



BEST PRACTICE POLICIES: COVID-19 FOOD SUPPLY CHAIN EMERGENCY

The COVID-19 pandemic has exposed the United States' food supply chain to significant uncertainties and vulnerabilities.^{1,2} This heightened level of risk to the food supply chain comes at a time when maintaining the stability of food access is critical to the wellbeing of the American public. Therefore, as the COVID-19 situation continually evolves, it is imperative to establish regular communication between employers, labor unions, public health officials, and workers about best practices to keep everyone safe.³

As part of this communications effort, we are providing recommendations based on epidemiological and workplace safety best practices for securing the American food supply chain.^{4,5,6} The principal task necessary to securing the food supply chain is to detect and isolate current cases of COVID-19 at food supply chain employers. This approach requires testing for infected workers or screening for workers with COVID-19 symptoms. Following a positive test or the appearance of COVID-19 symptoms, workers shall quarantine with full pay and benefits until they show signs of recovery or immunity consistent with public health guidelines.⁷ We also recommend workplace prophylactic practices – such as providing paid leave to at-risk employees, new physical distancing policies, increased frequency of disinfecting, and labor-management coordination committees – to prevent the community spread of new COVID-19 cases.^{8,9}

For the food supply chain as a whole, we make the following recommendations:

1. Establish a National Food Supply Chain Adjustment Board with equal representation from management and unions to enforce policies that ensure the health, safety, and continuity of operations in the food supply chain.
2. Place a moratorium on all permanent food supply chain facility closures and major consolidations that have the potential to disrupt the safe and efficient operation of the food supply chain during the COVID-19 emergency.

On the workplace level, workers must be protected by employer policies that ensure the health, safety, and resiliency of the workforce and the communities they serve. We recommend that employers meet this goal by taking steps to improve operations in (I) administration and communication, (II) employee protections, (III) physical distancing, (IV) increased paid time off, emergency premium pay, and insurance benefits, and (V) enforcement mechanisms to ensure compliance with policies.

1 <https://www.nytimes.com/2020/03/31/opinion/coronavirus-food-supply.html>

2 <https://www.npr.org/2020/03/27/822728439/how-coronavirus-could-disrupt-the-supply-chain-for-food>

3 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2640909/>

4 <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>

5 <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>

6 <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html>

7 <https://www.npr.org/sections/health-shots/2020/03/24/820157519/to-end-the-coronavirus-crisis-we-need-widespread-testing-experts-say>

8 <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>

9 <https://www.who.int/ihr/elibrary/WHOOutbreakCommsPlanngGuide.pdf>



More detailed recommendations for ways that employers can achieve these goals on the workplace level appear in the following sections.

I. Administration and Communication

1. Establish a pandemic coordination team at each facility with equal representation of management and employees working in partnership, and in mutually defined roles and responsibilities, to coordinate preparedness and response planning.^{10, 11, 12} In cases where workers are covered by a collective bargaining agreement, the union will provide the appropriate worker representative.
2. At least once a week, update staff and customers on how the business is responding to the pandemic.¹³ This update shall come in the form of a report that includes the following components: the number of COVID-19 cases at the workplace; the number of COVID-19 related absentees; the policies the company has put into place in response to the crisis; any workplace policy changes required by the current public health crisis; and the timeline for implementing any policies not already in place.
3. Establish a process to communicate information to employees – email, texts, postings or robocalls – on the company’s infectious disease outbreak response plans and latest COVID-19 information.¹⁴ In workplaces with collective bargaining agreements, this communication shall be done jointly between the union and the employer.
 - Provide drivers with current information on shelter-in place orders and state quarantine declarations, and how they might affect deliveries and/or routes.
4. Post reminders for workers to:
 - Cover coughs and sneezes with a tissue (or an elbow or shoulder if no tissue is available).
 - Maintain hand hygiene.
 - Avoid touching their eyes, nose, and mouth.
 - Use PPE, such as masks, gloves, coveralls, etc., when available.
 - Notify their direct supervisor of any contact with someone who has tested positive for COVID-19 or who has experienced COVID-19 symptoms.¹⁵
 - Stay home if they are sick or have symptoms consistent with COVID-19.¹⁶

II. Employee Protections at the Workplace

1. Conduct a hazard assessment to identify occupational risks to COVID-19 exposure for each job classification.¹⁷ Using guidance from the CDC, NIOSH, ACOEM, and OSHA, work with the pandemic coordination team, industrial hygienists, and other safety professionals to implement hazard prevention and control practices.¹⁸
2. Train employees on all hazard prevention and control practices, including proper use, limitations, disposal procedures, and/or cleaning and disinfection procedures of

10 <https://www.ncbi.nlm.nih.gov/books/NBK143067/>

11 <https://www.who.int/ihr/elibrary/WHOOutbreakCommsPlanngGuide.pdf>

12 Saint Louis County Continuity of Operations: COVID-19. April 8, 2020. Saint Louis County calls for “identifiable structure and filling leadership positions in order to effectively support and manage the continuum of fire and ems operations within St. Louis County during pandemic situations.”

