

As we work to [relaunch North Carolina's economy](#), our members have consistently told us that one thing is at the top of their minds: the safety of their employees and customers. Employers across our state are doing things the right way, looking to the [latest guidance](#) from public health authorities like OSHA and the CDC and developing back-to-work strategies that can return workers to their livelihoods while protecting their lives. Unfortunately, opportunistic plaintiffs' lawyers have eyed the COVID-19 pandemic as a chance to make a windfall by bringing frivolous lawsuits against job creators who are doing everything in their power to get people back to work safely.

At the NC Chamber, we believe in protecting employers who do business the right way. That's why, when the N.C. General Assembly convened in April to begin COVID-19 relief discussions, we [let them know](#) we'd be focused on limiting employers' coronavirus liability concerns. The reforms passed in [Senate Bill 704](#) – which established protections for employees and customers of essential businesses – were a good start, but they were limited in their scope. If we hope to enable businesses to relaunch effectively, we must broaden these protections to cover all businesses operating legally in North Carolina, from essential manufacturers and grocery chains to main street retail outlets and restaurants.

Policymakers must understand that limiting litigation abuse across all sectors is essential to our recovery from this pandemic. Health care workers must be able to do their jobs, schools must be able to educate students, and businesses must be able to provide the public with essentials like food, medicine, and a well-paying job – without fear of costly and unwarranted lawsuits. That's why, as the General Assembly continues to negotiate COVID-19 relief measures, our government affairs team is urging them to give all employers a greater assurance of protection from predatory litigation practices.

The priorities we're focused on include balanced reforms that will give businesses a safe harbor when they follow an appropriate standard of care to protect their employees and customers from COVID-19 while still allowing for litigation to be brought against businesses engaging in gross negligence or willful misconduct. In addition to lobbying our state's legislature for these protections, we're also supporting our national allies, like the U.S. Chamber of Commerce, who are [asking for similar protections](#) from Congress.

This issue will remain at the forefront of our advocacy agenda for as long as predatory litigation practices remain a threat for North Carolina employers. Our aim is to ensure the General Assembly secures these protections before adjourning *sine die* to close out the 2019 - 2020 session later this summer. As our team works to address these issues, keep an eye out for our weekly ***This Week at the Capital*** newsletter every Friday for updates on specific legislation.



RELAUNCHING NORTH CAROLINA

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It's Time to Relaunch North Carolina

If there is one encouraging aspect to the COVID-19 pandemic, it is the lessons we can learn from it to establish a sound recovery strategy and ensure North Carolina is better prepared to proactively respond to future crises. To make sure the voice of our statewide business community is heard in this important undertaking, the NC Chamber is providing a blueprint for aligning the efforts of public and private leaders.

We must respond now – time is of the essence if we hope to act on these lessons and relaunch North Carolina at the same pace as competing states. This document outlines a path forward in two areas. The first section, *The Way Forward: Distinguishing North Carolina*, covers the principles the business community believes should guide North Carolina leaders in finding an initial path to statewide recovery. The second section, *Business Continuity: 2020 and Beyond*, takes a longer view, outlining the steps needed to take to create a more resilient disaster preparedness and recovery strategy for future crises.

Together, these bodies of work inform a broader effort – an effort we are calling *Relaunching North Carolina*. We hope you'll [join us](#).



The Way Forward:

DISTINGUISHING NORTH CAROLINA

How to Move Forward

North Carolinians are facing a daunting COVID-19 challenge, one that is testing our lives and livelihood. Yet we've always met and overcome challenges in this state. As we have always done, we will adapt to a less-than-perfect situation and manage risk more granularly. In this battle with an invisible coronavirus, accommodations must also be made to protect those most vulnerable and ensure that our hospitals and medical providers have both the capacity and resources needed to care for all patients, including those with COVID-19.

