



## AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO

**Eric Bunn Sr.**

*National Secretary-Treasurer*

**Dr. Everett B. Kelley**

*National President*

**Jeremy A. Lannan**

*NVP for Women & Fair Practices*

June 17, 2020

Dear Senator:

On behalf of the American Federation of Government Employees, AFL-CIO (AFGE), which represents more than 700,000 federal and District of Columbia employees in approximately 70 agencies, I write to urge you to pass legislation to respond to the COVID-19 public health emergency and provide essential workplace protections and benefits for federal employees. Our members are working on the frontlines to protect and serve the American public during the COVID-19 pandemic. Further legislation is needed to ensure the health and safety of the federal workforce whose jobs are vital to protecting the American public.

AFGE represents many health care providers and support personnel at the Department of Veterans Affairs (VA), the Department of Defense (DoD) and the Bureau of Prisons (BOP). We represent frontline emergency responders including employees at the Federal Emergency Management Agency (FEMA), and employees whose jobs require regular contact with the public, such as Transportation Security Officers (TSOs) at the Transportation Security Administration (TSA), United States Customs and Immigration Services (USCIS) and those who work in Social Security Administration (SSA) field offices, and VA Regional Offices. We also represent employees at the Food Safety Inspection Service (FSIS) who inspect our meat and poultry, and numerous others throughout DoD, VA, and the Department of Homeland Security.

Thousands of federal employees have contracted COVID-19, most because of workplace exposure, some have died and many thousands more continue to be at risk. We also represent workers in many agencies who are performing their jobs successfully through telework while adhering to stay-at-home orders to protect themselves and their surrounding communities.

AFGE urges the Senate to bring H.R. 6800, the "Helping Economic Recovery Omnibus Emergency Solutions (HEROES) Act," to the floor for a vote with the following provisions included in the bill to help ensure federal workers can safely and effectively perform their jobs on behalf of the American public during the current pandemic.

**Prevent Furlough of U.S. Citizenship and Immigration Services (USCIS) Employees:** USCIS relies on user fees for funding and has experienced a 61percent reduction in application and petition requests due in part to the pandemic. This has led to a significant loss in funding for the agency. USCIS has issued furlough notices to a total of 13,400 employees and on August 3<sup>rd</sup> these workers will be furloughed indefinitely unless the agency receives funding from Congress. This will require an emergency supplemental appropriation of \$1.2 billion, \$571 million to fund the agency for the balance of the fiscal year and \$650 million to fund the agency through the end of 2020. AFGE strongly urges both the House and Senate to include the emergency supplemental funding in the next COVID-19 legislation to avoid furloughing UCIS workers. USCIS employees provide critical services helping millions of families become naturalized American citizens and process work visas and asylum and refugee petitions. AFGE strongly

urges the Senate to fund the USCIS to ensure the agency can continue the important work of serving the American public.

**Premium Pay:** AFGE urges inclusion of language in the next COVID-19 legislation to provide premium pay for employees whose duties, work setting and interaction with the public place them in danger of contracting COVID-19. We support making that pay retroactive to January 27, 2020, when the national emergency went into effect.

**Presumption of Workplace Illness:** AFGE strongly supports language in the “HEROES Act,” that creates an automatic presumption of workplace illness when a worker who is required to report for duty and interact with the public, individuals who are quarantined, or who have been diagnosed with COVID-19 during the performance of their duties contracts the virus. This workplace presumption of illness will allow these federal employees to make a Federal Employees’ Compensation Act (FECA) claim without facing a potentially lengthy denial and appeals process, and help these workers receive much needed benefits and health care services.

**Adequate Personal Protective Equipment (PPE):** A comprehensive strategy for ensuring adequate PPE, testing and other medical resources necessary to fight COVID-19 is needed for all workers. Specifically, such a plan should address a broad range of medical needs, including many forms of PPE, testing, ventilators, pharmaceuticals, vaccines, and other equipment and supplies that the Department of Health and Human Services and the Department of Homeland Security determine to be scarce and critical. AFGE urges the inclusion of language to enhance the authority of the Defense Production Act (DPA) to hold agencies accountable, through strong reporting requirements, oversight, transparency and stakeholder engagement in the next COVID-19 legislation. We urge the Senate to establish a strong role for Comptroller General evaluation of executive branch activities under the DPA, including stakeholder engagement, and specifically recognize the role of labor representatives of public sector workers, health care workers, service sector workers and manufacturers.

**Telework:** AFGE urges the Senate to include provisions that require federal agency leaders to allow telework for all eligible federal employees during the coronavirus pandemic. Federal employees have successfully engaged in telework for many years and have demonstrated they are able to be effective and productive working in this environment during the pandemic. Congress should require agencies to assess equipment and technology deficits related, but not limited to needed hardware and software, as well as work to address barriers to telework so more employees are able to telework during the COVID-19 pandemic and in the future.

**Occupational Safety and Health Administration (OSHA) and Mine Safety and Health Administration (MSHA) Emergency Temporary Standard:** AFGE strongly supports an emergency temporary and permanent OSHA and MSHA standard for frontline employees fighting coronavirus in the performance of their duties. We also support safeguards to prevent employers from being able to retaliate against workers who report infection control problems in the workplace. AFGE urges inclusion of an emergency temporary and permanent OSHA and MSHA standard for frontline employees in COVID-19 legislation.

**Emergency Paid Sick Leave:** AFGE urges the Senate to include a provision to strike the authority of the Director of the Office of Management and Budget to revoke the Emergency Paid Sick Leave enacted in the Coronavirus Aid, Relief and Economic Security Act in the next COVID-19 legislative package. We are also supportive of language included in the “HEROES Act,” ensuring that emergency leave is provided to frontline Transportation Security Officers and health care professionals at the Department of Veterans Affairs.

**Washington DC Support:** AFGE represents thousands of employees of the District of Columbia who are on the frontlines in the nation’s capital serving and protecting Americans who live and work in DC. We urge inclusion of language in legislation to address the COVID-19 pandemic that treats DC as a state for the purposes of funding for prevention, treatment and recovery, and makes retroactive payments under that status for funds provided in the Coronavirus Relief Fund in the Coronavirus Aid, Relief and Economic Security Act.

**Restoration of Labor-Management Relations:** To address the health and safety of essential federal workers, there must be a clear government-wide directive for agencies to consult and collaborate with employees and their unions to develop and implement policies to address the issues covered outlined in this statement. These workers are bearing the consequences of policies being imposed without their valuable input, even when decisions threaten their lives. Frontline workers will continue to be the ones most impacted by the decisions that are made going forward. AFGE urges Congress to restore labor-management relations and communication as agencies work to quickly implement new policies and workplace procedures during this health care crisis. The administration’s federal workforce personnel Executive Orders issued in May 2018 continue to serve as barriers to labor-management collaboration. Labor representatives should have the opportunity to communicate regularly to discuss the needs and concerns of employees as they respond to the COVID-19 crisis. Labor representatives can provide important ideas and feedback as agencies work to adapt to this new environment and respond to the needs of the public.

The federal workforce is bravely working to ensure that the American public receives important services and benefits during the COVID-19 crisis. We ask that you include the provisions identified in this letter in the next COVID-19 response legislation.

For additional information or questions, please contact Fiona Kohrman, [fiona.kohrman@afge.org](mailto:fiona.kohrman@afge.org).

Sincerely,

A handwritten signature in black ink, reading "Alethea Predeoux". The signature is fluid and cursive, with the first name "Alethea" being more prominent than the last name "Predeoux".

Alethea Predeoux  
Director, Legislative Department