



Department of Labor ([/web/20210908155058/https://dol.ny.gov/](https://web/20210908155058/https://dol.ny.gov/))



NYS HERO Act

Protecting Workers from Airborne Disease



NYS HERO ACT

Protecting New York Workers from Airborne Diseases

The New York Health and Essential Rights Act (NY HERO Act) was signed into law on May 5, 2021. The law mandates extensive new workplace health and safety protections in response to the COVID-19 pandemic. The purpose of the NY HERO Act is to protect employees against exposure and disease during a future airborne infectious disease outbreak.

On September 6, 2021, Governor Kathy Hochul announced the designation of COVID-19 as an airborne infectious disease (<https://web.archive.org/web/20210908155058/https://www.governor.ny.gov/news/kathy-hochul-announces-designation-covid-19-airborne-infectious-disease-under-new>) under the HERO Act. This designation requires all employers to implement workplace safety plans.

Under this new law, the New York State Department of Labor (NYS DOL), in consultation with the NYS Department of Health, has developed a new Airborne Infectious Disease Exposure Prevention Standard, a Model Airborne Infectious Disease Exposure Prevention Plan, and various industry-specific model plans for the prevention of airborne infectious disease. Employers can choose to adopt the applicable policy template/plan provided by NYS DOL or establish an alternative plan that meets or exceeds the standard's minimum requirements.

The airborne infectious disease exposure prevention plans must go into effect when an airborne infectious disease is designated by the New York State Commissioner of Health as a highly contagious communicable disease that presents a serious risk of harm to the public health.

The standard and model plans are available in English and will be available in Spanish in the coming days. Employers are required to provide a copy of the adopted airborne infectious disease exposure prevention plan and post the same in a visible and prominent location within each worksite. Templates and resources are available below.

DOL will be sharing more details about this law in the near future. Please check this website for updates.

FEEDBACK AND INQUIRIES

(<mailto:Airborne.Infectious.Diseases@labor.ny.gov>)

RESOURCES



Airborne Infectious Disease Exposure Prevention Standard

[\(/web/20210908155058/https://dol.ny.gov/airborne-infectious-disease-exposure-prevention-standard\)](https://web/20210908155058/https://dol.ny.gov/airborne-infectious-disease-exposure-prevention-standard)



Airborne Infectious Disease Exposure Prevention Standard Spanish

[\(/web/20210908155058/https://dol.ny.gov/airborne-infectious-disease-exposure-prevention-standard-spanish\)](https://web/20210908155058/https://dol.ny.gov/airborne-infectious-disease-exposure-prevention-standard-spanish)



Model Airborne Infectious Disease Exposure Prevention Plan

[\(/web/20210908155058/https://dol.ny.gov/model-airborne-infectious-disease-exposure-prevention-plan\)](https://web/20210908155058/https://dol.ny.gov/model-airborne-infectious-disease-exposure-prevention-plan)



Model Airborne Infectious Disease Exposure Prevention Plan...

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INDUSTRY SPECIFIC TEMPLATES

Agriculture
[\(/web/20210908155058/https://dol.ny.gov/careers/industry-specific-templates/agriculture-exposure-prevention-plan-p765a\)](https://web/20210908155058/https://dol.ny.gov/careers/industry-specific-templates/agriculture-exposure-prevention-plan-p765a)

Construction
[\(/web/20210908155058/https://dol.ny.gov/careers/industry-specific-templates/construction-exposure-prevention-plan-p765b\)](https://web/20210908155058/https://dol.ny.gov/careers/industry-specific-templates/construction-exposure-prevention-plan-p765b)

Delivery Services
[\(/web/20210908155058/https://dol.ny.gov/careers/industry-specific-templates/delivery-services-exposure-prevention-plan-p765c\)](https://web/20210908155058/https://dol.ny.gov/careers/industry-specific-templates/delivery-services-exposure-prevention-plan-p765c)

Domestic Workers
[\(/web/20210908155058/https://dol.ny.gov/careers/industry-specific-templates/domestic-workers-exposure-prevention-plan-p765d\)](https://web/20210908155058/https://dol.ny.gov/careers/industry-specific-templates/domestic-workers-exposure-prevention-plan-p765d)

Emergency Response (/web/20210908155 response- exposure- prevention- plan-p765e)	Food Services (/web/20210908155 services- exposure- prevention- plan-765f)	Manufacturing and Industry (/web/20210908155 and-industry- exposure- prevention- plan-p765g)	Personal Services (/web/2021090815505 services- exposure- prevention- plan-p765h)
Private Education (/web/20210908155 education- exposure- prevention- plan-p765i)	Private Transportation (/web/20210908155 transportation- exposure- prevention- plan-p765j)	Retail (/web/20210908155058 exposure- prevention- plan-p765k)	Private (/web/20210908155058 https://dol.ny.gov/r

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