The time to act is now. The curve on coronavirus is flattened. According to a [Main Street America poll](#) conducted in March, 80% of small businesses reported closing, at least temporarily. Moreover, 30% anticipate closing permanently if the shutdown persists more than two months. More than 1 million North Carolinians, more than 20% of our workforce, have recently filed for unemployment relief. And each week, states which have not confronted COVID-19 as effectively as ours are reopening their economies with more expedient phasing and greater regional flexibility than North Carolina.

North Carolinians deserve clear, cogent, and objective communications and data to better understand when and how they can more normally function. Businesses deserve meaningful metrics and guidelines to know when and how they can reasonably operate. Equally important, employees deserve to be able to provide for themselves and their families, as well as contribute more fully to society.

Our Guiding Principles and Needs

To move forward wisely and effectively, the business community is committed to focusing on the following principles and needs:

- Establish a formalized process for business leaders to collaborate, at least weekly, with public sector representatives, including the Governor and the Secretary of Health and Human Services (DHHS) and Secretary of Commerce, respectively.
- Manage risk effectively and adapt to an environment with a virus that currently has no known cure or vaccine.
- Attain increasing degrees of business certainty through responsible and measurable metrics that are both impactful and reasonably achievable. The immediate primary measures are:
 1. Hospital system capacity; and
 2. Consistent leveling of the number of COVID-19 cases.
- Rely on public health to identify, isolate, and respond to potential hotspots – either geographically or otherwise.
- Prioritize clear government policies supporting and enabling both employees and businesses, including:
 1. Reasonable, responsible and pragmatic liability protections;
 2. Department of Labor (OSHA) and CDC-based guidance on employer responsibilities;
 3. Sector-based approach for business to meet recommendations instead of a one-size-fits-all mandate; and
 4. Real-time data transparency regarding cases, hospital capacity, and related demographics.
- Establishing guidelines as recommended best practices that are neither codified into law, rule, regulation or statute, nor incorporated into future Executive Orders.



How it Works:

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Protect People

People are the top priority. The health and safety of people, employees, customers, vendors, communities, and broader stakeholders remains a lodestar for North Carolina employers. Public health efforts are vital. Everyone must have access to timely, transparent, accurate, and relevant information in order to best plan their activities, operations, and lives. History, data, and [current efforts](#) inform us that business will then do their part to keep themselves, their employees, customers, and other stakeholders safe.

Public Sector Responsibilities

- The state must be capable of testing those exhibiting symptoms and providing rapid and accurate results. Public-private partnerships for accelerated testing/kits may offer near-, medium-, or long-term solutions.
- The state must identify “hotspots” in a timely fashion and isolate growing infection outbreaks with thoughtful agility.
- “Testing, Tracking, and Tracing” across North Carolina is a critical governmental responsibility requiring sufficient supplies and capacity.

Guidelines for Employers and Individuals

- Businesses should provide access to and follow guidelines for infection prevention as recommended by [OSHA](#) and [CDC](#), as well as the soon-to-be released DHHS guidelines for social distancing, screening, and hygiene.
- Businesses in higher exposure risk categories should employ recommended personal protective equipment (PPE) and other more rigorous controls, such as temperature checks and others.
- Businesses, depending on their relative size, should consider appointing a response team (and associated leader) to champion and monitor newly implemented safety protocols.
- Individuals should remain vigilant and adhere to CDC-recommended hygiene guidelines.

Planning for a Potential Rise in COVID-19 Cases

An increase in COVID-19 cases is likely as restrictions are relaxed and testing increases. The number of cases leading to hospitalization, rather than increased cases, is a key metric in both determining impact on hospital capacity as well as detecting potential geographic hotspots. The NC Chamber and the North Carolina Healthcare Association (NCHA) will partner together to publish weekly updates, at least initially, on hospital capacity and COVID-19 admissions so that appropriate measures can be taken to understand and responsibly address specific situations or areas.



