

U.S. Senate Introduces Liability Protections Bill

There is no playbook for dealing with the pandemic. Millions of businesses, schools, nonprofits, and others are navigating an uncertain environment while trying to reopen or stay open without suffering any more economic harm. One challenge they shouldn't worry about is needless lawsuits.

Help could be on the way. Yesterday, Senator John Cornyn (R-TX) and Senate Majority Leader Mitch McConnell (R-KY) introduced The SAFE TO WORK Act, which provides the liability protections our country needs. This bill will be part of the Senate's latest legislative response to COVID-19 in the HEALS (Health, Economic, Assistance, Liability Protection, and Schools) Act.

The SAFE TO WORK Act will provide what the Chamber has advocated for the past few months: timely, targeted, and temporary relief from abusive lawsuits for employers who are following the appropriate health guidelines to keep their employees and customers safe.

Without common-sense protections, many employers face an impossible choice: shut down again and risk bankruptcy or stay open and risk a business-crippling lawsuit. The bill would help ensure that opportunistic lawsuits don't derail our economic recovery.

What the bill would do:

- Provide temporary lawsuit protections for businesses, schools, colleges, and charities that follow public health guidelines, with exceptions for gross negligence and willful misconduct.
- Protect healthcare workers and medical facilities from needless lawsuits that will impede their ability to provide needed healthcare.
- Extend the PREP Act to include manufacturers of more personal protection equipment and other COVID-related products.
- Provide a national baseline of liability protection without impacting states' abilities to provide stronger protections.
- Ensure that employers who follow applicable government guidelines aren't subject to unfair federal labor and employment lawsuits and enforcement actions.

This is not a partisan issue. Just last week, a bipartisan [coalition](#) of Republicans and Democrats in the House of Representatives urged congressional leadership to pass common-sense liability protections quickly.

Even a [majority](#) of Americans across the political spectrum agree that such efforts are needed to protect businesses. Nearly two-thirds think Congress should protect businesses from coronavirus-related lawsuits. Majorities of both parties and independents support a variety of protections from virus-related lawsuits.

What's next. Congress must include these important liability protections in its next coronavirus relief package so employers can focus on reigniting the economy and not worry about excessive litigation.

—Harold Kim, President U.S. Chamber Institute for Legal Reform