew members that would otherwise be let go to still work.

As a result of the COVID-19 pandemic and its implications for in-person production and viewing of entertainment, businesses operating within the media and entertainment industry may have to shift their focus toward the virtual delivery of content to remain profitable. Indeed, as stay-at-home orders and pandemic restrictions occurred nationwide, companies with established streaming services had a distinct advantage over those transitioning to the direct-to-consumer streaming model.¹⁴ With Disney’s recent release of Disney+ on November 12, 2019, it joins a number of companies

pursuing direct-to-consumer divisions. Unlike fellow newcomers such as NBCUniversal’s Peacock and Apple’s AppleTV+, Disney+ has a few distinct strengths going for it as it develops its streaming platforms. Disney’s extensive library of past films and TV shows, along with its well established brand identity, could make its streaming service more successful than others entering the same space. Additionally, Disney+ contributes to the company’s existing corporate strategy. Part of what has made Disney so successful is its ability to create linkages across different divisions of the organization in order to maximize value creation.¹⁵ For example, the Frozen franchise creates more value beyond revenue from theater and DVD sales because the movie itself will continue to generate profits through merchandise, installments at amusement parks, and live performances, and subsequent TV series or spinoffs. In this way, each movie release generates a multiplier effect by offering value to consumers through different channels. Disney+ is merely another channel through which to create value for the consumer.

Compared to competing services like Netflix or Amazon Prime, which invest heavily in the creation of content while also offering content from other providers, Disney+ didn’t need to generate new content to be successful: it simply offered movies and TV shows it already produced. The streaming service has been undoubtedly successful, garnering 60.5 million subscribers after only nine months in operation — coming close to the company’s low-end of their five-year goal.¹⁶ While this feat is likely propelled by people stuck home due to the pandemic looking for content, it is a likely forecast of the direction the entertainment industry will take

in the near future. Anthony Denier, CEO of Webull, a commission-free stock trading mobile app, stated “With the prediction of a bad winter for COVID, the entertainment and media divisions will continue to be a drag on earnings,” “However, it’s hard to imagine a better environment for the growth of a new streaming service with more stay-at-home mandates. Will we see a change by the next earnings call, probably not, but for the long term the future looks bright.”¹⁷

Ultimately, the Walt Disney Company serves as an effective lens through which the effects of the COVID-19 pandemic on the entertainment industry can be examined. While Disney has seen relative success through their direct-to-consumer offerings and has been able to keep their employees relatively safe by working with various labor groups, there is still more to be done to support their employees and those at other companies in the industry. Federal legislation providing consistent stimulus to those who have lost work due to COVID-19 would be a step in the right direction. Companies can only do so much on their own, and they need government support to aid workers that are displaced. This can also be accomplished through the expansion and extension of unemployment benefits to more workers across the nation. Entertainment unions, like the ones Disney deals with, seem to be taking many efforts to protect their contingents from exposure to the virus. However, they could attempt to initiate new bargaining sessions with companies like Disney to try and obtain more protections and services for employees put out of work. Perhaps entertainment companies could aid unions in food banks like the ones organized for struggling theme park workers. In a time like this, everyone needs a helping hand. If

federal intervention is not enough, labor leaders can attempt to strike deals with companies in an attempt to get everyone through this time of need.

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6 Essential Workers

By: Tairan Zhang, Katrina Cassell, Julianna Fabrizio, Tyler Pearce & Hannah Ritter

Introduction

As the country enters the next wave of lockdowns amid the ongoing COVID-19 crisis, we are forced to determine whose labor is essential and whose is not. While healthcare workers are the most visible essential workers in the media, the Cybersecurity and Infrastructure Security Agency (CISA) identifies sixteen sectors "whose assets, systems, and networks, whether physical or virtual, are considered so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, national economic security, national public health or safety."¹ While these essential workers are critical to the United States' survival in this pandemic, they frequently face financial uncertainty and unsafe working conditions that have only been heightened during the pandemic. Insufficient workplace protections and economic relief for these workers have left them vulnerable to infection and financial collapse, threatening their families and communities. As such, swift action is necessary. Within the context of COVID-19, we will investigate unique challenges faced by three sectors — education, domestic work, and food system work — and the federal action, from both Congress and presidential administrations, necessary to address them.