How it Works:

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Provide Opportunity

Employers and business owners are willing and equipped to provide the safe opportunity for people to meet the needs of their families and communities. North Carolina businesses can and must be trusted to immediately and meaningfully begin re-engaging with their customers and broader stakeholders. A phased reopening, as recommended by the White House [guidelines](#), allows for ongoing capacity assessment of the health care system to ensure their sufficient and sustainable operation consistent with our Guiding Principles.

PHASE 1

Except where otherwise noted, all employers and businesses should follow OSHA and CDC recommended guidelines for sanitization, social distancing, and PPE, including times between customer engagement. Employers can and must develop safe workplace guidelines based on recommended best practices.

- Employers create plans for employees to return to work in stages and allow for teleworking where possible.
- Employers provide reasonable accommodations for vulnerable populations.
- Medical practices reopen and hospitals perform elective procedures.
- Places of worship may reopen with social distancing protocols in place.
- Grocery stores and pharmacies operate with safe guidelines.
- Retail stores and other places of business operate with safe workplace guidelines.
- Restaurants reopen following social distancing guidelines, employing face coverings and other PPE where appropriate. Bars remain closed.
- Personal care businesses, such as hair salons, barbershops, spas, nail salons, and pet groomers reopen for appointments with safe workplace guidelines.
- State parks and outdoor recreation reopen.

PHASE 2

- Employers continue to allow for accommodations for vulnerable populations.
- Common areas are regularly sanitized and social distancing protocols remain.
- Bars may reopen with 50% capacity and social distancing protocols in place.
- Restrictions and special emphasis and support for long-term care facilities, jails, and prisons are maintained.

PHASE 3

- Employers may resume more routine operations with sanitization protocols still in place.
- Employers are encouraged to continue accommodating employees in vulnerable populations.
- Consider adjustments to restrictions on long-term care facilities, jails, and prisons.



How it Works:

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Promise for the Future

As North Carolina begins the road forward, policy changes must be continually reviewed and made to bolster our economy and provide reasonable certainty to business and, in turn, to the lives of North Carolinians. The most urgent include, but are not limited to:

- Liability Protections providing businesses with reasonable assurances that their safe reopening and Good Samaritan efforts will not be unduly penalized. The National Association of Manufacturers (NAM) recommends [Pandemic Liability Protection Policies](#), which offers an excellent overview of businesses' relevant needs.
- Protection from over-reaching and speculative workers' compensation claims due to coronavirus. The Workers' Compensation Act currently provides a fair opportunity for an employee diagnosed with COVID-19 to make a claim and an employer to either pay or defend the claim.

All North Carolinians have a role to play to help keep one another safe. We are all ready and willing to reopen our economy responsibly and safely. This unprecedented situation calls for both science-based and commonsense measures, flexibility and a willingness to adapt – all areas in which North Carolina has shown a propensity to excel.

We can both protect the health of our fellow citizens while ensuring that people have the opportunity to care for themselves and others. Together, North Carolina will re-emerge as a stronger and more resilient people and economy.



Business Continuity:

2020 AND BEYOND

Establishing Long-Term Plans for Success

The COVID-19 pandemic has provided the opportunity for valuable learnings. In the midst of this challenge, the business community has implemented policies and best practices that will be instrumental in preparing for and recovering from our state's next unexpected natural, public health, or security crisis. It is imperative that we use the insights from this crisis to determine how we, as a business community, can help our state build resiliency beyond 2020.

Establishing a Framework for the Future

Achieve Consensus and Transparency in Data

The business community has a history of using generally agreed upon "market indicators" as benchmarks for decision making. Reviewing certain markers and continually measuring our trajectory to determine where we need to go is standard operating procedure. Similar practices must apply to any future recovery process. There must be transparency and consensus regarding the correct data, datasets, and inputs needed to guide our state's response to a crisis; determining what data to track should be a collaborative process. Any predictive modeling should be vetted and found to rest on a sound conceptual framework.

