September 15, 2020

To the Honorable Members of the Pennsylvania General Assembly:

On behalf of our organizations representing a broad range of industries and employers throughout Pennsylvania, we urge your support for providing the business, nonprofit, education and healthcare communities with temporary safe harbor from unwarranted lawsuits, while not precluding appropriate action against bad actors or those acting irresponsibly.

Healthcare professionals and facilities continue their heroic efforts to treat COVID-19 patients and have been supported by manufacturers producing critical medical and personal protective equipment, at times reorienting entire operations. Other businesses, nonprofits, local governments and their employees have worked tirelessly during the course of the pandemic to sustain communities; while other Pennsylvanians who had a successful company mere months ago have drained savings and are at risk of shuttering.

All share the prospect of an uncertain future and likely significant additional compliance costs to protect the health and safety of their employees, customers and the public. All also face the threat of unfair, opportunistic pandemic-related litigation and some Pennsylvania employers have already been targeted with unwarranted lawsuits.

For the foreseeable future, employers will be subject to strict workplace health and safety requirements and those who adopt these precautions should proceed with confidence knowing they will not be targeted with frivolous, and potentially devastating, litigation. On the other hand, those who act with gross negligence or disregard safety precautions should not be protected and we support robust enforcement against bad actors or irresponsible employers.

We appreciate your work and support up to this point and urge you to continue these efforts by providing temporary, targeted legal safe harbor for those operating in good faith and complying with relevant requirements. These protections will help employers survive, allow medical providers to direct their focus and resources to public health and are critical to facilitating an economic recovery.

Thank you.

American Academy of Pediatrics, Pennsylvania Chapter
American College of Medicine, Pennsylvania Chapter
American Institute of Architects, Pennsylvania
Associated Builders and Contractors of Pennsylvania
Associated Pennsylvania Constructors
Association of Independent Colleges and Universities of Pennsylvania
Brewers of Pennsylvania
Broadband Cable Association of Pennsylvania
County Commissioners Association of Pennsylvania
CrossState Credit Union Association
Energy Association of Pennsylvania
Fight Crime: Invest in Kids PA
First Up
Pennsylvania Restaurant & Lodging Association
Pennsylvania Retailers Association
Pennsylvania School Board Association
Pennsylvania Ski Areas Association
Pennsylvania State Alliance of YMCAs
Pennsylvania State Association of Boroughs
Pennsylvania State Association of Township Supervisors
Pennsylvania State Snowmobile Association
Pennsylvania Winery Association
Public Citizens for Children and Youth
Rehabilitation & Community Providers Association
Start Strong PA
Trying Together
United Way of Pennsylvania