Education

The pandemic has impacted many sectors of the economy, and education is one of the most affected. In-person education has been replaced with online, remote education through web platforms such as Zoom. While these platforms allow for instruction to resume safely, it directly impacts educational support workers, many of whom hold jobs that do not exist in a remote environment. Throughout the country, thousands of school-based employees, including bus drivers, custodial staff, cafeteria staff, paraprofessionals, teachers, and administrators, have been laid off, furloughed, or subjected to a reduction-in-force.

An analysis by the Pew Research Center found that state and local education jobs as of September 2020, were down 8.8 percent compared to September 2019, with the leading cause of this reduction due to the financial crisis surrounding the pandemic. Roughly 20.8 million people filed for unemployment in May of 2020,² which does not include the numerous people who have taken a salary cut. The increase in unemployment and financial insecurity combined with the massive unexpected health expenditures due to the pandemic have led city, state, and federal governments to budget shortfalls. Most public schools in the country receive local (whether through sales tax, property tax, or a combination of both), state (including lottery in many

states), and federal funds. The CARES Act, part of a series of coronavirus stimulus packages passed in the spring of 2020, earmarked 13.2 billion dollars in federal funds for K-12 education to aid the imminent reduction of school budgets.³ While this money did help, it did not eliminate the economic impacts felt by school districts.

While nearly all school districts went remote in March to reduce the spread of COVID-19, it is difficult to calculate how many school districts returned to in-person instruction, did some variation of a hybrid system, or operated entirely remotely in the 2020-2021 academic year. 35 of the 50 largest districts went remote for the beginning of the academic year.⁴ By November 2020, many school districts that opted for in-person learning are considering reverting to online education. This inconsistency impacts students and educators alike, but many support staff cannot work remotely like teachers and students. Some districts have been able to avoid layoffs, but hundreds of school districts in the country have called for a reduction in force, mostly surrounding food service workers, custodians, and bus drivers.

Despite New York's relative success in managing the outbreak, many school districts in the state have opted for remote instruction. Many districts have been able to reduce or eliminate the need for layoffs, but some school districts have struggled to retain staff members. In the Rochester City School District, more than 200 non-teaching staff have been laid off since the start of the pandemic.⁵ While Rochester is one of the state's largest districts, it is part of a worrying trend growing throughout New York. Many school districts in all areas of the state

have called for layoffs. The uncertainty regarding whether schools can remain open with this new virus surge will impact essential workers' livelihoods in schools.

In some areas throughout the country, teachers returned to schools. Each state and local school district has its regulations on what to do when there is a positive case, which varies based on the overall response of COVID prevention from the state. For example, in New York City, the United States' largest school district is operating on a hybrid system. They decided to close if the positive city rate rises above 3 percent, and as of November 20th, they have reverted to full-time remote instruction. Other school districts are continuing to operate during the pandemic, with full in-person instruction in some cases. Protection for teachers also varies among the states. The Boston Teachers Union recently negotiated for a 60 day supply of masks, gloves, gowns, and eye protection in each school that has to reopen.⁶ This inconsistent reopening strategy has led to a varied response from teachers, from maintaining employment to increased resignation.⁷

Unfortunately for these workers, there is no cohesive federal response to mitigate these issues. The CARES act provided 13.5 billion dollars to states to support K-12 education,⁸ but that does not address or institute any safety protocols. The Department of Education, in conjunction with OSHA and the CDC should provide a framework for re-opening schools. This framework ideally would give a rough estimate of where the federal funds should be spent, including support to develop and grow remote infrastructure, job protection for

those who cannot work in a remote setting, and an implementation of safety protocols and guidelines for appropriate opening and closure procedures. This plan will remove some of the ambiguities in reopening procedures, as well as reduce the amount of people unemployed, and overall build a better and safer environment for the teachers, students, and other school support workers.