In the case of a future crisis, there must be broad agreement – among leaders in both the public and private sectors – on what the right data points are. Any changes on those points should be paired with clear communication and input on why the measurement has shifted. Businesses and other entities share a common focus on the quality, quantity, reliability, and consistency of data being used to guide decisions in a crisis; therefore, the goal posts set with regards to data must remain consistent.

Secure Statewide Uniformity

A lack of uniformity leads to an inconsistent statewide response, creating an environment of uncertainty for all – including businesses, local governments and private citizens. The Governor's authority over counties and municipalities should be clear in a crisis, and the power to preempt the patchwork of local orders should be equally established.

Guiding Principles

In determining best practices when preparing for and recovering from an unexpected natural, public health or security crisis in the future, the business community is focused on the following guiding principles:

- Collaboration between the public and private sector. North Carolina is made stronger by cooperation and shared power, to develop agreement on direction, and to take action based on risks.
- Participation in the process so that any plan implemented includes business review, input, and acceptance, maximizing its effectiveness.
- Legal research to provide better clarity on the scope of authority and the distinctions between legal mandates and guidance.



Going forward, the business community will work to bring proactive clarity to this process through research and recommendations, as well as bolstered relationships and coordination with the N.C. Association of County Commissioners and the N.C. League of Municipalities.

The business community will also urge state government to establish a government-maintained “one stop shop” for citizens and businesses to view all orders in effect across North Carolina. This missing capability has helped create an atmosphere of uncertainty around enforcement of directives.

Elevate the Role of the Business Community

Whether our state is faced with a natural, public health, or security crisis, the strength of North Carolina’s economy is an essential piece of its recovery. There must be a formal process for the business community to offer input that is taken seriously.

This process should allow for review of the designation of businesses as “essential” vs. “non-essential.” Currently, there is broad consensus among the business community that such a divisive practice is unnecessary, given the symbiotic nature of our economy.

As North Carolina businesses prepare to reengage the economy, this improved process would allow the business community to ask for clarification on guidance from the government as needed.

Sharpen a Coordinated Communications Strategy

The business community must be more purposeful and nimble in coordinating and communicating its key messages. Though our response as a business community has steadily improved throughout the COVID-19 crisis, at the outset, there was not a coordinated public-facing communications strategy to show solidarity. The vacuum did not instill confidence that business had the proper plans in place to protect the health and safety of both employees and customers, which was simply not the case.

Following a crisis, consumers will lack confidence, even when government provides the “all clear.” The business community must work

collaboratively with the public sector to return some of that confidence.

Businesses also play an important role in providing a balanced measure of accountability of our elected officials in times of crisis. As employers, we have a pulse on what is happening in local communities and can better advocate for a more urgent path forward.

Address Challenges in the Supply Chain

Testing must remain a priority, and North Carolina must build its testing capability for future crises. Our supply chains for testing and treatment inputs, including PPE and other medical supplies, need to be reformulated so that North Carolinians are not beholden to international supply lines over which they have little control.

While pandemic planning has been undertaken by public health officials for years, the COVID-19 response has been “just-in-time,” rather than being able to rely on planning exercises to guide the deployment of public and private resources. It will be important to establish clear processes for a more collaborative, proactive response in the future.

A key component of planning should include assessment of funding allocation to ensure equity across the research/medical community.

Improve the Introduction of Assistance Programs

There has been tremendous confusion surrounding small businesses’ efforts to access federal and state assistance. Business owners may not have fully understood the “loan” nature of some federal assistance. The collaboration across industry sectors to provide more detailed guidance and expertise is certainly a best practice for future crises.

Continuing the Dialogue

Business Continuity: 2020 and Beyond is not a focus that ends with this document. The NC Chamber, on behalf of the statewide business community, will continue to engage and advocate for policies and best practices that will be instrumental in preparing for and recovering from our state’s next unexpected natural, public health, or security crisis. We must work together as a state to build resiliency beyond 2020.