13 <https://www.ncbi.nlm.nih.gov/books/NBK143067/>

14 <https://www.ncbi.nlm.nih.gov/books/NBK143067/>

15 <https://www.osha.gov/Publications/OSHA3990.pdf>

16 <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>

17 <https://www.osha.gov/SLTC/covid-19/hazardrecognition.html>

18 <https://www.osha.gov/SLTC/covid-19/controlprevention.html>



personal protective equipment (PPE, e.g., masks, gloves, uniforms, etc.).¹⁹ Employers shall provide COVID-19 prevention supplies in the workplace including but not limited to soap and running water, hand sanitizer with at least 60% alcohol, tissues, and trash baskets.²⁰ Accurate thermometers to test for fever and mechanisms for reporting fever and other COVID-19 symptoms will help in surveillance of prevention of further COVID-19 spread.²¹ The pandemic response coordination team will be responsible for determining how to ensure these supplies are distributed and made available throughout the workplace.

3. Provide COVID-19 PPE in accordance with OSHA and CDC guidance, and at the same level as employers in other industries. Guidance from OSHA stipulates that workers who face medium risk for contracting COVID-19 receive some combination of gloves, a gown, a face mask, and/or a face shield or goggles, depending on the employer's hazard assessment of job categories.²² Recently published CDC guidance also recommends that any individual wear a cloth facemask in public settings.²³ Employers in the grocery²⁴ and warehouse²⁵ industries have committed to providing masks and other non-specified forms of PPE to their workers in the next week. The Saint Louis County Fire Department in Missouri requires that all first responders wear N95 respirator masks.²⁶ Other unions have demanded that employers provide PPE and N95 respirators as well, with the president of the United Food and Commercial Workers demanding in a letter to the Centers for Disease Control that employers supply workers with PPE, including N95 respirator masks.²⁷
4. Train employees on proper cough/sneeze etiquette and hand hygiene (e.g. coughing or sneezing into a tissue, elbow or shirt; washing hands before eating, before and after using the restroom, after coughing or sneezing, before touching the face, before going home and after touching contaminated surfaces, while using break and eating facilities).²⁸
5. As COVID-19 can survive on surfaces for up to three days,²⁹ the entire workplace including vehicles, shall be subject to a thorough sanitation and disinfectant cleaning policy. "Workplace" in this context refers to all areas of the employer's facility where employees are required to be or have access to during the performance of their duties, including but not limited to staging areas, docks, production and warehouse areas, locker rooms, break rooms, eating areas, restrooms, offices, storage areas and all equipment utilized in production or distribution of the employer's product or service.
6. The workplace shall be sanitized and disinfected frequently, and at least once per day.^{30, 31} The disinfectant must meet the Environmental Protection Agency's (EPA) criteria for use against COVID-19. Restrooms, breakrooms, and eating areas will be cleaned and sanitized every two hours.

19 <https://www.osha.gov/SLTC/covid-19/controlprevention.html>

20 <https://www.osha.gov/Publications/OSHA3990.pdf>

21 <https://www.ncbi.nlm.nih.gov/books/NBK11770/>

22 <https://www.osha.gov/Publications/OSHA3990.pdf> (p.22)

23 <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover.html>

24 <http://www.ufcw400.org/2020/03/23/enhanced-policies-in-effect-at-giant-kroger-safeway-shoppers/>

25 <https://www.cbsnews.com/news/amazon-face-masks-warehouse-workers-next-week/>

26 Saint Louis County Continuity of Operations: COVID-19. April 8, 2020.

27 <http://www.ufcw.org/wp-content/blogs.dir/61/files/2020/04/AMP-Letter-to-CDC-.pdf>

28 <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>

29 <https://www.nih.gov/news-events/news-releases/new-coronavirus-stable-hours-surfaces>

30 <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>

31 <https://www.umms.org/coronavirus/what-to-know/protect/clean>



- Vehicles must be disinfected before any change in drivers or occupants. Areas or items that must be cleaned include but are not limited to keys, the steering wheel, inner and outer door handles, shift lever, any buttons or touch screens, wipers and turn signal levers, driver door armrests, grab handles, seat belts, seat adjusters, other levers, and other nonporous surfaces.
 - A driver can refuse to utilize a vehicle that has not been cleaned. Drivers must wash or sanitize their hands before and after their shift. If a driver does not sanitize their hands prior to entering a new facility, then the driver must use disinfectant to sanitize any touched surfaces, including but not limited to the keys, steering wheel, inner and outer door handles, shift lever, any buttons or touch screens, wiper and turn signal levers, driver door armrests, grab handles, seat belts, seat adjusters, hand trucks, other levers, and other nonporous surfaces, if applicable.
7. Because the virus can likely survive on porous surfaces – such as clothes – and cause infection for up to four hours,³² for the duration of the crisis, management shall retrieve and launder soiled uniforms daily to ensure that workers do not take the virus home to their families or the general public. Time spent changing into and out of an employer-provided uniform shall be classified as paid time, so that workers are able to ensure compliance with this rule.