Childcare Work

Despite extensive research tying high-quality childcare to positive outcomes for incarceration, further education, employment, and overall economic development, the United States is chronically underinvested in public childcare solutions. The U.S. stands alone among other industrialized countries in its failure to provide universal childcare. As a result, American childcare is intolerably expensive, costing parents an average of \$16,000 each year and forging gross income-based disparities before kids have even reached kindergarten.⁹ Childcare programs operate with small profit margins and high turnover rates, which reduce their quality and scope. Families with access to additional financial resources replace or supplement private childcare by hiring nannies, which has intensified the educational and developmental inequality between poor and wealthy children. The COVID-19 crisis has only exacerbated the extreme disparity between the demand for childcare in urban and rural areas and the number of slots available. According to a study conducted by the National Association for the Education of Young Children, a fourth of early childcare educators have applied for unemployment compensation and 73 percent of childcare programs said they would need to cut wages or lay off staff as a result of the economic

crisis. These effects are more profound for minority-owned businesses, 88 percent of which have had to resort to layoffs and pay cuts. In addition to the reduced revenue caused by enrollment decline, childcare programs are spending more on supplies and PPE in order to prevent the spread of COVID and protect workers and children. The childcare providers that have survived have done so in large part because of the CARES Act, which provided states with \$3.5 billion in childcare relief. However, without a renewal of the relief that came through the CARES Act, and specifically the Paycheck Protection Program, it is likely that even more childcare providers will be forced to close. Under current circumstances and without additional government relief, only 18 percent of child care programs believe they can operate for longer than a year.

Not only is childcare essential to the educational development of future generations, it is critical for working parents, who rely on these programs in order to earn income.¹⁰ The childcare industry's survival is dependent on action from Congress to provide relief during this current economic crisis. However, temporary economic relief is not enough. Without long-term investment into a sector that was struggling before this crisis began, the United States will suffer long-term consequences for children, families, and the economy.

As demand for childcare has grown and daycare slots have remained insufficient in meeting demand, families have become increasingly reliant on personal childcare providers in the form of nannies.¹¹ The largely unregulated, unprotected nature of this form of employment makes nannies among the most vulnerable members of the workforce, with low

wages and high rates of verbal and physical abuse.¹² Nannies in the U.S. are disproportionately female, immigrant, and non-white, which contributes to low wages and precarious job security. The median hourly wage for nannies is \$11.60 per hour, compared to \$19.97 for all other workers. There was a 20.2 percent gap between the hourly wages paid to nannies in 2019 and those to demographically similar workers in other professions.¹³ This wage gap is true even when controlling for educational level, and reflects the undervalued nature of nannying work despite its critical role in providing working parents with support and compensating for an underfunded childcare sector.

Nannies are also made more vulnerable by labor legislation that excludes domestic workers from crucial protections. Domestic workers are excluded from the Wagner Act of 1935, which guarantees workers the right to join unions and collectively bargain with employers. Domestic workers, including nannies, are excluded from the overtime pay and minimum wage guaranteed to other workers in the Fair Labor Standards Act of 1938. Compared to other workers, nannies are nearly twice as likely to work part time because they can't secure full-time positions, which leaves them with lower wages and less benefits. The legal barriers and exclusions nannies face represent a profound failure to protect workers who provide essential services to our communities.

Similar to other fields of essential work, the nannying sector has shifted dramatically in the wake of COVID-19, and nannies have been forced to respond to new and difficult challenges. As childcare centers close temporarily or entirely and

schools move to online learning, new families are in need of personal nanny care for their children. However, as more parents shift to working from home and consider the new risks involved with having others in their houses, many have laid off their nannies, opting instead to provide childcare themselves or find other substitutes. As families give up services from personal chefs and cleaning workers in order to limit their exposure to COVID-19, more is being demanded of the nannies who have kept their jobs. According to Shenandoah Davis, the co-founder of the nationwide agency Adventure Nannies, there is a 25 percent increase in families asking nannies to complete cleaning and cooking tasks. Many nannies are being asked to provide educational help both to small children who are left without daycare or preschool and to older children who require additional support now that schools have been moved online.