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Keeping Up to Date – Determining the Right Guidance - NC Chamber

The following are the foremost authorities on the most up-to-date guidelines for protecting your people. They each have a dedicated page for employers outlining general, as well as industry-specific recommendations. In addition to these guidelines, consider that a Certified Industrial Hygienist (CIH) or an Occupational Health Nurse be included as a member of your team in preparing a plan of action to resume operations.

Centers for Disease Control and Prevention (CDC)

- [COVID-19 Home Page for Businesses and Employers](#)
- [Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease \(COVID-19\)](#)
- [Frequently Asked Questions for Businesses](#)
- [Reopening Guidelines for Cleaning and Disinfecting](#)
- [Guidelines for Protecting Yourself and Others](#)
- [Workplace Decision Tree](#)
- [COVID-19 Employer Information for Office Buildings](#)

Occupational Safety and Health Administration (OSHA)

- [COVID-19 Home Page](#)
- [Guidance on Preparing Workplaces for COVID-19](#)
- [Guidance for Specific Industries](#)
- [Benefits Pro Summary of OSHA Guidance](#)

American Industrial Hygiene Association

- [Recovering from COVID-19 Building Closures](#)

Additional Resources

The White House

On April 16, the White House released Guidelines for Opening Up America Again, a phased approach to help state and local officials reopen their economies, get people back to work, and continue to protect American lives. Learn more [here](#) or download a PDF [here](#).

The U.S. Chamber of Commerce

As part of its Path Forward initiative, the Digital Resources Center at the U.S. Chamber of Commerce is offering state-specific guidance on reopening businesses. You can view their interactive map [here](#). Additionally, the U.S. Chamber has created [this reopening playbook](#) specifically tailored for small businesses.

N.C. Department of Health and Human Services

The N.C. Department of Health and Human Services has released [interim guidance](#) for owners, staff, and patrons of businesses to follow during Phase 1 of the state's reopening strategy. Additionally, the department has provided this easy-to-use [Phase](#)

[1 checklist](#) for business owners. Click [here](#) to view the department's testing guidelines for COVID-19, including guidance on who can get tested and how.

Dear Members of the North Carolina Senate,

As you convene this week to address our state's response to COVID-19, we wanted to take this opportunity to share the NC Chamber's legislative agenda for the 2020 Session. Our full agenda is available on our website [here](#) – but first, here is a list of the priorities we will be paying special attention to during this current session. If you have questions about how these priorities match up with specific legislation being considered, please reach out to [Debra Derr](#) or [Peter Daniel](#) on our government affairs team.

Supporting Short-Term Tax and UI Fixes

The NC Chamber will support short-term fixes to our state's unemployment insurance program to ensure employees who find themselves out of work as a result of the COVID-19 pandemic can receive the fair compensation they need until they can return to full employment. However, our long-term focus will be on maintaining the solvency, integrity, and affordability of our UI fund, ensuring that we continue to maintain a robust UI reserve with which to take care of those North Carolinians who will need compensation after the COVID-19 impact has lessened. We will oppose any efforts to permanently loosen the commonsense guidelines we have in place for those seeking UI compensation.

The NC Chamber also supports efforts to waive the accrual of interest on corporate, franchise, and individual income tax provided such taxes are paid by extended deadlines.

Limiting Coronavirus Liability Concerns

With news outlets reporting on the wave of COVID-19-related litigation aimed at a broad spectrum of targets – including essential businesses, manufacturers producing much-needed personal protective equipment, and even frontline health care workers – frivolous lawsuits stemming from the coronavirus are a top-of-mind issue for most job creators. The NC Chamber will be focused on protecting North Carolina businesses from excessive liability related to COVID-19, and we will be especially supportive of measures aimed at limiting liability for health care workers, restaurants, food producers and retailers, and those businesses working actively to fight the virus by producing PPE or other essentials.