III. Physical Distancing for Frontline Workers

1. Consistently practice physical distancing during the COVID-19 emergency by increasing space between people to at least six feet and limiting face-to-face contact between workers and visitors to the workplace.³³ Methods to implement physical distancing in the workplace include, but are not limited to the following:
 - Implementing reduced, staggered, or otherwise flexible work schedules to decrease the number of workers who are in the workplace at any given time.³⁴
 - Increasing the number of staggered meal and rest breaks.³⁵
 - Slowing belt speed to space workers farther apart.
 - Suspending production standards and production related discipline.³⁶ The standards are designed for a normal work environment and do not reflect the need for workers to maintain social distance, sanitize equipment, work irregular hours or wash their hands to reduce the spread of the virus.
 - Postponing non-essential meetings.³⁷
 - Increasing ventilation rates in the work environment.³⁸
 - Installing physical barriers, such as clear plastic sneeze guards, between workers or occupants of vehicles where maintaining six feet of physical distance is not possible.³⁹
 - Removing turnstiles or any other objects that cause bottlenecks and may prevent

32 <https://www.statnews.com/2020/03/19/coronavirus-survives-on-surfaces-how-to-protect-yourself/>

33 <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/social-distancing.html>

34 <https://www.osha.gov/Publications/OSHA3990.pdf>

35 <https://www.osha.gov/Publications/OSHA3990.pdf>

36 Teamsters Local 89 members at Zenith Logistics in Kentucky and Teamsters members at United Natural Foods Inc. report that the companies have relaxed production standards.

37 <https://www.osha.gov/Publications/OSHA3990.pdf>

38 <https://www.osha.gov/Publications/OSHA3990.pdf>

39 <https://www.osha.gov/Publications/OSHA3990.pdf>



workers from entering, exiting or moving around the workplace without standing close together.⁴⁰

2. The pandemic coordination team shall designate appropriate social distancing policies and procedures at all entry and exit locations including but not limited to points of ingress and egress to the employer's property, security stations, break areas in the employer's facility or vehicle, truck stops, maintenance bays/repair shops, customer facilities and customer service counters.

IV. Paid Time Off, Emergency Premium Pay, Insurance

1. Workers shall be granted at least 14 days of paid emergency leave immediately (emergency leave will not be accrued), which is the length of quarantine time that public health authorities recommend after an individual has come into contact with someone who has COVID-19.⁴¹ Policies requiring medical documentation of illness will not be required for use of emergency and other employer-provided sick leave.⁴²
2. All high-risk employees shall be granted leave at full pay and benefits for the duration of the COVID-19 crisis so they can stay home, as recommended by public health authorities.⁴³ In this context, high-risk groups are older adults and people of any age who have serious underlying medical conditions. Criteria for inclusion in these groups include individuals over 65 years of age and individuals with conditions that include but are not limited to the following: lung disease, asthma, heart conditions, immunocompromising factors, severe obesity, diabetes, kidney disease, liver disease, hypertension, and pregnancy.^{44, 45, 46}
3. Leave policies shall ensure that workers who cannot work due to COVID-19 – whether experiencing COVID-19 symptoms, diagnosed with COVID-19, placed in quarantine, or qualified as belonging to an at-risk category – do not lose pay or benefits.⁴⁷ Associates who are required to stay home to care for a child due to school closings or for a sick family member must be afforded leave with full pay and benefits in order to slow the spread of the virus. As advised by public health authorities and if resources are available, public health agencies shall conduct contact tracing on confirmed COVID-19 cases.⁴⁸
4. Employer leave policies shall enable and actively encourage workers who are sick to stay home.⁴⁹ Advise employees with symptoms of respiratory illness to stay home and to self-isolate until they are free of fever⁵⁰ (100.4° F [37.8° C] or greater using an oral thermometer), signs of a fever, and any other symptoms for at least three days, without the use of fever-reducing or other symptom-altering medicines (e.g. cough suppressants).⁵¹ If employees experience severe symptoms, such as difficulty breathing, persistent pain or pressure in the chest, new confusion or inability to rouse, or bluish

40 Teamsters Local 89 members at Zenith Logistics in Kentucky and Barns & Noble warehouse workers in New Jersey report that the companies have removed turnstiles in the facilities.