These fluctuating dynamics have added stress and job insecurity to work in the nanny sector. Nanny services are impossible to provide remotely, and ensuring procedures like social distancing and mask-wearing is difficult when working for long periods of time indoors and with small children. In addition to increasing workloads, many families are demanding that their nannies follow certain expectations in their personal lives to limit exposure to COVID-19. Some families have issued requirements that nannies reduce their own supermarket visits and wear gloves in stores, while others have only accepted applications from nannies with positive antibody tests.¹⁴ While Title 1 of the American Disabilities Act restricts the questions employers are allowed to ask workers about COVID-19, it applies only to employers

with more than 15 employees, thereby excluding most nannying work. Most nannies are highly concerned with preserving the health and safety of themselves and the families they work for, and are willing to comply with reasonable COVID-19 related requirements. Even so, the unprecedented, formidable personal sacrifices being asked of nannies should be reflected in compensation and benefits.

Nannying work, and domestic work more broadly, is vital to the American economy. The massive upheaval that the elimination of childcare options due to COVID-19 has brought to parents, children, and employers reflects the importance of childcare work. However, the crucial nature of the "care economy" is ignored by labor laws that exclude domestic workers from basic protections, state and federal governments that underinvest in the childcare sector, and gendered and racial wage gaps that perpetuate the gross disparity between the incomes of nannies and those of comparable workers in other sectors.¹⁵

Major efforts to improve conditions and pay for domestic workers are underway at both the state and federal level. The Domestic Workers Bill of Rights Act, introduced in the Senate by Kamala Harris in July of 2019, would amend current labor laws to include domestic workers and establish a minimum wage and overtime pay. It would grant domestic workers the protections that we have established are essential to other workers, among them: worker's compensation, unemployment benefits, the right to collectively bargain, and legal protections against sexual harassment.¹⁶ New York has already passed legislation with a similar framework, guaranteeing domestic workers rights like guaranteed overtime pay. While this legislation has been largely ignored

by the Republican Senate and presidential administration, proponents are optimistic that Kamala Harris' new status as vice president and the opportunity to flip the Senate blue in February improves the likelihood of it passing in 2021. The changes proposed by the Domestic Worker Bill of Rights would represent a major step forward in supporting a sector that, despite providing essential support to our communities, has long been overlooked and undervalued.

Addressing the challenges that nannies currently face through policy like the Domestic Workers Bill of Rights is essential to supporting this vulnerable set of workers. However, it is also worth considering whether the services provided by domestic workers are best handled by the private sector. In Nordic countries there are fewer domestic workers, because smaller income differentials preclude the existence of large swaths of families with enough wealth to pay another person's entire salary. Instead, substantial welfare spending ensures that high-quality services like childcare and eldercare are provided and paid for by the state.¹⁷

If the United States expanded its welfare state to include public childcare, workers currently in domestic employee roles would be relocated to the public sector, allowing for fairer wages and benefits, and ensuring critical protections like the right to unionize. Additionally, allocating these resources in the public sector would combat racial and socio-economic disparities in children's access to high-quality childcare. Ultimately, this debate comes down to whether the United States considers high-quality, equitable childcare provided by workers earning a fair living to be a priority, or would rather stick to a system that is failing our children, our parents, our

Workers, and our economy.

Food System Work

As the pandemic worsens in the United States, it is clear that insufficient protections for food system workers have enabled unsafe working conditions and alarming levels of community spread. Although most industries have encountered significant workplace challenges due to the novel coronavirus, workers in restaurants, meatpacking factories, and agriculture disproportionately face poor health and economic outcomes, which are pre-existing problems that have only been worsened by the pandemic. High workloads, low wages, and minimal benefits have afflicted food system workers for decades, but because of COVID-19, they have become especially devastating to these workers' livelihoods. Amid the first spike in U.S. cases, more than 8 million restaurant employees were furloughed or fired,¹⁸ and an estimated 73,619 food production workers have been infected, leading to at least 336 deaths.¹⁹ Given that BIPOC employees, whose communities have been hit hardest by the pandemic, constitute a disproportionate number of food system workers, ensuring worker safety is an issue of racial justice, not just public health.

