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## **CLIENT ALERT: New York HERO Act Model Plans Released**

### **FEATURED ATTORNEYS**

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## **NEW YORK HERO ACT MODEL PLANS RELEASED**

The New York State Department of Labor (DOL) has released its Model Airborne Infectious Disease Exposure Prevention Plan, which sets forth the steps that employers must take to protect their employees from airborne infectious diseases. This applies to all employers with worksites in New York. The HERO Act requires employers to adopt a plan for their worksite within thirty days of the publication of the Model Plan. Since it was published on July 6, 2021, Employers must adopt their own plan by August 17, 2021.

The Model Plan covers the responsibilities of the employer, exposure controls during a designated outbreak, housekeeping during a designated outbreak, infection response, training and information, plan evaluations, and retaliation protections. Employers can adopt the Model Plan as their own or draft their own plan. If an employer drafts their own plan, they must follow the guidelines of the Airborne Infectious

Disease Exposure Prevention Standard, released alongside the Model Plans.

The Model Plan and the Standard guidelines can be found on the DOL website under “Workforce Protections”. There, click “Safety and Health” and scroll down to the button that reads “Learn More about the NY HERO Act”. Additionally, there are several industry-specific Model Plans available on the DOL website. There are Model Plans available for the following industries: Agriculture, Construction, Delivery Services, Domestic Workers, Emergency Response, Food Services, Manufacturing and Industry, Personal Services, Private Education, Private Transportation, and Retail.

In addition to the State requirements, all healthcare employers are subject to the new mandatory COVID-19 Emergency Temporary Standard issued by OSHA on June 10, 2021. The regulation requires employers of healthcare workers to adopt a COVID-19 plan (in writing if there are more than 10 employees) and sets forth specific protections that the employer is required to adopt. Employers can find this information by searching “Mandatory OSHA COVID-19 Emergency Temporary Standard” on their search engine and clicking the PDF link.

If you have any questions, comments, or require anything further, please contact [Sharon Stiller, Esq.](#), [Maureen Bass, Esq.](#), or [Rachel Gold, Esq.](#)

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