

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

United Food and Commercial)
Workers International Union,)
AFL-CIO, CLC)

and)

21-1143

American Federation of Labor and)
Congress of Industrial Organizations)

Petitioners,)

v.)

Petition for Review

Occupational Safety and Health)
Administration, United States)
Department of Labor,)

Respondent.)

Pursuant to § 6(f) of the Occupational Safety and Health Act, 29 U.S.C. § 655(f), and Federal Rule of Appellate Procedure 15, the United Food and Commercial Workers International Union, AFL-CIO, CLC (UFCW) and the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) hereby petition the court for review of the Emergency Temporary Standard (ETS) addressing occupational exposure to COVID-19 issued by the Occupational Safety and Health Administration, United States Department of Labor, and published in the Federal Register on June 21, 2021, at Volume 86, pages 32,376 through 32,628. Specifically, the UFCW and the AFL-CIO petition for review on

the ground that the ETS, which protects healthcare and healthcare support service workers from occupational exposure to COVID-19, fails to protect employees outside the healthcare industry who face a similar grave danger from occupational exposure to COVID-19. A copy of the Emergency Temporary Standard is attached to this petition as Exhibit A.

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CERTIFICATE OF SERVICE

I hereby certify that on this 24 day of June, 2021, I caused a copy of this
Petition for Review to be served on Respondent by email and first-class mail to:

Elena S. Goldstein
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/s/ Matthew J. Ginsburg
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DISCLOSURE STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and Circuit Rule 26.1, Petitioners United Food and Commercial Workers International Union, AFL-CIO, CLC (UFCW) and American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) hereby make the following disclosures:

The UFCW is an unincorporated labor organization as defined by the National Labor Relations Act, 29 U.S.C. § 152. It has no parent corporation and no publicly-traded corporation has an ownership interest in it. The UFCW represents 1.3 million workers in grocery and retail stores, pharmacies, healthcare and manufacturing facilities, and meatpacking industries throughout the United States and Canada. The UFCW is America's largest meatpacking and food processing union, representing roughly 80 percent of the nation's beef and pork workers and one-third of poultry workers. The UFCW seeks to safeguard and advance workers' welfare and security, and elevate its members and their families by improving wages, benefits, and working conditions.

The AFL-CIO is an unincorporated association of 55 national and international labor unions representing over 12 million working men and women in every sector of the economy. The AFL-CIO has no parent corporation and no publicly-traded corporation has an ownership interest in it. The AFL-CIO's general purposes include advocating for and taking appropriate legal action to

protect and advance the interests of working men and women throughout the United States, including, insofar as is relevant here, their interests in a safe and healthy workplace.

/s/ Matthew J. Ginsburg
Matthew J. Ginsburg