**Health Emergency Labor Standards Act (HELSA)**

**1) Requires creation of a workplace infectious disease standard**

Directs Labor and Industries (LNI) to establish a safety standard rule for workplaces where workers are exposed to contagious or infectious diseases.

**2) Establishes new employment standards** **during a pandemic**

During a public health emergency, as declared by the President or the Governor, the following employment standards go into effect:

* Provides a **presumption for worker’s compensation coverage** during a public health emergency for "**HELSA Frontline Employees**" (see definition).
* Requires employers to **accommodate employees’ voluntary use** **of PPE**. And if employers require employees to wear masks and gloves, the employer must provide the required equipment.
* Provides **protection from retaliation or discrimination** for employees who raise reasonable concerns about infection control in their workplace. Provides whistleblower protection and permits qui tam action.
* Mandates **reporting requirements**: employers of 50 or more employees must notify LNI when more than 10% of their workforce becomes infected during a public health emergency.
* Lowers the **eligibility threshold for paid family and medical leave** when the qualifying period includes a public health emergency.

**HELSA Frontline Employees**

* First responders, including emergency medical service providers, paramedics, law enforcement officers, firefighters, and ambulance drivers
* Employees working at a hospital, health care facility, nursing home, or assisted living facility
* Food processing, distribution, meatpacking, and farm workers (including floriculture)
* Maintenance, janitorial and food service workers at any facility treating patients
* Drivers and operators employed by a transit agency or public entity providing mass transportation to the general public
* Daycare and childcare workers at licensed facilities
* Workers employed by a pharmacy, drug, retail, or grocery store open to the public
* Workers in restaurants and hotels open to the public
* Home care aides and home health aides
* Correctional officers
* Educational employees teaching classes in person and on site
* Requires every employer, of "**HELSA Frontline Employees**" who earn up to $1.00 over the legal minimum wage, to provide **health emergency pay** of an additional 25% of the state minimum wage for each hour worked.
* Requires every employer to provide additional **paid sick leave** when an employee is exposed or infected and unable to work or telework. Full time employees become eligible for 80 additional hours of paid sick leave (pro-rated for part time employees). Provides a dollar-to-dollar credit towards state B&O tax for any dollars paid as leave under this provision if there is no federal assistance for similar leave.
* Requires every employer with 50 or more employees to provide employer-paid **childcare leave** when schools and childcare centers are closed. Provides a dollar-to-dollar credit towards state B&O tax for any dollars paid as leave under this provision if there is no federal assistance for similar leave.