41 <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/social-distancing.html>

42 <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>

43 <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/what-you-can-do.html>

44 <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/groups-at-higher-risk.html>

45 <https://www.osha.gov/Publications/OSHA3990.pdf>

46 [https://www.thelancet.com/journals/lanres/article/PIIS2213-2600\(20\)30116-8/fulltext](https://www.thelancet.com/journals/lanres/article/PIIS2213-2600(20)30116-8/fulltext)

47 Lululemon has instituted a leave policy similar to the recommendation here. <https://www.newsweek.com/coronavirus-stores-retail-closure-employee-pay-1493729>

48 <https://www.cdc.gov/sars/guidance/b-surveillance/contacts.html>

49 <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>

50 <https://www.cdc.gov/quarantine/air/reporting-deaths-illness/definitions-symptoms-reportable-illnesses.html>

51 <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>



- lips or face, then employees should seek immediate emergency medical attention.⁵²
5. Employees who stay home from work for any reason related to the COVID-19 pandemic shall return to work after testing negative for a current infection of COVID-19. If testing resources are not available, workers shall return to work only after they are free of COVID-19 symptoms and end self-isolation, as described in the previous item.⁵³
 6. Employees who are well but reside with someone who has COVID-19 or someone who is showing COVID-19 symptoms shall be granted leave with full pay and benefits for 14 days, which is the number of days recommended by public health authorities for self-quarantining.⁵⁴
 7. Employees who are well but have come into contact with someone showing COVID-19 symptoms either on duty or off shall be granted leave with full pay and benefits for 14 days, which is the number of days recommended by public health authorities for self-quarantining.⁵⁵
 8. Advise employees of their possible exposure to COVID-19 in the workplace if a coworker is confirmed to have COVID-19, while maintaining confidentiality as required by the Americans with Disabilities Act (ADA).⁵⁶
 - Workers in the same work area of the worker who tested positive for COVID-19 shall be required to take a 14-day quarantine period of leave with full pay and benefits.
 - As advised by public health authorities, and subject to available resources, public health agencies shall conduct contact tracing and testing of workers who have come into contact with a confirmed case of COVID-19.
 9. Half of all Americans – including those with employer-provided insurance – have delayed health care treatment due to costs, and one in eight of those cases became worse as a result.⁵⁷ To ensure that people with COVID-19 seek testing and treatment, medical insurance deductibles, copays, and out-of-pocket COVID-19 related expenses – and expenses from any complication due to COVID-19 related treatment – shall be waived for employees working during the crisis.
 10. According to the U.S. Department of Labor, hazard pay means additional pay for performing hazardous duty or work involving physical hardship.⁵⁸ To ensure that workers are receiving compensation that accounts for working in the hazardous conditions caused by COVID-19, workers shall receive an emergency premium pay of twice their normal rate of pay for straight time. For overtime, workers shall receive 1.5 times their emergency premium rate of pay.
 11. If an employee is not paid on an hourly basis, their regular rate of pay will be calculated by taking their average weekly (or monthly) earnings for February 1, 2019 through March 1, 2019 and dividing that number by 40.
 12. To prevent exhaustion and decrease the chance that workers become ill due to overwork,⁵⁹ employers shall be limited to requiring employees to work eight hours

52 <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>

53 <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>

54 <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/social-distancing.html>

55 <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/social-distancing.html>

56 <https://www.cnn.com/2020/03/12/success/when-an-employee-gets-coronavirus/index.html>

57 <https://www.kff.org/health-costs/issue-brief/data-note-americans-challenges-health-care-costs/>

58 <https://www.dol.gov/general/topic/wages/hazardpay>

59 <https://www.cdc.gov/niosh/docs/2004-143/pdfs/2004-143.pdf>



of straight time per day and two hours of overtime per week. These paid hours shall include meal, rest, and sanitizing breaks. Employers shall also provide two full consecutive days off per week. This shall be in effect for the duration of the COVID-19 crisis. Drivers will be given the option to work a daily maximum of four overtime hours.

Enforcement

The COVID-19 crisis facing our nation – and the heightened risk that frontline food supply chain workers face – demands cooperation between labor and management of food supply chain companies. For cooperation to occur, there must be independent enforcement of policies that guarantee labor and management are complying with policies that make operating under extremely hazardous conditions possible.

Therefore, any violation of these rules and regulations can be appealed to and heard by the Food Supply Chain Adjust Board or a designated authority, which shall have the power to enforce these rules and adjudicate any ruling, including but not limited to reinstatement and penalties. The Adjustment Board is limited to interpreting and applying the policy contained herein. Any workers covered by a collective bargaining agreement shall defer to the grievance and arbitration process contained in the collective bargaining agreement.