Restaurant workers face uniquely unsafe working environments and insufficient benefits, placing them at high risk for contraction of COVID-19 on the job. Because cooks work quickly, kitchens are designed to reduce travel, which limits available space for distancing. Additionally, symptomatic workers often come to work because of financial considerations, given that many of them lack paid sick leave or enough money to take time off.²⁰ These challenges have been further exacerbated by common managerial decisions that

endanger workers. In interviews, employees at multiple McDonald's locations report that their managers pressured infected workers to return to work and allowed symptomatic workers to prepare and serve food, leading to six employee infections in one location. Other accounts from restaurant workers confirm that proper protective equipment and sick leave are rarely provided by management and that distancing is difficult. Despite these challenges, workers report that they return to work out of fear of retaliation, which is a well-founded concern, given that 1,744 COVID-19-related Occupational Health and Safety Administration (OSHA) complaints of employer retaliation were filed as of August.²¹

COVID-19's economic impact on the restaurant industry has largely fallen on employees' shoulders, resulting in dire financial situations for low-wage workers. According to the National Restaurant Association, 88 percent of restaurant operators have reduced their staffs since March, averaging total worker cuts of 83 percent within a month of COVID-19's initial spike.²² Because restaurant workers often lack substantial savings, with minimum wages as low as \$2.13 in some states, many struggle to skip paychecks and quarantine without paid sick leave.²³ However, research suggests that this benefit is a rarity for these workers.²⁴ Thus, going to work is a matter of survival for restaurant workers because of poor pay and benefits, forcing them to return to unsafe working environments. These workers face marginalization even outside of their workplace, too. As is the case for many essential workers, restaurant employees struggle to find affordable childcare, which is critical given their

unpredictable, long shifts. However, in Texas, for example, childcare was initially limited to essential workers, and the state's narrow definition of essential workers led to the exclusion of numerous restaurant employees.²⁵

In addition to restaurant workers, food production workers face extreme health risks and are relatively unprotected in the workplace as frontline essential workers. For example, farming and agricultural workers, who represent another sector of the food system in the United States, are vital yet often overlooked and undervalued as essential workers. As a result, farmworkers typically receive inadequate benefits as compensation for the dangerous conditions they face on a daily basis.

Independent of the pandemic, the agricultural sector poses many health risks to its workers and is considered one of the most dangerous occupations in the United States.²⁶ COVID-19 has only exacerbated the hazards of agricultural work. Farm workers are regularly exposed to harmful chemicals, pesticides, and lung irritants, which places them at a higher risk for experiencing severe COVID-19 symptoms due to increased underlying risks.²⁷ Despite these increased health hazards, workers are given very limited, if any, access to PPE, such as masks, gloves, and hand sanitizer, when working in the fields. Even when face coverings are provided, humid working conditions reduce the effectiveness of the masks without frequent replacement.²⁸

In addition to limited PPE access, the nature of agricultural work makes social distancing next to impossible. Farmers may spend up to twelve hours a day working in high density fields and enclosed indoor spaces such as greenhouses and mushroom doubles.²⁹ Prolonged close contact with others carries

a substantial risk of contracting COVID-19, and high density environments further increase the likelihood of major outbreaks and clusters within farms.

Although agricultural work has become increasingly dangerous in the face of the pandemic, individual farms and regulatory agencies alike have failed to provide sufficient protections against contracting the virus due to a lack of federal funding and an unwillingness of local farms to bear the costs of their workers' healthcare out of pocket. When it comes to the distribution of PPE, the Food and Drug Administration (FDA) has recommended that the food and agricultural sectors should be given priority second only to nurses, doctors, and other healthcare professionals. Yet, farms in nearly 40 counties in California alone report having difficulty obtaining PPE.³⁰ Additionally, there have not been significant measures taken to decrease the density of agricultural workers or promote social distancing.