Opposing Presumption Shifting for Workers' Compensation Claims

The NC Chamber will oppose any measures to create a legal presumption that employees who become ill after reporting to work during the COVID-19 pandemic contracted the virus while on the job. Such a measure would constitute an unjust presumption of employer responsibility that would subject businesses of all sizes to excessive liability, radically alter the cost of workers' compensation insurance, and ultimately hamper our state's economic recovery.

Supporting Short-Term Transportation Funding Measures

Given the transportation revenue challenges brought about by COVID-19, the NC Chamber will support short-term measures to continue to fund transportation infrastructure projects while our state recovers from the impacts of the pandemic. Perhaps more importantly, the NC Chamber believes the current circumstances further support the notion that long-term infrastructure funding reform should be top of mind when legislators return in 2021 and encourage the General Assembly to lay the foundations for that conversation.

Educational Support for NC Students

COVID-19 has further revealed how many students and communities face issues with broadband connectivity in unserved areas and limited access to digital devices for learning. The NC Chamber will support efforts for strengthening broadband infrastructure grants, broadening

access to digital devices, and increasing broadband adoption, ensuring every child in North Carolina has the tools to succeed. In addition, we will support measures to lessen the burden on our education system during COVID-19 and to maintain educational continuity, including funding for school nutrition programs and reentry resources for student physical and mental health.

Thank You for Your Service to NC

Our NC Chamber team appreciates the hard work you are putting in on behalf of the people of North Carolina to ensure we mount an effective statewide response to this pandemic. We look forward to working with you to pursue policies that protect North Carolinians from the worst impacts of the virus while enabling our state's communities to recover economically.

Sincerely,

Gary J. Salamido

President and CEO

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Our mission is to research, develop, advocate, and communicate for solutions and policies that produce a nationally competitive business climate in North Carolina.

S703

Senate Bill 704 / SL 2020-3

S705

COVID-19 Recovery Act .
2019-2020 Session

VIEW BILL DIGEST	
VIEW AVAILABLE BILL SUMMARIES	
EDITION	FISCAL NOTE
Filed	
Edition 1	
Edition 2	
Edition 3	
Edition 4	
Ratified	
SL 2020-3	Actuarial Retirement

Last Action:	Ch. SL 2020-3 on 5/4/2020
Sponsors:	Brown; Harrington; B. Jackson; J. Alexander; T. Alexander; Ballard; Berger; Blue; Britt; Bryan; Burgin; Chaudhuri; Clark; Daniel; D. Davis; J. Davis; deViere; Edwards; Fitch; Ford; Foushee; Gallimore; Garrett; Gunn; Hise; Horner; Johnson; Krawiec; Lowe; Marcus; McInnis; Murdock; Newton; Perry; Peterson; Rabon; Robinson; Sanderson; Sawyer; Searcy; Smith; Steinburg; Tillman; Waddell; Wells; Woodard (Primary) J. Jackson; Mohammed
Attributes:	Public; Text has changed; Requests Study
Counties:	BUNCOMBE
Statutes:	105, 113A, 115C, 120, 130A, 135, 14, 143, 148, 150B, 153A, 159, 160A, 160D, 166A, 32A, 35A, 45A, 51, 66, 74C, 8B, 90, 96 (Chapters); 105-163.15, 105-163.41, 105-241.11, 105-241.15, 105-241.16, 105-241.21, 105-249.2, 105-356, 10B-10, 10B-200, 10B-201, 10B-25, 10B-3, 11-11, 110-90.2, 113A-115.1, 115C-105.27, 115C-105.35, 115C-105.37, 115C-105.37A, 115C-105.39A, 115C-112.8, 115C-12, 115C-174.11, 115C-174.25, 115C-218.94, 115C-269.15, 115C-269.25,
Keywords:	ADMINISTRATIVE CODE, ADMINISTRATIVE RULES, AGING, AGRICULTURE, AGRICULTURE DEPT., ANIMALS, APPROPRIATIONS, AUTHORITIES, BOARDS, BUDGET & MANAGEMENT OFFICE, BUDGETING, CALENDAR, CHILD CUSTODY, CITY COUNCILS, CLINICS, COLLEGES & UNIVERSITIES, COMMERCE, COMMISSIONS, COMMITTEES, COMMUNITY COLLEGES, COMMUNITY COLLEGES OFFICE, CORPORATIONS, FOR-PROFIT, CORPORATIONS, NONPROFIT,

