



New York Passes Hero Act to Prevent Further Spread of COVID-19

On May 5, 2021, New York passed the [Health and Essential Rights Act](#) (NY HERO Act). This law requires every employer to establish an airborne infectious disease exposure prevention plan and requires employers to allow employees to establish workplace safety committees.

NY HERO Act Requirements

Employers must establish an airborne infectious disease exposure prevention plan. The [New York Department of Labor](#) is required to create industry-specific model plans in English and Spanish. Employers can adopt the model standard relevant to their industry or establish an alternative plan that equals or exceeds the minimum standards in the model standard.

Employers must post their plans in a visible and prominent location at the worksite and include them in any employee handbook provided to employees. The plan must also be given to employees, in writing and in their respective language, upon hiring and after a period of closure due to an airborne infectious disease. Employers may provide an English-language plan if no model is available in the employee's primary language.

Model plans will address requirements for employee health screenings, face coverings, required personal protective equipment, hygiene and disinfecting procedures, social distancing guidelines, isolation and quarantine, exposure notification, and regular plan reviews.

The law also requires workplaces to permit employees to establish and administer a joint labor-management workplace safety committee and provides rights and protections for these employees.

Next Steps

Employers should watch for the release of the model standard, review the standard once released and either create new standards or update their current standards to follow the necessary requirements.

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Important Dates

May 5, 2021

HERO Act signed into law by the Governor.

June 4, 2021

Employer airborne infectious disease prevention exposure prevention plan compliance date.

Aug. 4, 2021

Joint labor-management workplace safety committee compliance date.

The New York Hero Act requires businesses to implement safety measures to prevent the further spread of COVID-19.