Likewise, the compensation given to agricultural workers adversely affected by the virus is lacking. Only 35 percent of farmers report having health insurance, placing a heavy financial burden on them if they or their families get sick.³¹ The federal government passed the Families First Coronavirus Response Act (FFCRA) in order to alleviate that burden. However the act is woefully inadequate in doing so. The FFCRA mandates employers to offer paid sick days and paid medical leave for employees impacted by COVID-19, but not for farms employing fewer than 50 workers. Given that 96.6 percent of all farms in the United States have fewer than 50 workers, and approximately nine in ten farmers are employed by such farms, the FFCRA ultimately benefits very few agricultural workers.³² Given the policy shortcomings in the

status quo, it is imperative that Congress reform the FFCRA to include protections for all farmworkers and agricultural workers in the United States. Additionally, the federal government should legislate mandated healthcare for all farm and agricultural workers.

Similarly to farmworkers, meatpackers are at a high risk of falling ill to COVID-19. Due to the importance of their work, meatpacking plants stayed open despite COVID-19 outbreaks among workers. These meatpacking facilities stayed open due to the need to send imports to China, with an estimated 129,000 tons of pork being exported in April.³³ This is shocking considering that the main reason why the meatpacking companies stayed open during the pandemic was, they claimed, to feed the American public. While some meatpacking companies have begun to test their workers, there are still high rates of COVID-19 cases among meatpacking workers, and overall, 89 meatpacking workers have died during the pandemic.³⁴ Workers in meat and poultry plants tend to be ethnic minorities, and these workers tend to have fewer protections. In fact, 87 percent of COVID deaths occurring in meat and poultry packing plants were racial and ethnic minorities.³⁵

Meatpacking workers are especially susceptible to COVID-19 exposure because coworkers must stand within 6 feet of one another, using shared workspaces, shared transportation, and even shared housing.³⁶ Prior to the pandemic, the dangerous workplace conditions attracted the attention of the Human Rights Watch organization, and many workplace injuries went unreported since workers were pressured not to report injuries due to fear of retaliation.³⁷ One reason why meat

processing plants remain unsafe for workers during and prior to the pandemic is the power imbalance between employers and employees. Many meatpacking workers are low-wage workers, and almost one-third are immigrants, many of whom are undocumented.³⁸ As a result, many workers do not speak up against employers' maltreatment because they fear repercussions that can potentially impact their precarious immigration status. Many immigrant workers depend on their jobs regardless of safety conditions, as they do not have social security numbers and cannot receive stimulus checks.³⁹ Additionally, the absence of unions in these meatpacking plants makes it more difficult for workers to engage in collective action and to leverage bargaining power over their employer.

The Trump administration has made the work of meatpackers even more precarious. In addition to eliminating regulations on line speeds, the administration has weakened governmental oversight of meatpacking plants. For example, the administration reduced the enforcement mechanisms available to the OSHA.⁴⁰ Even prior to this rollback on enforcement, studies showed issues with the lack of transparency in government statistics of meatpacking-related injuries, with some government data not matching actual records of on-site injuries in packing plants.⁴¹

To counter this crisis, the United Food and Commercial Workers (UFCW) sent letters to the U.S Department of Agriculture Secretary Sonny Perdue and Vice President Pence urging them to protect meatpacking workers by prioritizing essential workers for testing, providing immediate access to PPE, halting line speed waivers, mandating social distances, and isolating

workers who show symptoms or test positive.⁴² In September 2019, the U.S Department of Agriculture deregulated meat processing by "removing caps on line speeds in pork facilities."⁴³ By failing to regulate the speed at which the assembly line moves, this rule caused an increase in workplace injuries among workers, and in the age of COVID, workers may have a hard time maintaining a safe distance from one another if the line is moving so fast.

While these problems affect all food system workers, they especially disadvantage BIPOC communities. Of all occupations, food preparation and serving features the third greatest proportional difference between numbers of Black and White workers, and Hispanic employees constitute a considerable portion of the food system workforce.⁴⁴ As such, workers going into these dangerous food system workplaces are disproportionately BIPOC. The higher proportion of these ethnic minorities in essential jobs like restaurant work mirror their high rates of death across states. A study found that while African Americans represent only 12.14 percent of the population in states reporting COVID-19 deaths by ethnicity, they comprise 21.46 percent of deaths in these states.⁴⁵ Workers sickened because of poor coronavirus guidelines disproportionately bring the virus home to BIPOC communities, which contributes to these racial health disparities. Workers sickened because of poor coronavirus guidelines disproportionately bring the virus home to BIPOC communities, which contributes to these racial health disparities.