LATEST 2 VOTES									
DATE	SUBJECT	RCS#	AYE	NO	N/V	EXC.ABS.	EXC.VOTE	TOTAL	RESULT
5/2/2020 1:33 p.m.	Motion 9 To Concur	[S]-676	46	0	0	4	0	46	PASS
5/2/2020 11:46 a.m.	Second Reading	[H]-930	119	0	1	0	0	119	PASS

HISTORY				
DATE	CHAMBER	ACTION	DOCUMENTS	VOTES
5/4/2020		Ch. SL 2020-3		
5/4/2020		Signed by Gov. 5/4/2020		
5/2/2020		Pres. To Gov. 5/2/2020		
5/2/2020		Ratified		
5/2/2020	Senate	Ordered Enrolled		
5/2/2020	Senate	Concurred In H Com Sub		PASS: 46-0
5/2/2020	Senate	Placed on Today's Calendar		
5/2/2020	Senate	Reptd Fav To Concur		
5/2/2020	Senate	Ref To Com On Appropriations/Base Budget		
5/2/2020	Senate	Special Message Received For Concurrence in H Com Sub		
5/2/2020	House	Special Message Sent To Senate		
5/2/2020	House	Passed 3rd Reading	CS: PCS35373-TCFP-57	
5/2/2020	House	Passed 2nd Reading	CS: PCS35373-TCFP-57	PASS: 119-0
5/2/2020	House	Added to Calendar		

<https://www.uschamber.com/press-release/us-chamber-calls-liability-protection-businesses-fear-of-lawsuits-continue-grow>



U.S. Chamber of Commerce

U.S. Chamber Calls for Liability Protection for Businesses as Fear of Lawsuits Continue to Grow

Wednesday, May 27, 2020 - 10:00am

WASHINGTON, D.C. – American businesses are working hard to take measures to protect their employees and customers amid the COVID-19 crisis, however the risk of opportunistic lawsuits poses a significant barrier in their ability to bounce back from the economic crisis. As businesses start to reopen, employers simply want to know that if they take reasonable steps to follow public health guidelines, they will be protected against needless lawsuits.

There is broad public support as well as strong support across the political spectrum for liability protections, and a consensus is emerging on this issue. Today the Chamber joined over 200 diverse trade associations and other groups calling for Congress to provide temporary and targeted liability relief legislation. This comes after the Chamber was also part of a broad group of over 50 state and local chambers who sent a letter last week on this important issue.

“During times of past crises, Congress has passed liability protections on a bipartisan basis, and must do so again,” said Harold Kim, President, U.S. Chamber Institute for Legal Reform. “The U.S. Chamber and the Institute for Legal Reform are leading this coalition to urge lawmakers to protect businesses against the acute economic threat of lawsuits.”

“Temporary, targeted and timely liability relief is critical as employers work to keep their employees and customers safe and reopen their doors as America moves towards recovering from this crisis,” said Neil Bradley, Executive Vice President and Chief Policy Officer, U.S. Chamber of Commerce. “Businesses who follow public health guidelines shouldn’t have to worry about lawsuits. Without temporary liability protections many companies face a daunting choice of either staying closed and risking bankruptcy or reopening and risking a business-crippling lawsuit.”

Bradley continued, “We must be focused on a bipartisan strategy to get the American economy back on track safely and sustainably, and unwarranted lawsuits against businesses will hinder economic recovery. As Congress and the White House consider their next relief package, the Chamber believes it should include temporary safe harbor protections from lawsuits during the COVID-19 crisis.”

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