One solution that would help protect meatpacking workers during the COVID pandemic is to increase the U.S Food Safety and Inspection Service's regulation of meatpacking plants. In addition to

increasing regulation and enforcement, there must also be increased transparency of government audit data.⁴⁶ One way of doing this is to update occupational injury and illness reporting forms in order to heighten public awareness of these tragedies.⁴⁷

Additionally, because these untenable conditions contribute to worse physical and mental health outcomes for food system workers and their families, OSHA's regulations and standards are incredibly important. However, the agency has largely avoided substantive action to ensure working environments. Despite publishing an emergency temporary standard (ETS) for asbestos and another to address the HIV/AIDS crisis, OSHA has yet to publish one to reduce COVID-19 infections in the workplace. Concerningly, the agency has also abandoned longstanding enforcement practices. Although research suggests that press releases reprimanding employers who violated OSHA regulations can reduce violations at similar facilities by 73 percent,⁴⁸ the agency has announced that it will no longer announce new citations.⁴⁹ Additionally, employers now only have to report COVID-19 incidents if workers are exposed and then hospitalized within 24 hours, which is nearly impossible and hinders efforts to contain clusters.⁵⁰ The agency has also failed to address the majority of complaints. As of October, the agency had only conducted 211 inspections after 9,400 complaints were filed,⁵¹ and a November report found that only 2 percent of employer retaliation complaints were resolved.⁵² Even when OSHA acts, its punishments are too minor to be effective. The Smithfield meatpacking plant received a fine of a paltry \$13,494 after over 1,000 low-wage workers were infected.⁵³ Absent substantial changes to OSHA's current

practices, workers will continue to be left unprotected by the agency.

Despite these substantial challenges, several measures by OSHA and Congress would provide immediate protection and relief for food system workers. First, the Occupational Safety and Health Administration should release an ETS calling for employers to provide PPE, reduce density within workspaces, disinfect high-contact areas, and prevent potentially infected employees from returning to work.⁵⁴ Additionally, OSHA should require that all hospitalizations due to work-related infections be reported immediately after they occur to aid in contact tracing and identification of infection-prone workplaces. OSHA must also resume its effective practice of releasing public reports of companies that violate workplace standards. However, in order for these OSHA protections to take full effect, Congress must pass complementary measures. To ensure that infected workers can stay home and avoid infecting other employees, paid sick leave for these workers is critical in staving off workplace COVID-19 clusters.⁵⁵ Finally, OSHA must receive emergency funding so that it can investigate more complaints by inspecting unsafe workplaces. These measures will help to ensure that food system workers and their communities enjoy better physical, mental, and financial safety.

Conclusion

Despite the focus on COVID-19's public health and economic impacts, the federal government has largely neglected to protect and support essential workers, exposing them to unsafe working conditions while stymying an effective national response to the pandemic. These essential workers have already struggled under the status quo, which has been characterized by low pay, few protections, and insufficient support from the government, and now face even more desperate situations because of the coronavirus. Furthermore, helping these workers is key to any approach that helps the nation heal. Rampant infections within education, domestic, and food system work cause outbreaks in pandemic-vulnerable communities and prevent Americans from meeting basic needs like meals and childcare. As such, Congress must pass legislation providing paid sick leave for essential workers, mandating that agricultural workers have access to affordable healthcare, raising the minimum wage, expanding the FFCRA to include the agriculture sector, and dedicating emergency funds to OSHA. Additionally, OSHA should issue a coronavirus ETS for food system work, resume public reporting of dangerous workplaces, call for reporting of all workplace COVID-19 infections, and dedicate more resources to its investigation of worker-filed complaints. Through these efforts, the federal government can better support these indispensable workers, bolstering their long-term livelihoods while providing critical relief during the pandemic.

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